

# Public Document Pack

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



**Belfast  
City Council**

24th July, 2023

## **SPECIAL MEETING OF THE PLANNING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 1st August, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

### **AGENDA:**

1. **Routine Matters**
  - (a) Apologies
  - (b) Declarations of Interest
2. **LA04/2023/3613/LBC Partial demolition of the rear of the fire damaged 'Barewood building'. 166 - 174 North Street, Belfast, BT1 1QS (Pages 1 - 24)**

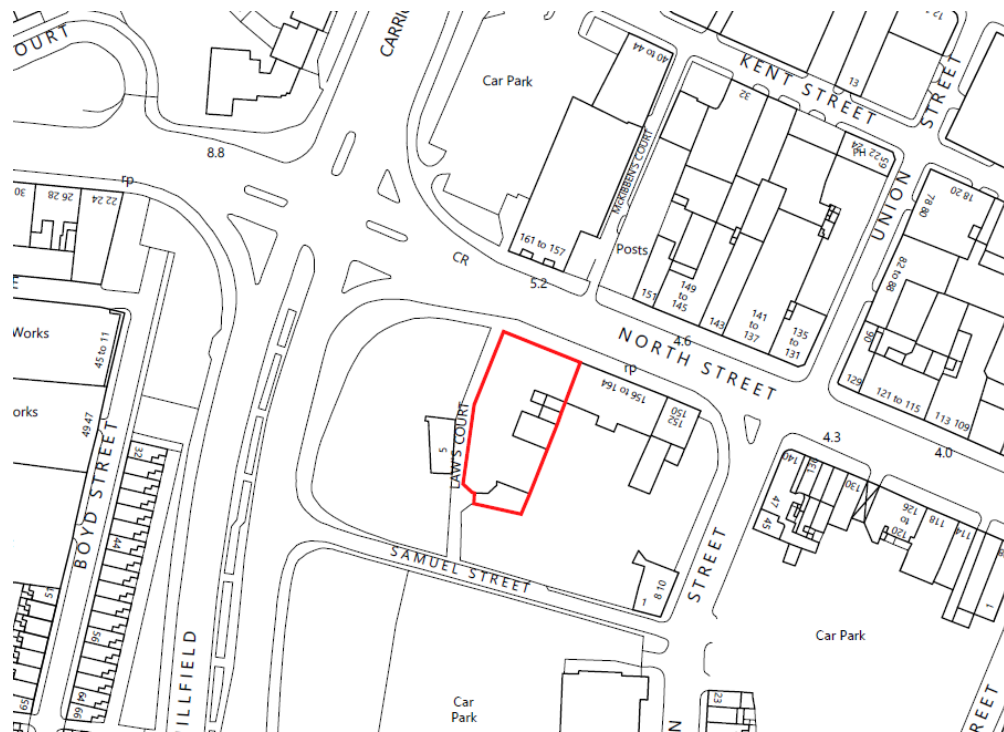


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Date:</b> 01 August 2023	
<b>Application ID:</b> LA04/2023/3613/LBC	
<b>Proposal:</b> Partial demolition of the rear of the fire damaged 'Barewood building' located at Nos. 166-174 North Street.	<b>Location:</b> 166 - 174 North Street, Belfast, BT1 1QS
<b>Referral Route:</b> Partial demolition of a Listed Building	
<b>Recommendation:</b> Approval subject to conditions	
<b>Applicant Name and Address:</b> ES North Street Limited 161 Drury Lane London	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p><b>Executive Summary:</b></p> <p>This application relates to Nos. 166 to 174 North Street ('Barewood Building'), a Grade B2 Listed Building, which was badly damaged by a fire on 31<sup>st</sup> May 2023. The application seeks Listed Building Consent for partial demolition of the rear of the building, which is in a poor and unsafe condition following the fire.</p> <p>The key issue for consideration of the application is the effect of the proposed demolition works on the architectural and historic qualities of the Listed Building.</p> <p>Building Control has issued a dangerous structures notice and supports the partial demolition of the rear of the building as soon as practicable. DfC Historic Environment Division offers no objection to the proposal in view of the safety concerns and recommends conditions.</p> <p>Having regard to the development plan and other material considerations, and the unique circumstances, the proposal is considered acceptable. It is recommended that Listed Building Consent is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.</p>	

# DRAWINGS AND IMAGERY

## Site Location Plan:



## Ground, First and Second Floor Demolition Plans:

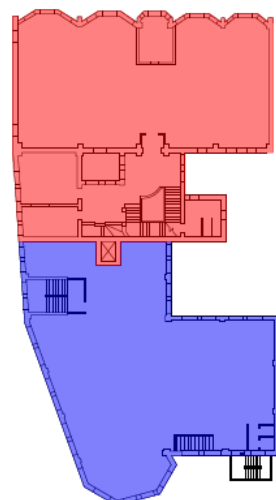
- Key:
- To be retained
  - To be demolished



Ground Floor Plan



First Floor Plan

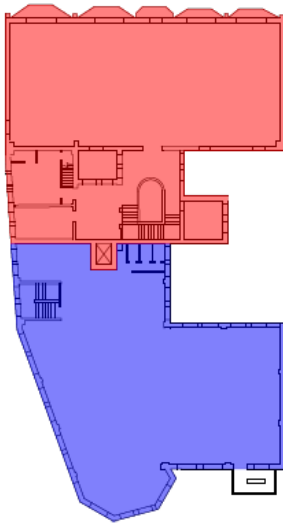


Second Floor Plan

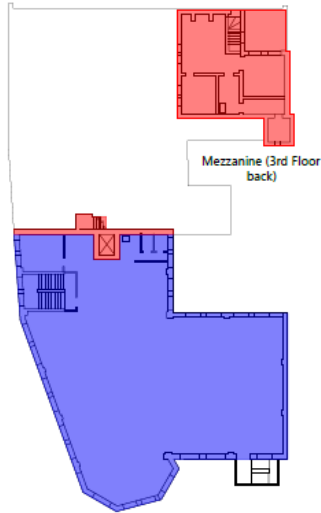
### Third and Fourth Floor Plans, and Roof Plan Demolition Plans:

Key:

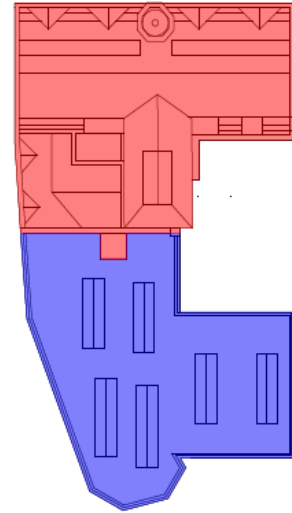
- To be retained
- To be demolished



Third Floor Plan

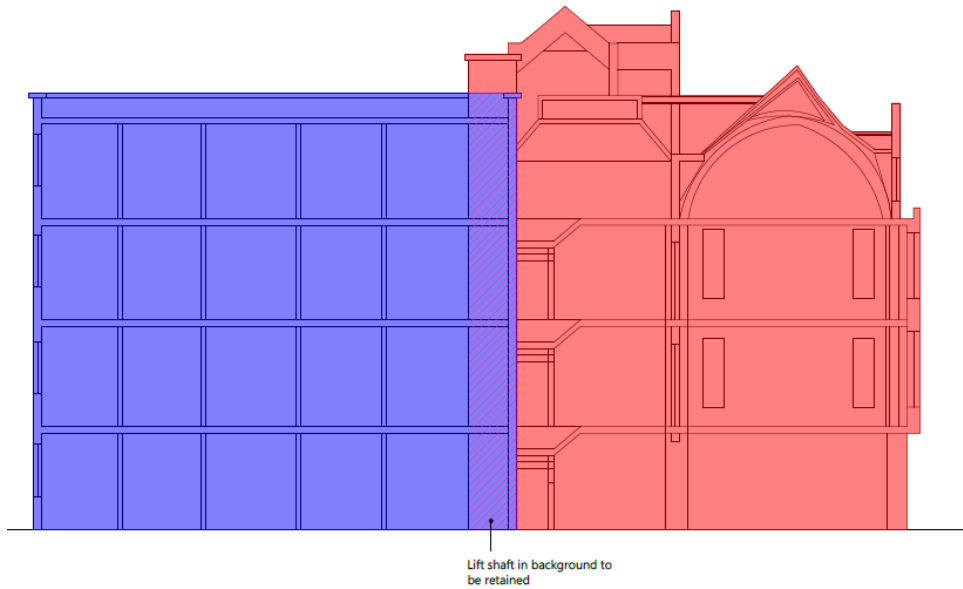


Fourth Floor Plan



Roof Plan

### Section Demolition Plans:



**Aerial Google Image (structure proposed to be demolished outlined in indigo):**



**Aerial Photograph showing fire damage (from Fire Damage Report):**





<p><b>1.0</b></p> <p>1.1</p> <p>1.2</p> <p>1.3</p> <p>1.4</p> <p>1.5</p> <p>1.6</p>	<p><b>Characteristics of the Site and Area</b></p> <p>The application relates to an historic Victorian building at Nos. 166-174 North Street, Belfast. It is a four-storey five-bay former commercial building incorporating a substantial former warehouse to the rear. The building is finished in red brick with a mansard slate roof.</p> <p>The original building was constructed between 1880 and 1899. It is Grade B2 Listed (originally listed in 2017). A copy of the listing description is provided at <b>Appendix 1</b>.</p> <p>The building was subject to a fire on 31<sup>st</sup> May 2023 which resulted in significant damage to the rear, significantly compromising that part of the building’s structural integrity. The Council’s Building Control service has issued a dangerous structures notice. A safety cordon is currently in place around the building and Samuel Street to the immediate south is temporarily closed.</p> <p><b>Description of Proposed Development</b></p> <p>The application seeks Listed Building Consent for partial demolition of the rear of the building to make the building safe. The works relate to the most significantly damaged parts of the building.</p> <p>The application is supported by drawings, Design and Access Statement, Fire Damage Report and Demolition Method Statement.</p> <p>The application has been submitted following informal discussions with officers and DfC Historic Environment Division (HED).</p>
<p><b>2.0</b></p> <p>2.1</p>	<p><b>PLANNING HISTORY</b></p> <p>Various applications were submitted in the 1980s for change of use of parts of the building to snooker club, bingo club, social club and shop unit. However, none are considered of relevance to the current application.</p>
<p><b>3.0</b></p> <p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p>	<p><b>PLANNING POLICY</b></p> <p><b>Development Plan – operational policies</b>  Belfast Local Development Plan, Plan Strategy 2035</p> <ul style="list-style-type: none"> <li>• Policy SP5, Positive placemaking</li> <li>• Policy BH1, Listed Buildings</li> </ul> <p><b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) BUAP  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>Regional Planning Policy</b>  Regional Development Strategy 2035 (RDS)  Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p><b>Other Material Considerations</b>  <i>Belfast Agenda</i> (Community Plan)</p>

<p><b>4.0</b></p> <p><b>4.1</b></p> <p><b>4.2</b></p> <p><b>4.3</b></p>	<p><b>CONSULTATIONS AND REPRESENTATIONS</b></p> <p><b>Statutory Consultees</b> DfC Historic Environment Division (HED) – no objection (see <b>Appendix 2</b> for full response)</p> <p><b>Non-Statutory Consultees</b> BCC Building Control – supports the demolition of the rear of the building (see <b>Appendix 3</b> for full response)</p> <p><b>Representations</b> The application was advertised in the press on 14<sup>th</sup> July 2023 and the consultation period ends on 28<sup>th</sup> July. To date, no representations have been submitted by third parties.</p>
<p><b>5.0</b></p> <p><b>5.1</b></p> <p>5.1.1</p> <p>5.1.2</p> <p>5.1.3</p> <p>5.1.4</p> <p>5.1.5</p> <p>5.1.6</p>	<p><b>PLANNING ASSESSMENT</b></p> <p><b>Development Plan Context</b></p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application. Policies SP5 and BH1 are relevant to the consideration of the application.</p> <p><b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>The site is un-zoned “white land” in the BUAP. The site is within the City Centre in both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). It is located within the Primary Retail Core, Main Office Area and Development Opportunity</p>



	<p>Site in dBMAP 2015 (v2004). It is within the Primary Retail Core and Development Opportunity Site in dBMAP 2015 (v2014).</p>
<b>5.2</b>	<p><b>Impact on the architectural and historic qualities of the Listed Building</b></p> <p><u>Background</u></p>
5.2.1	<p>The existing building is Grade B2 Listed Building. Listed Building Consent is sought for partial demolition of the rear of the building following a significant fire which has left parts of the building severely damaged. The proposed demolition works relate to those parts of the building mostly significantly impacted by the fire.</p> <p><u>Policy Context</u></p>
5.2.2	<p>Paragraph 6.15 of the SPPS relates to proposals involving demolition of a Listed Building. It states:</p> <p><i>'Proposals for the total demolition of a listed building or any significant part of it must not be permitted unless there are exceptional reasons why it cannot be retained in its original or a reasonably modified form. Where consent to demolish a listed building is granted, this should normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building prior to its demolition.'</i></p>
5.2.3	<p>Policy BH1 of the Plan Strategy applies. It states:</p> <p><i>'There will be a presumption in favour of retaining listed buildings.'</i></p> <p><i>Total demolition of listed buildings will only be permitted in highly exceptional circumstances. Where listed building consent is granted for demolition this will be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.</i></p> <p><i>Partial demolition of parts of listed buildings will be wholly exceptional and only acceptable where an alteration or extension proposal has been agreed and that demolition is required to facilitate it.'</i></p> <p><u>Fire damage</u></p>
5.2.4	<p>The application is accompanied by a Fire Damage Report which advises that the damage to the structure is 'severe' and there are serious concerns regarding the stability of the building.</p>
5.2.5	<p>Building Control advises as follows in relation to the fire damage:</p> <p><i>'The damaged section of the building is of loadbearing brick masonry construction to the perimeter, with (presumably cast iron) columns and either steel or wrought iron beams forming a (repeated at each floor level) regular grid to support each timber floor. The flat roof was presumably also of timber construction.'</i></p> <p><i>All the exposed timber elements are completely destroyed. Those timber elements that were partly built into the external walls (which are still standing) are at least partly destroyed. The metal beams are mostly buckled beyond the point where they provide any significant restraint to the external walls. The structural form of the building pre-fire was that the floors and roof acted as horizontal diaphragms transmitting lateral wind</i></p>

	<p><i>load on the external walls onto orthogonal external walls (and the lift shaft) acting in shear, and hence to the foundations. This diaphragm mechanism has been lost with the loss of the timber floor and roof. Currently the external walls are restrained from collapse in any significant wind event by the buckled network of metal beams and columns whose current degree of connection with the walls is unknown, as they will have expanded during the fire and then contracted upon cooling, as well as the fact that they have buckled in the heat. This arrangement is quite precarious.</i></p> <p><u>Safety</u></p>
5.2.6	<p>In relation to safety, Building Control advises the following:</p> <p><i>‘Any attempt to salvage the walls of the building would be extremely high risk, and in fact it is unlikely that any contractor’s H&amp;S advisor would advocate operatives approaching the building to (for instance) erect a façade retention structure. The bond between the bricks in the inner leaf appears to be badly affected by the heat and as the floors are already gone and the metalwork buckled, the only thing that effectively remains are the badly damaged external walls. Columns may be able to be salvaged but would need to be tested to establish present day load capacity post-fire...</i></p> <p><i>The view of the Building Control Service is that the rear return to 166-174 North Street (1-5 Laws Court) is so badly damaged and so structurally compromised that the only safe course of action is to demolish it. Our view is that the sooner this can be done the better, especially given the fact that the owner has video footage from fixed CCTVs of people scaling the heras fencing forming the safety cordon to access the damaged building.’</i></p>
5.2.7	<p>Building Control has issued a dangerous structures notice given the safety concerns. The requirements of that notice have been met in that the site has been cordoned and Samuel Street at the immediate rear has been temporarily closed.</p>
	<p><u>Proposed Partial Demolition</u></p>
5.2.8	<p>HED has been consulted on the application and notes the prominence of the building at the west end of North Street. It advises that <i>‘It is a landmark building when viewed from Millfield and Carrick Hill and is one of three remaining late Victorian buildings surviving in this former historic commercial area, thus providing important historic context. Architecturally, the building is typical of the period, of red brick with good quality terracotta detailing to the principal façade facing onto North Street, and symmetrically arranged. As the location of the former Art School, as well as a centre of commerce, the building is also of social and cultural interest.’</i></p>
5.2.9	<p>The proposed partial demolition of the rear of the building is regrettable but considered necessary due to the significant damage to that part of the building and safety concerns resulting from the significant fire damage. HED accepts <i>‘...in principle the requirements for the partial demolition.’</i></p>
5.2.10	<p>Having regard to the structural damage caused to the building by the fire, resulting poor condition of the rear of building, safety concerns outlined in the application as confirmed by Building Control, and the advice from HED, it is considered that there are exceptional reasons which justify the partial demolition of the Listed Building. This aspect of the guidance contained in paragraph 6.15 of the SPPS and Policy BH1 of the Plan Strategy is considered to be satisfied.</p>

	<p><u>Redevelopment Proposals</u></p>
5.2.11	<p>Both the SPPS and Policy BH1 state that where Listed Building Consent is granted for demolition this should be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.</p>
5.2.12	<p>In this case, the Listed Building Consent is not accompanied by a planning application for redevelopment of the rear of the building following the demolition, contrary to paragraph Policy BH1. Paragraph 6.15 of the SPPS states that a redevelopment scheme will 'normally' be required. However, the applicant stresses that this particular situation is not 'normal' due to the significant fire damage to the building, its poor condition and safety concerns. The applicant states that consideration of redevelopment proposals would add time both in preparation and the determination process which would be contrary to the interests of safety and would only result in greater risk as it would bring the potential for inclement weather on an already vulnerable structure. Officers agree that it would be impractical to submit a redevelopment scheme at this time and that the most pressing requirement is to secure the partial demolition of the rear of the building, both in respect of preserving the remaining historic building and public safety.</p>
5.2.13	<p>HED advises that:</p> <p><i>'Ideally, redevelopment proposals should accompany this application. As health and safety concerns have been considered and assessed to take priority over all other concerns, such as the protection of built heritage, then HED advises that the least adverse redevelopment approach should be adopted, i.e., to match existing in terms of scale, massing, height, including materiality and so on.'</i></p> <p><i>In addition, HED (Historic Buildings) also acknowledges the health and safety concerns caused by this significant fire to the listed building and the integrity of the structure. Therefore, should council be minded to approve the scheme, while we consider that the full policy tests not been meet fully, we advise that any permission should be subject to conditions requiring adequate recording of the portion to be demolished, protection of the portion to be retained and agreement for proposed appropriate replacement.'</i></p>
5.2.14	<p><u>Planning Conditions</u></p> <p>HED has recommended seven conditions. The first recommended condition is to require that a replacement scheme is built to the same envelope as the demolished rear section of the building is submitted within 3 months of the date of the approval. Officers would advise that it is beyond the scope of a Listed Building Consent to require a redevelopment scheme. In any event, this requirement would not necessarily secure an acceptable redevelopment proposal. Moreover, it is inappropriate to specify the form that the redevelopment would take as any redevelopment scheme would need to be commercially viable and realistic. The normal course of events is for an accompanying planning application for redevelopment to be made, but as explained above, this cannot be achieved because of the delays it would causes to the demolition process, which is the most pressing priority. The applicant states that they are <i>'intending to bring forward a redevelopment scheme for the site, that will incorporate the listed building. It is the intention to engage in pre application discussions on those proposals (involving residential development) with yourselves in the very near future.'</i> The Council is unable to insist on a replacement scheme, but it can encourage and proactively work with the applicant to secure the appropriate long-term restoration of the building and redevelopment of the wider site. The first recommended condition is therefore not proposed to be applied.</p>

5.2.15	The second condition recommended by HED is to require a full photographic record of the rear section, taken from the exterior, prior to any demolition. This is considered reasonable and consistent with the requirements of Policy BH1, which requires appropriate recording of the building before its demolition. Therefore, it is recommended that this condition is applied.
5.2.16	The third recommended condition is to require that HED be part of on-going engagement with both the applicant's appointed structural engineer and conservation accredited professional, to ensure the remaining building is not adversely impacted. This condition is considered reasonable and is proposed below.
5.2.17	The fourth recommended condition is that prior to commencement of works, a method statement shall be submitted and approved in writing by the Council outlining how the remaining listed building will be protected during demolition work. The applicant's method statement commits to ensuring the safe preservation of the main building at the frontage of the site. It states that ' <i>Throughout the demolition process, there will be a constant dialogue with both appointed structural engineer and conservation architect, to ensure the remaining building is not adversely impacted.</i> ' Proposed condition 6 (below) requires that the demolition is overseen by an accredited conservation architect which shall regularly engage with the DfC Historic Environment Division throughout the carrying out of the works. It is important that there are no pre-commencement conditions attached to the Listed Building Consent to enable to the applicant to carry out the works as quickly as possible in the interests of safeguarding the remaining building and public safety.
5.2.18	The fifth recommended condition is that (asbestos free) salvaged bricks are to be retained to be installed in an agreed position in the outer leaf of the reconstructed rear return, to provide a record of the fire damage. It is considered necessary to secure the salvaging of original bricks and materials as far as possible and a condition is proposed accordingly.
5.2.19	The sixth recommended condition is that all new windows shall be traditionally detailed painted timber (hard wood recommended), without trickle ventilators to match the design, mouldings and glazing bar pattern of the original windows. This relates to the restoration of the building which is not possible to secure through the Listed Building Consent for the reasons previously explained. This condition is therefore not proposed to be applied.
5.2.20	The final condition is that a door schedule shall be submitted to and agreed in writing with the Council/HED prior to works commencing on site. This condition similarly relates to restoration of the building and is considered to be inappropriate and is not proposed to be applied.
5.2.21	Officers advise that it is also necessary to condition a scheme for the treatment of the new rear of the building following demolition.
<b>6.0</b>	<b>Recommendation:</b>
6.1	Having regard to the development plan and other material considerations, and the unique circumstances, the proposal is considered acceptable. It is recommended that Listed Building Consent is granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.

**7.0****Draft Conditions:**

1. The works hereby granted must be begun within one year from the date of this consent.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

2. The works hereby granted shall be limited to the areas shown blue on Drawing Numbers 02, 03 and 04 received on 07 July 2023.

Reason: For the avoidance of doubt as to the extent of the works.

3. Unless the City Council grants its prior written approval to any variation, the demolition works hereby granted shall be carried out in accordance with the Demolition Methodology by McCormack Demolition received on 10 July 2023.

Reason: To safeguard the remaining Listed Building.

4. Prior to the demolition works being carried out, a full photographic record of the rear section of the building to be demolished (taken from the exterior) shall be made and subsequently submitted to the Council within 1 month of the commencement of the demolition works.

Reason: To provide a conservation record of that part of the Listed Building which is to be demolished.

5. Prior to demolition it shall be agreed and thereafter complied with, how and when access shall be afforded to the City Council and DfC Historic Environment Division during the works.

Reason: To assist the monitoring of the works in the interests of the architectural and historic qualities of the Listed Building.

6. Prior to demolition it shall be agreed, and thereafter complied with, how the demolition works shall be overseen by an accredited conservation architect which shall engage with the DfC Historic Environment Division throughout the carrying out of the works including on the implementation of measures to ensure the safety of the remaining historic front part of the building.

Reason: To ensure the remaining Listed Building is not adversely impacted.

7. Asbestos free salvaged bricks shall be retained, safely and securely stored off-site in a location to be advised in writing to the Council within 1 month of the demolition works commencing. The salvaged bricks shall be retained for a future restoration scheme and shall be available for inspection by the Council at all reasonable times.

Reason: In the interests of the historic and architectural qualities of the building.

8. Within three months of the date of this Listed Building Consent, a scheme for the treatment of the new rear of the building following demolition, including a programme for implementation, shall be submitted to and approved in writing by the Council. The works shall be carried out in strict accordance with the details so approved.

Reason: In the interests of the architectural and historic qualities of the Listed Building and its visual appearance pending a replacement scheme.

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## Appendix 1 – Listing Description

### Historic Building Details

**HB Ref No:**  
HB26/50/334

**Extent of Listing:**  
Former art school, offices, warehouse and shops

**Date of Construction:**  
1880 - 1899

**Address :**  
166-174 North Street Belfast BT1 1QS

**Townland:**  
Town Parks

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**Survey 2:**  
B2

**Date of Listing:**  
05/10/2017 00:00:00

**Date of De-listing:**

**Current Use:**  
Shop

**Former Use**  
Shop

**Conservation Area:**  
No

**Industrial Archaeology:**

No

**Vernacular:**

No

**Thatched:**

No

**Monument:**

No

**Derelict:**

Partially

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**OS Map No:**

130/13 NE

**IG Ref:**

J3357 7465

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**Owner Category****Exterior Description And Setting**

Corner-sited symmetrical five-bay three-storey former drawing school and commercial building with attic, dated 1899, terminating the north-west end of North Street, at the junction with Millfield, in central Belfast. Rectangular on plan with L-shaped rear stairwell and WC extension, further abutted by substantial former warehouse to S, partially canted at S end. Mansard slate roof, covered to principal elevation by a continuous attic extension, c.1970. Cast-iron rainwater goods, no chimneystacks. Roof of warehouse to rear is flat with rooflights, partially supporting a telecommunications installation. English garden wall bonded red brick walling to upper floors, shopped to ground floor, red sandstone and granite dressings. Windows have flush chamfered sandstone surrounds (a number of transoms are missing), generally aluminium replacements to façade; plain surrounds with timber casements to north elevation and rear. Principal elevation faces North, symmetrically arranged with narrower central entrance bay. Upper floors are divided into full height canted bays separated by red brick piers; each has a profiled parapet, that to centre

having carved sandstone embellishment. Terracotta datestone placed between second and third floors at central bay, smaller terracotta panels to either side. Continuous sandstone cills to each floor. Ground floor has two shop units to either side of central entrance, divided by semi-engaged polished red granite hexagonal columns on grey granite plinth blocks, carrying staged piers with acanthus leaf detail (all assumed to be sandstone, but generally painted over); profiled finials pierce a cavetto sandstone cornice spanning the entire ground floor. Shop units are covered by roller shutters; tall two-tier fascias over may conceal original shop frontage. Central entrance having corniced lintel, semi-circular fanlight, embellished sandstone panel over; carved sandstone lions sit over the entrance, clasping shields. Front block is fully abutted on East side by the adjoining building, Nos 156-164 North Street (HB26/50/317). West gable of front block (onto Law's Court & Millfield) is plainly detailed with a single window opening to extreme right side of both first and second floor levels. Large signage to left side of windows at first and second floor levels. Rear (South) elevation of front block is exposed to right side only above ground floor level and is plainly detailed, with regular rows of windows and wall head dormers lighting attic; windows are generally camber-headed with some replacement flat concrete lintels. It is abutted by returns to left side, which are in turn abutted by the warehouse to rear. The warehouse main elevations face West onto Law's Court & Millfield and South onto Samuel Street, and are plainly detailed with rows of regularly spaced windows to each floor. The south elevation has a metal fire escape stair to right side and much of the ground floor level is abutted by a single-storey brick lean-to extension with a corrugated metal roof. East elevation of warehouse is set back from rear block and also has rows of regularly spaced windows to each floor (apart from ground floor which is within flat roofed section linking front and rear blocks); projecting block at south end has a blank east elevation. Setting: Prominent corner location on North Street and Millfield in the northern section of central Belfast, east of the former Smithfield market site. The building fronts directly onto the North Street pavement, and is abutted on its East side by a similarly scaled late nineteenth century commercial building (Nos 156-164 North Street - HB26/50/317). It is abutted at the rear by a substantial former warehouse which faces West onto Law's Court & Millfield and south onto Samuel Street. Roof: Slate Walling: Brick Windows: Aluminium

## **Architects**

Gilliland, W J

## **Historical Information**

Built c.1899 for the developer Francis Curley, 166-174 North Street was designed by architect William Gilliland. The building was known in the early part of the 20th century as 'Merchant's Buildings.' Francis Curley was a clerical and merchant tailor with premises at 16 North Street, and was also a property developer engaged in the construction of commercial and residential buildings across Belfast. He lived at 'Dunedin Terrace,' 397 Antrim Road. Comprising four ground floor shopfronts, a series of halls to the upper floors and expansive warehousing and offices to the rear off Law's Court, the valuations and street directories show Merchant's Buildings have been occupied a varied series of businesses over the past century. The most notable early tenant was the Municipal School of Art, a branch of the Municipal Technical

Institute. The school transferred its headquarters from College Square North to North Street on 26th September 1901, occupying the upper floors of Merchant's Buildings until the opening of the new purpose built Belfast Technical institute, back on College Square North, in 1906. Early occupants of the ground floor shopfronts included Kerr's Miliners at no. 166 and the Belfast Co-operative Society Ltd., 'gent's outfitting and boot and shoe warehouse' at no.170-4. The sole tenant of the warehouse to the rear during this time is recorded as G. Bolton & Co., 'manufacturers of boys washing suits and blouses, girls washing blouses, tunics, etc.' until 1905, when they shared the premises with Patrick Bros., 'printer's engineers.' Davidson and McCormick, 'general bookbinders, printers and commercial stationers' occupied no.170 from 1907, with the Belfast Co-operative Society Ltd. remaining in no.172-4 until 1912 when Francis Curley, who remained as lessor of the building during this time, is recorded as being the occupant of no. 172. The street directories record that by 1908 a George Dodds had been employed as a caretaker, residing in a room allocated for this purpose on the third floor, replaced the following year by a George Foy. While the tenancy of the building changed frequently over the years, there were several long-standing tenants. These included the International Stores at no.168, which began life in 1918 as Henry G. Gibson and Co., 'stationer, bookseller and publisher of religious literature,' becoming international exporters and stationers under proprietor M.J.Gibson in 1923, eventually closing in 1940. Another long-standing occupant was Sam McCrudden & Company, linen manufacturers, who occupied no.170 from the mid 1920s until 1963 and ran a laundry to the rear warehouses with an employee's entrance on Law's Court. The valuations record that, in 1930 McCrudden occupied the second-floor hall over nos.166-74, two offices at no.174 along with warerooms to the third floor and attic. The Irish Builder records that, after a fire in 1934, the rear warehouses were renovated by Charles Macalister, an architect who worked closely with developer Francis Curley and in whose Whitehall Buildings he had his office for some years. During the 1960s and 70s nos.166-68 was occupied by Cash and Carry furnishing company, with Thomas Beggs and Co., booksellers and stationers occupying no.170 and a portion of the warehouses to the rear. By 1975 the units fronting north street are recorded as being entirely vacant, with Beggs and Co. maintaining warehouse facilities to the rear. A series of short-lived retail outlets occupied the units over the following decade, and in 1988 the Manor Snooker Hall and social club opened to the upper floors, operating until the late 1990s. Barewood Architectural Salvage opened to the rear warehouses on Laws Court c.1994 and remains the building's only tenant at the time of survey. Belfast City Council Building Control archive drawings show that drawings were completed by TT Houston Architects in 1961 for a refurbishment scheme which included the removal of the five original brick dormer windows along the front elevation to be removed and replaced with a continuous flat roof dormer. Drawings of 1975 by Houston Bell & Kennedy Architects proposed the re-glazing of the windows to the continuous dormer and new shop fronts. In 2001 a planning application was granted to erect radio masts, antennae and mobile phone transmitter equipment on the roof of the rear warehouses, with further applications to upgrade the equipment granted in 2003 and 2013. Primary Sources 1. PRONI VAL/12/B/43/C/18 General Valuation of Ireland, General Revisions 1897-1905 2. PRONI VAL/12/B/43/33 General Valuation of Ireland, General Revisions 1906-1914 3. PRONI VAL/12/B/43/C/37 General Valuation of Ireland, General Revisions 1913-1925 4. PRONI VAL/12/B/43/41 General Valuation of Ireland, General Revisions 1924-1930 5. Patton, Marcus 'Central Belfast: An Historical Gazetteer,' UAHS, 2015 6. Bell, Henry

V., 'Diligence and Skill: 100 years of education at Belfast Institute,' PUBLISHER?, 2006 Online sources 1. Dictionary of Irish Architects (<http://www.dia.ie/works/view/45746/building/CO.+ANTRIM%2C+BELFAST%2C+NO+RTH+STREET+%28%26+LAW%27S+CT%29%2C+PREMISES>)

## **Criteria for Listing**

### **Architectural Interest**

A. Style B. Proportion C. Ornamentation F. Structural System G. Innovatory Qualities H-. Alterations detracting from building I. Quality and survival of Interior J. Setting

### **Historic Interest**

R. Age S. Authenticity T. Historic Importance Y. Social, Cultural or Economic Importance X. Local Interest V. Authorship

## **Evaluation**

166-174 North Street and 176 Law's Court is a four-storey five-bay former commercial building incorporating substantial former warehouses to rear, dated 1899, and prominently located at the west end of North Street. It is a landmark building when viewed from Millfield and Carrick Hill, and is one of three remaining late Victorian buildings surviving in this former historic commercial area, thus providing important historic context. Architecturally, the building is typical of the period, of red brick with good quality terracotta detailing, and symmetrically arranged. The shopfronts contain a blend of materials, and it is likely that additional original fabric remains beneath later boxing. Internally, the building is well-appointed to maximise commercial usage, as testified by the range of historical uses and tenants associated with the building, which contribute to the understanding of North Street as once vibrant and fluid commercial area. Of particular interest is the attic floor of the front portion of the building, which served as Belfast's Municipal School of Art from 1901 to 1907, prior to its relocation to the Belfast Institute of Technology at College Square North. The room is unusually configured within a set of innovatory semi-circular cast-iron trusses without bracing, which are both rare and of technical interest. As the location of the former Art School, as well as a centre of commerce, the building is also of social and cultural interest.

## **General Comments**

### **Date of Survey**

15 June 2017

## Appendix 2 – Consultation response from DfC HED

**‘Section Reference:** HB 26 50 334

Consideration of application for LA04/2023/3613/LBC - Partial demolition of the rear of the fire damaged 'Barewood building' located at Nos. 166-174 North Street.

The application site impacts upon 166-174 North Street Belfast (Grade B) which is of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011.

Historic Environment Division (HED) has been consulted by Belfast City Council to provide our assessment on the likely impact of this proposal on a heritage asset.

### **Considerations**

HED (Historic Buildings) has considered the impacts of the proposal on the listed building, including its setting, and on the basis of the information provided, advise that:

We acknowledge and accept in principle the requirements for the partial demolition. Please note that HED advises that any approval should be subject to robust conditions requiring adequate recording of the portion to be demolished, protection of the portion to be retained and agreement for proposed replacement.

If the Council's Planning Authority is minded to approve the application, HED (Historic Buildings) requests that the conditions below are addressed.

### **Explanatory note HED Evaluation**

166-174 North Street and 176 Law's Court is a four-storey five-bay former commercial building incorporating substantial former warehouses to rear, dated 1899, and prominently located at the west end of North Street. It is a landmark building when viewed from Millfield and Carrick Hill and is one of three remaining late Victorian buildings surviving in this former historic commercial area, thus providing important historic context. Architecturally, the building is typical of the period, of red brick with good quality terracotta detailing to the principal façade facing onto North Street, and symmetrically arranged. As the location of the former Art School, as well as a centre of commerce, the building is also of social and cultural interest.

These comments are made in relation to the Strategic Planning Policy Statement for Northern Ireland (SPPS) para 6.15 (demolition) and of Belfast Local Development Plan, Plan Strategy 2035 Policy

(i) **BH1 Demolition of a listed building:**

*There will be a presumption in favour of retaining listed buildings. Total demolition of listed buildings will only be permitted in highly exceptional circumstances. Where listed building consent is granted for demolition, this will be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.*



Partial demolition of parts of listed buildings will be wholly exceptional and only acceptable where an alteration or extension proposal has been agreed and that demolition is required to facilitate it.

(ii) Policy BH1 Demolition of a Listed Building:

*There will be a presumption in favour of retaining listed buildings.*

*Total demolition of listed buildings will only be permitted in highly exceptional circumstance.*

*Where listed building consent is granted for demolition, this will be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for the recording the building before its demolition.*

Overall, HED acknowledges the concerns outlined in the submitted structural report regarding public safety.

Ideally, redevelopment proposals should accompany this application. As health and safety concerns have been considered and assessed to take priority over all other concerns, such as the protection of built heritage, then HED advises that the least adverse redevelopment approach should be adopted, i.e., to match existing in terms of scale, massing, height, including materiality and so on.

In addition, HED (Historic Buildings) also acknowledges the health and safety concerns caused by this significant fire to the listed building and the integrity of the structure. Therefore, should council be minded to approve the scheme, while we consider that the full policy tests not been meet fully, we advise that any permission should be subject to conditions requiring adequate recording of the portion to be demolished, protection of the portion to be retained and agreement for proposed appropriate replacement. To this end we have suggested the follow conditions which council may wish to consider for inclusion.

**HED Conditions:**

1. Redevelopment proposals are to be submitted within 3 months of the date of approval for council and HED's consideration. For the demolished portion, the external envelope of the proposals shall match the existing in relation to;
  - a. the scale, height, massing and alignment;
  - b. openings, in the same position and of the same size and proportion as existing; and
  - c. materials, in terms of colour, texture, unit size, thickness, coursing and profile.
2. A full photographic record is to be provided of the rear section, taken from the exterior, prior to any demolition.

**Reasons 1 & 2:** *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. The portion proposed for demolition is protected by virtue of the listing under Section 80(7) of that same Act; it should therefore be fully reinstated to match existing.*

3. HED is to be part of on-going engagement with both the applicant's appointed structural engineer and conservation accredited professional, to ensure the remaining building is not adversely impacted.

4. Prior to commencement, a method statement shall be submitted and approved in writing by the Council outlining how the remaining listed building will be protected, during demolition work. The work shall be carried out fully in accordance with the details approved.

**Reason:** *In the interests of ensuring that no damage is caused to the part of the building which is to be retained.*

5. (Asbestos free) salvaged bricks are to be retained to be installed in an agreed position in the outer leaf of the reconstructed rear return, to provide a record of the fire damage.

**Reason:** *in the interest of salvaging as much as possible of the existing fabric in order to preserve the character and patina of the listed building.*

6. All new windows shall be traditionally detailed painted timber (hard wood recommended), without trickle ventilators to match the design, mouldings and glazing bar pattern of the original windows.

7. Door schedule shall be submitted to and agreed in writing with the Council/HED prior to works commencing on site.

**Reasons 6 & 7:** *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 other nearby listed buildings.*

## **Informatives**

Additional information/advice (e.g., on legislation, guidance, contacts, etc.) for applicant's awareness:

### **Legislation & policy**

1. The Planning Act (NI) 2011
2. Strategic Planning Policy Statement for Northern Ireland (SPPS NI) – Planning for Sustainable Development.

### **Guidance**

3. HED Guide – Conservation Principles (part 1 and part 2)  
<https://www.communities-ni.gov.uk/publications/conservation-principles-guidance>
4. HED Technical Notes - <https://www.communities-ni.gov.uk/articles/repair-and-maintenance-guidance>

5. HED Guide - Guidance on making changes to Listed Buildings:  
<https://www.communities-ni.gov.uk/publications/guidance-making-changes-listed-buildings-making-better-application-listed-building-consent>
6. HED Guide – Guidance on Setting and the Historic Environment  
<https://www.communities-ni.gov.uk/publications/guidance-setting-and-historic-environment>
7. HED Guide – Consulting HED on development management applications  
<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/consulting-hed-development-management-applications-consultation-guide.pdf>
8. British Standard - BS 7913:2013 Guide to the conservation of historic buildings
9. Historic Environment Map Viewer -  
<https://dfcgis.maps.arcgis.com/apps/webappviewer/index.html?id=6887ca0873b446e39d2f82c80c8a9337>
10. Link to various HED advice and guidance in the planning process:  
<https://www.communities-ni.gov.uk/articles/historic-environment-advice-and-guidance-planning-process>
11. HED Framework statement to development management:  
<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/our-planning-services-and-standards-framework.pdf>
12. DfI Development Management Practice Note 5 – Historic Environment  
<https://www.infrastructure-ni.gov.uk/publications/development-management-practice-notes>

**Notes to council/applicant:**

13. It is a common misconception that only the exterior, the front or only a portion of a building is listed. The building is listed in its entirety, internally and externally (as are all listed buildings, irrespective of grade) and any alterations will require listed building consent, an application made through your local council. This includes any change to materials, details and arrangement (internal / external or setting). All listed buildings are afforded the same protection, irrespective of grade.
14. No new mechanical services (including for example pipes, soil-stacks, flues, vents or ductwork or other fixtures) shall be fixed on the external faces of the building other than those shown on the drawings submitted.
15. No new or electrical services (including grilles, security alarms, lighting, security or other cameras or other fixtures) shall be fixed on the external faces of the building other than those shown on the drawings hereby submitted.
16. Discussions with Building Control should be initiated at an early stage; changes may be required in relation to fire, sound, thermal insulation, etc that would affect the historic fabric of the building. If such requirements are not considered in this application, further revisions may be required that may require a further Listed Building Consent application to be lodged.'

### **Appendix 3 – Consultation response from Building Control**

*'The fire took place in the early hours of 31 May 2023. The cause of ignition is believed to be arson. The damaged section is a five -storey rear return to the building fronting North Street (no. 166-174, which is undamaged by fire and is listed). The address also given for the damaged section of the building is 1-5 Laws Court. The damaged section of the building is of loadbearing brick masonry construction to the perimeter, with (presumably cast iron) columns and either steel or wrought iron beams forming a (repeated at each floor level) regular grid to support each timber floor. The flat roof was presumably also of timber construction.*

*All the exposed timber elements are completely destroyed. Those timber elements that were partly built into the external walls (which are still standing) are at least partly destroyed. The metal beams are mostly buckled beyond the point where they provide any significant restraint to the external walls. The structural form of the building pre-fire was that the floors and roof acted as horizontal diaphragms transmitting lateral wind load on the external walls onto orthogonal external walls (and the lift shaft) acting in shear, and hence to the foundations. This diaphragm mechanism has been lost with the loss of the timber floor and roof. Currently the external walls are restrained from collapse in any significant wind event by the buckled network of metal beams and columns whose current degree of connection with the walls is unknown, as they will have expanded during the fire and then contracted upon cooling, as well as the fact that they have buckled in the heat. This arrangement is quite precarious.*

*The external walls appear to be formed of two leaves of 225mm brick, and it is unclear the extent to which these skins are tied together. Given the temperature required to buckle the metal beams to the extent observed, (likely to have been well in excess of 600°C), it is also likely that the strength of the lime-based mortar in the inner leaf of the external wall has been adversely affected. At the intersection of the now-destroyed timber floor joists and the external wall, the beam filling has dropped in places and therefore the 450mm thick wall above the beam filling sites only on the 225mm thick outer leaf. There are numerous other areas such as above window heads where the inner leaf has already fallen away.*

*Any attempt to salvage the walls of the building would be extremely high risk, and in fact it is unlikely that any contractor's H&S advisor would advocate operatives approaching the building to (for instance) erect a façade retention structure. The bond between the bricks in the inner leaf appears to be badly affected by the heat and as the floors are already gone and the metalwork buckled, the only thing that effectively remains are the badly damaged external walls. Columns may be able to be salvaged but would need to be tested to establish present day load capacity post-fire.*

*The view of the Building Control Service is that the rear return to 166-174 North Street (1-5 Laws Court) is so badly damaged and so structurally compromised that the only safe course of action is to demolish it from a safe distance using long reach*

*machinery. We have seen a comprehensive asbestos survey which was carried out in 2019, and it showed that the building contained large amounts of various asbestos containing materials. These will all be on the ground floor now, and in order to avoid disturbing them, the walls should be pulled outwards with alternately one floor of metal beams lifted or cut out followed by one floor of brickwork.*

*Our view is that the sooner this can be done the better, especially given the fact that the owner has video footage from fixed CCTVs of people scaling the heras fencing forming the safety cordon to access the damaged building. Building Control has issued a dangerous structure notice under the Belfast Improvement Act 1878 requiring the building to be secured (the options to take down or repair were removed from the notice due to the listed status of the building) however once LBC to demolish is obtained by the owner, we would support demolition.'*

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