

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



**Belfast
City Council**

16th January, 2020

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Banquetin Hall on Thursday, 23rd January, 2020 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Routine Matters**

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

2. **Restricted Items**

- (a) Revenue Estimates & District Rate 2020/2021 (Pages 1 - 14)
- (b) Lisburn and Castlereagh City Council - Consultation on LDP Draft Plan Strategy (Pages 15 - 30)
- (c) Belfast Local Development Plan - Update (Pages 31 - 36)

3. **Changes to Council Property Certificate fees (Pages 37 - 38)**

4. **Planning Appeals Notified (Pages 39 - 40)**

5. **Planning Decisions Issued (Pages 41 - 66)**

6. **Planning Applications**

- (a) LA04/2018/2470/O, LA04/2018/2464/F and LA04/2018/2445/LBC - Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, including construction of new fixed use buildings (heights varying between 3-9 storeys comprising basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above, provision of pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works on vacant lands at existing level Carpark bounded by Winetavern Street Gresham Street and North Street, including 108 North Street and 1 Gresham Street (Pages 67 - 116)
- (b) LA04/2019/1636/F - hotel comprising 276 beds, conference facilities, restaurant /café/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works on lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road (*Report to follow*)
- (c) LA04/2017/2745/F & LA04/2017/2689/LBC - Conversion of building to create 63 No. bed hotel with ancillary function space, bars and restaurants, including all associated works. Single storey rear extension Scottish Mutual Building 15-16 Donegall Square South and 2-14 Bedford Street (*Report to follow*)
- (d) LA04/2019/2132/F - 17.5m telecommunications column, with 6. antenna (3 enclosed within a shroud, 3 not enclosed), 4 equipment cabinets and associated ground works on lands approximately 110m North West of 518 Lisburn Road . (Pages 117 - 124)
- (e) LA04/2018/0856/F - Demolition of dwelling and construction of 8 apartments within one block and 8 associated car parking spaces at 134 Finaghy Road South (Pages 125 - 134)
- (f) LA04/2019/1522/F - part two storey and single storey rear extensions at 29 Casaeldona Park (Pages 135 - 140)
- (g) LA04/2017/1439/F - construction of 13 dwellings comprising 3 detached dwellings 6 semi-detached dwellings along with 4 apartments on lands opposite Ruby Cottages and St Ellen's Terrace, Edenderry Road, Edenderry Village (Pages 141 - 158)
- (h) LA04/2019/2157/F - floodlights and ancillary equipment at Paisley Park, West Circular Road (Pages 159 - 164)
- (i) LA04/2019/2412/F - Renewal of planning approval LA04/2018/0593/F for single storey timber structure at C.S. Lewis Square, Newtownards Road (Pages 165 - 170)

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Subject:	Changes to Council Property Certificate fees
Date:	21 st January, 2020
Reporting Officer:	Aidan Thatcher, Director of Planning & Building Control
Contact Officer:	Ian Harper, Building Control Manager

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

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

1.0	Purpose of Report or Summary of main Issues
	To report on the review of the Council Property Certificate (CPC) and outline the changes to the fees charged
2.0	Recommendations
2.1	The Committee is asked to note the contents of the report and the increase in fees from 1 st April 2020.
3.0	Main report
3.1	A report was presented to committee on 13 th June 2019 regarding an increase to the fees for the Regional Property Certificates, which are administered within the Planning Service.

	Members also agreed to a review of the CPC taking place. The 11 councils have carried out a review, and consulted with the Law Society.															
3.2	The CPC service assists in the conveyancing process, providing information from internal council services in response to an application from a solicitor. In 2018-2019 this generated £395k for Belfast City Council.															
3.3	The current £60 fee was introduced on 1 st January 2004 and there have been no reviews or price increases since. The increases to fees are set out below and include both a rise to reflect the lack of increases since 2004, and also to account for future inflationary costs. They will be further reviewed in four years time.															
3.4	<p>Standard charges</p> <table border="1"> <thead> <tr> <th></th> <th>Current fee</th> <th>Revised fee</th> </tr> </thead> <tbody> <tr> <td>a) Standard 10 year search</td> <td>£60</td> <td>£70</td> </tr> <tr> <td>b) Search back to 1973</td> <td>£85</td> <td>£95</td> </tr> <tr> <td>c) Specified 10 year search</td> <td>£60</td> <td>£70</td> </tr> <tr> <td>d) Follow-up 10 year search</td> <td>£25</td> <td>£30</td> </tr> </tbody> </table>		Current fee	Revised fee	a) Standard 10 year search	£60	£70	b) Search back to 1973	£85	£95	c) Specified 10 year search	£60	£70	d) Follow-up 10 year search	£25	£30
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c) Specified 10 year search	£60	£70														
d) Follow-up 10 year search	£25	£30														
3.5	The fee increases have been agreed through SOLACE and with the Law Society and will take effect from the 1 st April 2020.															
3.6	<p><u>Financial & Resource Implications</u></p> <p>Other than the increase in fee income, there are no Financial, Human Resources, Assets and other implications in this report</p>															
3.7	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no Equality implications.</p>															
4.0	Appendices															
	None															

PLANNING COMMITTEE – 21 JANUARY 2020

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2019/A0185

PLANNING REF: LA04/2019/0670/F

APPLICANT: Mr Albert Pau

LOCATION: 40-60 Ormeau Embankment

PROPOSAL: 2.1m high railings along junction of Ormeau Embankment and Ravenhill Reach

PROCEDURE:

ITEM NO 2 PAC REF: 2019/A0201

PLANNING REF: LA04/2019/0654/A

APPLICANT: Crusaders FC

LOCATION: Crusaders FC, Seaview Stadium, Shore Road, Belfast

PROPOSAL: Removal of existing illuminated advertising board and replacement with new digital advertising board

PROCEDURE:

APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2019/A0042

PLANNING REF: LA04/2018/2643/F

RESULT OF APPEAL: Dismissed

APPLICANT: Conor Ward

LOCATION: Lands to the rear/adjacent to no.30 Wellington Park Belfast

PROPOSAL: Proposed 4 storey apartment block (4 No units), car parking, landscaping and ancillary site works (in substitution of extant approval LA04/2016/2649/F)

Planning decisions issued between 3 December 2019 and 7 January 2020 - No. 183

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2016/1199/F	LOCDEV	41-49 Tates Avenue Belfast BT9 7BY	Demolition of existing buildings and structures with the construction of 49 apartments with associated landscaping and underground parking.	PERMISSION GRANTED
LA04/2018/1817/F	LOCDEV	Land at 25 Colinglen Road Belfast.	Retention of existing fuel sales to include-flood lights, fuel pipeline, fuel storage containers, fence & mobile office and proposed lean to shelter at, 25 Colinglen Road, Belfast.	PERMISSION REFUSED
LA04/2018/2076/F	LOCDEV	40-50 Townsend Street Belfast.	New residential scheme consisting of 39 apartments in 3 blocks varying in height from 3 to 4 storeys	PERMISSION GRANTED
LA04/2018/2243/F	LOCDEV	Site at 22 Ashley Park Dunmurry BT17 9EH.	Residential development including demolition of existing dwelling and construction of 6 apartments and 2 detached dwellings, amended access and associated landscaping works (Amended P1 form).	PERMISSION GRANTED
LA04/2018/2635/F	LOCDEV	300-304 Limestone Road Belfast BT15 3AR.	Demolition of 3 no. existing terrace properties and construction of 3 storey office building	PERMISSION GRANTED
LA04/2019/0258/DC	LOCDEV	Block A/School House Methodist College 1 Malone road Belfast BT9 6BY.	Discharge of condition no. 17 of LA04/2017/0499/F & LA04/2017/0927/LBC	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0294/F	LOCDEV	84-92 Ravensdale Street Belfast BT5 5GA.	Construction of single building comprising 6No. apartments.	PERMISSION GRANTED
LA04/2019/0373/F	LOCDEV	15 Ireton Street Belfast.	Proposed 3 No. 2 bedroom apartments including demolition of existing 2 storey rear return and replacement with 3 storey rear return (Amended proposal description)	PERMISSION GRANTED
LA04/2019/0420/DCA	LOCDEV	Land at Lyndon Court 32-38 Queen Street Belfast BT1 6EF.	Demolition of existing building and erection of 184 bed aparthotel with associated bar, restaurant and conference facilities.	PERMISSION GRANTED
LA04/2019/0553/F	MAJDEV	Land at Lyndon Court 32-38 Queen Street Belfast BT1 6EF.	Demolition of existing building and erection of 175 bed aparthotel with associated bar, restaurant and conferencing facilities and associated works.	PERMISSION GRANTED
LA04/2019/0584/F	LOCDEV	Unit 1 Earlswood House 370- 374 Upper Newtownards Road Belfast BT4 3EY	Proposed change of use from retail to hot food takeaway	PERMISSION GRANTED
LA04/2019/0587/F	LOCDEV	Southern and South Western boundary of lands west of 122 Albertbridge Road and south- east of 116-118 Mountpottinger Road Belfast	Environmental improvement scheme to create a natural play space for East Belfast Sure Start facility. Alterations to the existing gable wall of no 122 Albertbridge Road to provide double doors for direct access into the natural play space (Amended)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0595/F	LOCDEV	35 Cranmore Park Lisburn Road Belfast BT9 6JF.	Alterations to existing two storey dwelling including; reconfiguration of front façade with an additional bay window and raised planter. Elevational changes to side and rear and first floor rear extension. Conservatory addition to the rear of the dwelling. Maintenance to existing roof and widening of entrance driveway and all other associated works. (Amended Plans/ Description).	PERMISSION GRANTED
LA04/2019/0683/F	MAJDEV	Lands at Kings Works Channel Commercial Park Queens Road Titanic Quarter Belfast.	Demolition of existing industrial warehouse buildings and erection of warehouse distribution facility, associated ancillary office, van storage, yards, car parking and accesses.	PERMISSION GRANTED
LA04/2019/0735/DCA	LOCDEV	35 Cranmore Park Lisburn Road Belfast BT9 6JF	Demolition of part rear wall, roof and side wall to facilitate extensions and window openings. Part demolition of front wall, bay window and canopy. Part removal of front boundary wall to widen driveway.	PERMISSION GRANTED
LA04/2019/0952/F	LOCDEV	Existing Telecoms installation rooftop of Carnet House Arcarn Way Dundonald Belfast BT4 2NW	Proposed replacement of 6no existing pole mounted antenna and 2no dishes with 18no frame mounted antenna and 4no dishes plus equipment cabinets and all associated ancillary equipment	PERMISSION REFUSED
LA04/2019/0955/F	LOCDEV	Lands situated at the junction of Esther Street and Alexandra Park Avenue and adjacent and east of No.66 Esther Street Belfast.	Proposed residential development of 3No. townhouses, landscaping and all associated site works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0960/F	LOCDEV	Lands situated at the junction of Brantwood Street and Alexandra Park Avenue and adjacent and east of no 123 Alexandra Park Avenue Belfast	Proposed residential development of 5no dwellings (comprising 2no semi-detached dwellings and 3no townhouses) landscaping and all associated site works	PERMISSION GRANTED
LA04/2019/0993/F	LOCDEV	Existing telecoms installation Rooftop of Kilbroney House Greenway North Bank Cregagh Belfast BT6 0EY.	Replacement of 6No. antenna and 4No. dishes on existing stub mast with 18No. antenna on edge mounted frames and 6No. dishes on existing stub mast plus equipment cabinets and all other associated ancillary equipment.	PERMISSION REFUSED
LA04/2019/1017/F	LOCDEV	Existing Mobile Telecommunications Installation Rooftop of East Belfast Constitutional Club 353-359 Newtownards Road Belfast BT4 1AJ.	Replacement of 3No. existing pole mounted antenna and 1No. dish with 18No. pole mounted antenna and 4No. dishes plus equipment cabinets and all associated ancillary equipment.	PERMISSION REFUSED
LA04/2019/1020/F	LOCDEV	Existing Telecoms Installation Rooftop Of Ross House Mount Vernon Road Fortwilliam Belfast BT15 4AX.	Replacement of 6No. antenna and 2No. dishes on existing stub mast with 18No. antenna on edge mounted frames and 4No. dishes on existing stub mast plus equipment cabinets and all other associated ancillary equipment.	PERMISSION REFUSED
LA04/2019/1021/F	LOCDEV	17 Upper Malone Road Belfast BT9 6TE.	Two storey front and side extension with raised patio. Alterations to front elevation. New entrance onto Bristow Park. (Amended plans)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1066/F	LOCDEV	Colin Glen Forest Park 163 Stewartstown Road on lands north of Colin Glen Community Allotments opposite No.s 27-29 Colinglen Road and accessed off Colinglen Road Belfast BT17 0HW.	Proposed zipline facility incorporating a single (803.75m long) and parallel zipline (227.04m long), 3No. towers and associated lighting, pathways, site and access works. (including amended ecological report)	PERMISSION GRANTED
LA04/2019/1084/F	LOCDEV	25 Balmoral Road Belfast BT12 6QA.	Proposed change of use of existing Class B4 (Storage & Distribution) to Class B3 (General Industrial) including all associated plant and equipment (Amended Description and Plans).	PERMISSION GRANTED
LA04/2019/1162/F	LOCDEV	16 Fountain Street Belfast BT1 5ED.	Change of Use from off-sales to provide extension to public house, changes to elevations, relocation of entrance and internal refurbishment	PERMISSION GRANTED
LA04/2019/1176/LBC	LOCDEV	8-10 Wellington Place Belfast BT1 6GE.	Replacement of existing ground floor shop front, part internal demolition of non structural walls, restore original full height space.	PERMISSION GRANTED
LA04/2019/1241/F	LOCDEV	2 North Parade Belfast BT7 2GG.	Three storey side extension	PERMISSION REFUSED
LA04/2019/1288/F	LOCDEV	61 Balmoral Avenue Belfast BT9 6NX.	Side entrance including new wall/fence either side. Widening of existing driveway entrance to front elevation. Pedestrian entrance to front elevation to replace existing vehicular entrance.	PERMISSION REFUSED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1289/DCA	LOCDEV	61 Balmoral Avenue Belfast.	Part demolition of front boundary wall	PERMISSION REFUSED
LA04/2019/1319/RM	LOCDEV	Site adjacent to 134/136 Barnfield Road Derriaghy BT28 3TQ.	Dwelling on farm and associated garage.	PERMISSION GRANTED
LA04/2019/1358/F	LOCDEV	Rooftop of Moneda House 25-27 Wellington Place Belfast BT1 6DG.	Replacement of 3No. antenna and 1no. dish with 12no. antenna and 3No. additional dishes on new support poles plus 4no. new equipment cabinets, mesh screening and other associated ancillary equipment.	PERMISSION GRANTED
LA04/2019/1414/O	LOCDEV	5 Middle Braniel Road Belfast BT5 7TU.	5 detached dwellings.	PERMISSION GRANTED
LA04/2019/1418/A	LOCDEV	19-35 Grosvenor Road Belfast BT12 4GR	13 parking signs at locations throughout the site.	PERMISSION GRANTED
LA04/2019/1439/F	LOCDEV	Vacant ground at the junction of Ligoneil Road and Mountainhill Road adjacent to 2 Weaverhill Road and Mountainhill Road Belfast.	Development of 8No. residential units (5No. 2 storey townhouses and 3No. apartments in a 3 storey block), Mountainhill Road, retaining wall and associated site works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1445/O	MAJDEV	Former Monarch Laundry Site 451-455 Donegall Road Belfast BT12 6HD.	Residential development of 53No. apartments (minimum building height 2.5 storey with maximum 5 storey), 53No. car parking spaces, refuse storage and cycle parking area, landscaping and all associated site and access works.	PERMISSION GRANTED
LA04/2019/1480/F	LOCDEV	Footpath outside 61-63 Donegall Place Belfast BT1 5AG.	Stained glass window art work.	PERMISSION REFUSED
LA04/2019/1483/F	LOCDEV	56 Bloomfield Avenue Ballyhackamore Belfast BT5 5AD.	Change of use from ground floor retail to office, with 2no. 2 bedroom apartments created to first & second floors. Existing flat roofed rear/side first floor return extended to create second floor return with pitched roof profile.	PERMISSION GRANTED
LA04/2019/1533/F	LOCDEV	Knockbreda Parish Church Hall & Office Purdy's Lane Belfast BT8 7AR.	Demolition of existing ramped access, single storey extension of existing office + toilets on south elevation and single storey extension to kitchen on north elevation; external alterations on west elevation to existing toilets + office block.	PERMISSION GRANTED
LA04/2019/1546/LDE	LOCDEV	74 Rugby Avenue Belfast BT7 1RG.	HMO (House in multiple occupancy).	PERMITTED DEVELOPMENT
LA04/2019/1557/LDE	LOCDEV	Apartment 2 (First Floor) 63 Eglantine Avenue Belfast BT9 6EW.	HMO	PERMITTED DEVELOPMENT
LA04/2019/1559/LDE	LOCDEV	Apartment 1 (Ground Floor) 63 Eglantine Avenue Belfast BT9 6EW.	HMO	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1566/DC	LOCDEV	Lands directly to the south of Kilwee Business Park Upper Dunmurry Lane Dunmurry Belfast BT17 0HD.	Discharge of condition 12A LA04/2018/1932/F	CONDITION DISCHARGED
LA04/2019/1578/LDE	LOCDEV	115 Dunluce Avenue Belfast BT9 7AX.	HMO	PERMITTED DEVELOPMENT
LA04/2019/1582/LBC	LOCDEV	75 University Road and lands to the rear of 71-75 University Road and 2-8 Fitzwilliam Street Belfast BT7 1NF.	Alterations and restoration works to gable façade (southern elevation), alterations to the external rear boundary wall to yard and rear gable of the return	PERMISSION GRANTED
LA04/2019/1585/F	LOCDEV	444-446 Ravenhill Road Ballynafoy Belfast BT6 0BU	3No. new 2.5 storey detached dwellings with single storey domestic workshop/store associated with house A.	PERMISSION GRANTED
LA04/2019/1606/LDE	LOCDEV	54 Carmel Street Belfast BT7 1QE.	House of multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1609/F	LOCDEV	28 & 34-52 Gardiner Street Town Parks Belfast BT13 2GT.	Demolition of existing buildings to provide a residential development of 7no. 2 bedroom apartments, 2no. 3 bedroom apartments and 6no. townhouses with associated car-parking and amenity facilities.	PERMISSION GRANTED
LA04/2019/1633/F	LOCDEV	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Extension of time period associated with temporary marquee structure over existing swimming pool for an additional 1 year.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1634/LBC	LOCDEV	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	Extension of time period associated with temporary marquee structure over existing outdoor swimming pool for an additional 1 year.	PERMISSION GRANTED
LA04/2019/1655/LDE	LOCDEV	11 Carmel Street Belfast BT7 1QE.	HMO	PERMITTED DEVELOPMENT
LA04/2019/1682/F	LOCDEV	Existing Telecoms Installation rooftop of Stormont Hotel 587 Newtownards Road Belfast BT4 3LP.	Replacement of 1No. existing replica telecoms flagpole with a new 10m monopole stub mast to host 12no. antenna and the replacement of 3no. equipment cabinets and all associated ancillary equipment and cables all contained within a new four sided GRP screen.	PERMISSION REFUSED
LA04/2019/1692/LDE	LOCDEV	24 Elaine Street Belfast BT9 5AR.	House in multiple occupation (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1711/LDE	LOCDEV	12 Stranmillis Street Belfast BT9 5FE.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1750/DC	LOCDEV	18-19 Donegall Square East Belfast BT1 5HE.	Discharge of condition 10 LA04/2018/2271/F	CONDITION DISCHARGED
LA04/2019/1752/LDE	LOCDEV	26 Eblana Street Belfast BT7 1LD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1757/LDE	LOCDEV	65 Palestine Street Belfast BT7 1QL.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1760/LDE	LOCDEV	116 Dunluce Avenue Belfast BT9 7AZ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1767/F	LOCDEV	68 Balmoral Avenue Belfast BT9 6NY.	Single storey side extension.	PERMISSION GRANTED
LA04/2019/1803/F	LOCDEV	Existing Telecoms installation Rooftop of River House 48 High Street Belfast BT1 2BE.	Amendments to previously approved replacement Stub Mast under LA04/2019/0057/F to provide an additional 6 new antenna (total 12 antenna).	PERMISSION GRANTED
LA04/2019/1810/LDE	LOCDEV	96 Sandhurst Drive Belfast BT9 5AZ.	House of multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1839/F	LOCDEV	52 Redcar Street Euston Street Belfast BT6 9BP.	Variation of condition 8 of LA04/2015/1194/F (to change the walls and piers to railings and the bin store walls to timber fencing) (Amended)	PERMISSION GRANTED
LA04/2019/1851/LDE	LOCDEV	120 Ulsterville Avenue Belfast BT9 7AR.	HMO	APPLICATION REQUIRED
LA04/2019/1896/LDE	LOCDEV	45 Palestine Street Belfast BT7 1QJ.	HMO	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1897/LBC	LOCDEV	Kitchen Bar Unit 1 Victoria Square Belfast BT1 4QA.	Alterations and refurbishments.	PERMISSION GRANTED
LA04/2019/1898/LDE	LOCDEV	45 Windsor Road Belfast BT9 7FP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/1911/LDE	LOCDEV	20 The Cloisters University Avenue Belfast BT7 1GD.	HMO	PERMITTED DEVELOPMENT
LA04/2019/1939/A	LOCDEV	Unit 1-3 Great Northern Mall Great Victoria Street Belfast BT2 7GN.	External shop signage comprising of 3No. internally illuminated badge box signs (fascia level) and 1No. internally illuminated projecting box sign (fascia level). Internal Mall shop signage comprising 3No. internally illuminated badge box signs (fascia level).	PERMISSION GRANTED
LA04/2019/1941/F	LOCDEV	Blackstaff House 52-58 Great Victoria St Belfast BT2 7WF.	Installation of temporary two storey portacabin office accommodation.	PERMISSION GRANTED
LA04/2019/1958/LDE	LOCDEV	69 Ulsterville Gardens Belfast BT9 7BB.	HMO	PERMITTED DEVELOPMENT
LA04/2019/1959/LDE	LOCDEV	33 Stranmillis Park Belfast BT9 5AU.	HMO	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1969/LDE	LOCDEV	17 Balfour Avenue Belfast BT7 2EU.	HMO	PERMITTED DEVELOPMENT
LA04/2019/1993/F	LOCDEV	Lands at 163 Ormeau Road Belfast BT7 1SP.	Amendment to previously approved residential development under reference LA04/2016/2531/F to alter the ridge heights of 7 no. townhouses along University Avenue and Rugby Avenue.	PERMISSION GRANTED
LA04/2019/2006/NMC	LOCDEV	4-5 Donegall Square South Belfast BT1 5JA.	Non material change reference LA04/2017/0288/F.	NON MATERIAL CHANGE GRANTED
LA04/2019/2007/F	LOCDEV	Unit 7a Connswater Retail Park Bloomfield Avenue Newtownards Road Belfast BT5 5LP.	Change of use from A1 (Bulky Goods) retail to Café/Restaurant use including alterations to elevations.	PERMISSION GRANTED
LA04/2019/2016/DC	LOCDEV	Lands bounded north west of Lawnbrook Avenue Azamour Street and either side of Glenwood Street Belfast BT13 3AJ	Discharge of conditions no's 2 and 6 of LA04/2018/0619/F (Construction Management Plan ♦ samples)	CONDITION DISCHARGED
LA04/2019/2025/LBC	LOCDEV	US Consulate General Danesfort House 223 Stranmillis Road Belfast BT9 5GR	Essential stone repairs to façade of Danesfort House using HED approved methods and like for like materials.	PERMISSION GRANTED
LA04/2019/2051/F	LOCDEV	4 Easton Crescent Belfast BT14 6LJ	Retrospective change of use from residential dwelling to House of Multiple Occupancy	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2076/F	LOCDEV	47 Ravenhill Park Balnafoy Belfast BT6 0DG	Proposed 2 storey rear extension including 1st floor veranda, patio and new garage.	PERMISSION GRANTED
LA04/2019/2078/F	LOCDEV	21 Sydenham Avenue Belfast BT4 2DJ	First floor rear extension over part of existing ground floor return.	PERMISSION GRANTED
LA04/2019/2081/A	LOCDEV	Balcony at level 4 of the Lanyon Building Annexe Jennymount Court North Derby Street Belfast BT15 3HN	Corporate signage	PERMISSION GRANTED
LA04/2019/2089/F	LOCDEV	51 69 & 71 Torr Way Belfast BT10 0DL.	Provision of a front porch and rear extension to 1 dwelling (No. 71), rear extension to 1 dwelling (No 51) and a side extension to 1 dwelling (No 69).	PERMISSION GRANTED
LA04/2019/2091/LDE	LOCDEV	24 Magdala Street Belfast BT7 1PU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2092/F	LOCDEV	Aquinas Grammar School 518 Ravenhill Road Belfast BT6 0BY.	Single storey ground floor extension to existing school building.	PERMISSION GRANTED
LA04/2019/2095/A	LOCDEV	189A Airport Road West Portside Business Park Belfast BT3 9ED.	Office Sign	PERMISSION GRANTED
LA04/2019/2101/LBC	LOCDEV	Level 4 of the Lanyon Building Annexe Jennymount Court North Derby Street Belfast BT15 3HN	New Corporate external signage (not illuminated) at level 4 balcony	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2116/F	LOCDEV	125 Andersonstown Road Belfast BT11 9BD.	Proposed subdivision of existing fast food restaurant to create a new retail shop unit, including new shop front and entrance door. Part retention of hot food bar.	PERMISSION GRANTED
LA04/2019/2117/F	LOCDEV	Ground Floor 362 Woodstock Road Belfast BT6 9DQ.	Change of use from vacant retail unit to apartment with elevation changes to the front and rear elevations.	PERMISSION GRANTED
LA04/2019/2125/F	LOCDEV	2 Severn Street Belfast BT4 1FB.	Change of use from offices to residential accommodation. 2No. 1bed apartments with elevation changes.	PERMISSION GRANTED
LA04/2019/2129/F	LOCDEV	Unit 1-3 Great Northern Mall Great Victoria Street Belfast BT2 7GN.	Change of use of retail unit into unit for sale of food and drink including consumption on the premises (Sui generis).	PERMISSION GRANTED
LA04/2019/2140/F	LOCDEV	95 Sydenham Avenue Belfast BT4 2DL	Single storey rear and side extensions to dwelling with stepped landing to lower garden at rear. Access to dwelling widened to 3.6m	PERMISSION GRANTED
LA04/2019/2142/F	LOCDEV	234 Castlereagh Road Belfast BT5 5FL	Single storey rear extension to dwelling	PERMISSION GRANTED
LA04/2019/2148/DC	LOCDEV	123-137 York Street Belfast BT15 1AB	Discharge of condition no. 6 of Z/2015/0177/F (Noise Verification Report)	CONDITION DISCHARGED
LA04/2019/2172/A	LOCDEV	2-10 East Bridge Street Belfast BT2 8LN.	Tenant Signage	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2179/F	LOCDEV	66 Wolfhill Manor Belfast BT14 8DE.	Retention of existing storage area and raised decking structure with proposed new fencing panels.	PERMISSION REFUSED
LA04/2019/2181/DC	LOCDEV	Andersonstown Leisure Centre Andersonstown Road Belfast BT11 9BY.	Discharge of condition 9 LA04/2017/0707/F	CONDITION NOT DISCHARGED
LA04/2019/2223/F	LOCDEV	116 Trench Park Belfast BT11 9FG.	Single storey rear extension including new window to ground floor gable wall. (Amended Description)	PERMISSION GRANTED
LA04/2019/2230/LDP	LOCDEV	208 Donegall Road Belfast BT12 5NE	Insertion of window in lieu of existing door at ground floor	PERMITTED DEVELOPMENT
LA04/2019/2234/F	LOCDEV	18 Marina Park Belfast BT5 6BA	Proposed single storey extension to side and rear of existing dwelling.	PERMISSION GRANTED
LA04/2019/2248/LBC	LOCDEV	10-15 Donegall Square North Belfast BT1 5GB.	Re branding from First Trust Bank to AIB with replacement of all external signs including replacement of external wall panel housing the existing ATM machines.	PERMISSION GRANTED
LA04/2019/2250/A	LOCDEV	9 Arthur Square Belfast BT1 4FD	Installation of fascia signage and internally applied window vinyls	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2267/F	LOCDEV	Site adjacent to number 58 Boucher Place located on lands at the corner junction of Boucher Place with Boucher Crescent Belfast BT12 6HT.	Proposed amendments to elevational detail, reconfiguration of car parking and a minor increase in building footprint from scheme approved under LA04/2018/2679/F.	PERMISSION GRANTED
LA04/2019/2268/F	LOCDEV	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	New entrance gates, walls and pillars with associated landscaping at site access from Pirrie Lane.	PERMISSION GRANTED
LA04/2019/2269/LBC	LOCDEV	Ormiston House 51A Hawthornden Road Belfast BT4 3JW.	New entrance gates, walls and pillars with associated landscaping at site access from Pirrie Lane.	PERMISSION GRANTED
LA04/2019/2272/F	LOCDEV	Lanyon Place Train Station East Bridge Street Belfast BT1 3PB.	Change of use to coffee shop	PERMISSION GRANTED
LA04/2019/2277/LDE	LOCDEV	130 Dunluce Avenue Belfast BT9 7AZ	House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2019/2278/F	LOCDEV	46 Kirkliston Park Belfast BT5 6ED	Single storey side and rear extension with extended patio. Removal of rear bay window at first floor. Change of front garden to hard landscaped forecourt and alterations to existing access.	PERMISSION GRANTED
LA04/2019/2280/DCA	LOCDEV	68 Balmoral Avenue Belfast BT9 6NY.	To remove a wall in the kitchen to facilitate a side extension.	PERMISSION GRANTED
LA04/2019/2289/F	LOCDEV	20 Earl Haig Park Belfast BT6 8NR	Two storey extension to rear and side. Front porch and elevation changes.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2290/F	LOCDEV	12 Northlands Park Belfast BT10 0JG	Two storey rear extension and single storey side and rear extension	PERMISSION GRANTED
LA04/2019/2295/F	LOCDEV	49 Edenderry Village Belfast BT8 8LG	Retrofit and 2 storey extension to rear	PERMISSION GRANTED
LA04/2019/2315/LDE	LOCDEV	60 Balfour Avenue Belfast.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2321/DC	LOCDEV	Corner site to south of junction of Forthriver Road and Forthriver Way Belfast BT13 3SQ.	Discharge of condition no. 6 of LA04/2016/1439/F (varied under LA04/2019/0031/F)	CONDITION DISCHARGED
LA04/2019/2323/DC	LOCDEV	2 Derryvolgie Avenue Belfast BT9 6FL.	Discharge of condition no. 3 and 4 of LA04/2018/0836/F (Noise verification report and noise mitigation measures)	CONDITION NOT DISCHARGED
LA04/2019/2327/F	LOCDEV	51 Kimberley Street Belfast BT7 3DY	Removal of chimney	PERMISSION REFUSED
LA04/2019/2331/F	LOCDEV	104a Upper Dunmurry Lane Dunmurry BT17 0EN	Single storey extension to side of dwelling	PERMISSION GRANTED
LA04/2019/2336/LDE	LOCDEV	Flat1 150 University Street Belfast BT7 1HH	House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2019/2345/F	LOCDEV	17 Merok Drive Belfast BT6 9NB	Proposed single storey rear extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2351/DC	LOCDEV	Lands bounded north west of Lawnbrook Avenue Azamour Street and either side of Glenwood Street Belfast	Discharge of condition no. 3 of LA04/2018/0619/F (Landscaping scheme)	CONDITION NOT DISCHARGED
LA04/2019/2361/LDE	LOCDEV	16 St Ives Gardens Stranmillis Belfast BT9 5DN.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2363/LDE	LOCDEV	5 Sandymount Street Belfast BT9 5DP	House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2019/2365/F	LOCDEV	3 Hillhead Park Belfast BT11 9GB	Single storey rear extension.	PERMISSION GRANTED
LA04/2019/2370/CONTPO	LOCDEV	30 Bladon Park Belfast BT9 5LG	Felling and replacement of trees	WORKS TO TREES IN CA - AGREED
LA04/2019/2391/LDE	LOCDEV	4 Riverview Street Stranmillis Belfast BT9 5FD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2400/F	LOCDEV	136A Andersonstown Road Belfast BT11 9BY.	Replacement shop front	PERMISSION GRANTED
LA04/2019/2410/DC	LOCDEV	Land bounded by Library Street Stephen Street and Kent Street Belfast BT1 2JJ	Discharge of Condition no 6 of LA04/2015/0676/F	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2411/F	LOCDEV	81 Marlborough Park North Belfast BT9 6HL	2 storey rear extension and replacement of existing windows	PERMISSION GRANTED
LA04/2019/2413/F	LOCDEV	238 Ballygomartin Road Belgas BT13 3NG	Single storey rear extension.	PERMISSION GRANTED
LA04/2019/2438/F	LOCDEV	11 College Place North Belfast BT1 6BE	Change of use from existing residential property to short term holiday let	PERMISSION GRANTED
LA04/2019/2440/LDE	LOCDEV	115 Malone Avenue Belfast BT9 6EQ	House in Multiple Occupation	PERMITTED DEVELOPMENT
LA04/2019/2444/LDE	LOCDEV	76 Agincourt Avenue Belfast	House in Multiple Occupancy	PERMITTED DEVELOPMENT
LA04/2019/2447/DC	LOCDEV	1 Knock Eden Drive Belfast BT6 0GG	Discharge of conditions 5 & 6 of LA04/2018/0797/F (landscape plan)	CONDITION DISCHARGED
LA04/2019/2463/F	LOCDEV	38 Ormiston Crescent Belfast BT4 3JQ.	Single and two storey rear return. (Demolition of existing).	PERMISSION GRANTED
LA04/2019/2465/F	LOCDEV	756 Springfield Road Belfast BT12 7JD.	Roof space conversion extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2469/F	LOCDEV	3 Randal Park Belfast BT9 6JJ.	Section 54 Application to vary condition 02 of LA04/2017/2026/F to read "The chimney marked X, as shown on drawing no. 04, date stamped 2nd October 2019, shall be reinstated within 6 months of this decision, using reclaimed brick as per sample supplied to and agreed by Belfast City Council.	PERMISSION GRANTED
LA04/2019/2472/F	LOCDEV	7 Castlevew Terrace Belfast BT4 3FD.	Single storey rear extension.	PERMISSION GRANTED
LA04/2019/2473/F	LOCDEV	4 Larkfield Avenue Belfast BT10 0LY.	2 storey rear extension.	PERMISSION GRANTED
LA04/2019/2474/DCA	LOCDEV	81 Marlborough Park North Belfast BT9 6HL.	Demolition of garage (which will be rebuilt in red brick to match existing house).	PERMISSION GRANTED
LA04/2019/2475/LDE	LOCDEV	61 Delhi Street Belfast BT7 3AL.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2477/NMC	LOCDEV	52 Windsor Avenue Belfast BT9 6EJ.	NMC to LA04/2017/2257/F	NON MATERIAL CHANGE REFUSED
LA04/2019/2486/F	LOCDEV	30 Edgecumbe Gardens Belfast BT4 2EG.	Single storey rear extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2487/F	LOCDEV	55 Knockbreda Road Ballynafoy Belfast BT6 0JD	First floor extension to side and rear of existing semi detached dwelling	PERMISSION GRANTED
LA04/2019/2496/LDE	LOCDEV	5 St Albans Gardens Stranmillis Belfast BT9 5DR.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2498/F	LOCDEV	36 Juniper Park Dunmurry BT17 0BB	Single storey extension to rear of dwelling	PERMISSION GRANTED
LA04/2019/2506/F	LOCDEV	4 Motelands Belfast BT4 2JH.	Single storey rear extension to dwelling, garage conversion to habitable room, replace garage door with window and internal alterations.	PERMISSION GRANTED
LA04/2019/2513/F	LOCDEV	35 Bloomfield Road Belfast BT5 5LR.	Single storey rear extension.	PERMISSION GRANTED
LA04/2019/2514/F	LOCDEV	43 Lagmore Dale Dunmurry BT17 0TF.	Single storey side extension.	PERMISSION GRANTED
LA04/2019/2515/F	LOCDEV	1 Stockmans Court Belfast BT11 9RT.	Single storey rear extension and garage/garden store.	PERMISSION GRANTED
LA04/2019/2520/LDE	LOCDEV	65 Ulsterville Gardens Belfast BT9 7BB.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2521/F	LOCDEV	7 North Circular Road Belfast BT15 5HB	Demolition of garage, erection of single storey rear and side extension and attic conversion.	PERMISSION GRANTED
LA04/2019/2529/F	LOCDEV	84 Knock Eden Park Belfast BT6 0JG.	2 storey rear extension and single storey rear and side extension.	PERMISSION GRANTED
LA04/2019/2531/F	LOCDEV	2 Gardiner Street Town Parks Belfast BT13 2GT.	Two storey rear extension.	PERMISSION GRANTED
LA04/2019/2537/A	LOCDEV	Belfast Metropolitan College Castlereagh Campus Montgomery Road Belfast BT6 9JD	Banner to front facade	PERMISSION REFUSED
LA04/2019/2540/F	LOCDEV	33 Gortin Park Tullycarnet Belfast BT5 7EQ.	Conversion of existing garage to kitchen, internal alterations, removal of rear pitched roof and installation of new flat roof, new garden room and storage.	PERMISSION GRANTED
LA04/2019/2544/LBC	LOCDEV	58 Wellington Place Belfast.	Removal of existing metal roller shutter and timber boarding above, replacement concertina style metal gate with decorative grille over and new perforated metal roller shutter installed inside ground floor restaurant.	PERMISSION GRANTED
LA04/2019/2557/F	LOCDEV	44 Hawthorn View Hannahstown Belfast BT17 0RN	Single storey side extension to dwelling	PERMISSION GRANTED
LA04/2019/2559/F	LOCDEV	19 Richview Street Belfast BT12 6GP	Two storey extension over existing rear single storey return	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2567/F	LOCDEV	5 Grand Parade Belfast.	Loft conversion with rear dormer	PERMISSION GRANTED
LA04/2019/2568/NMC	LOCDEV	Ormiston House 51a Hawthornden Road Belfast BT4 3JW	Non material change relating to boundary wall amendments	NON MATERIAL CHANGE REFUSED
LA04/2019/2583/F	LOCDEV	50 Carlisle Road Town Parks Belfast BT15 2PT	Change of use from dwelling house to a house in multiple occupation	PERMISSION GRANTED
LA04/2019/2587/LDE	LOCDEV	134 Fitzroy Avenue Belfast BT7 1HY.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2589/F	LOCDEV	8 Pinkerton Walk Town Parks Belfast BT15 2EG	Change of use from dwelling house to a house of multiple occupation.	PERMISSION GRANTED
LA04/2019/2599/LDE	LOCDEV	13 Melrose Street Belfast BT9 7DL.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2600/F	LOCDEV	107 Kilcoole Park Belfast BT14 8LE	Bay extension with canopy above to front of house (retrospective).	PERMISSION GRANTED
LA04/2019/2613/LDE	LOCDEV	2 Elaine Street Belfast BT9 5AR.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2623/F	LOCDEV	19 Grangeville Gardens Belfast BT10 0HJ	Two storey extension with flat roof to side and rear of existing dwelling.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2633/F	LOCDEV	93 Bloomfield Avenue Belfast BT5 5AB	Conversion of the existing dwelling to a house of multiple occupation.	PERMISSION GRANTED
LA04/2019/2634/DCA	LOCDEV	16 Fountain Street Belfast BT1 5ED.	Demolition of internal walls and relocation of internal staircases resulting from a proposed change of use from off sales to provide extension to public house including changes to existing elevations; relocation and entrance and internal refurbishment.	PERMISSION GRANTED
LA04/2019/2638/DC	LOCDEV	Lands at 49 Hawthornden Road Belfast	Discharge of condition 6 of LA04/2019/0084/F (Landscape Management Plan)	CONDITION DISCHARGED
LA04/2019/2645/DC	LOCDEV	48-52 York Street Belfast BT15 1AS	Discharge of condition 5 - LA04/2016/1213/RM (Archaeological Programme of Works)	CONDITION NOT DISCHARGED
LA04/2019/2649/CONTPO	LOCDEV	2 Broomhill Park Central Belfast BT9 5JD.	Complete prune with crown reductions to 2 x Quercus Robur, and 2 x Fagus Sylvatica trees. Sectional dismantle to 1 x dead Cedus, and 1 x group of dying Ilex.	WORKS TO TREES IN CA - AGREED
LA04/2019/2655/F	LOCDEV	29 Gilnahirk Park Belfast BT5 7DX	Single storey rear extension and raised deck area.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2670/DC	LOCDEV	The Kings Hall and RUAS Site South of Upper Lisburn Road/Balmoral Avenue West Of Harberton Park and North East of Balmoral Golf Club Belfast BT9 6GW.	Discharge of condition 11 LA04/2018/0040/F.	CONDITION DISCHARGED
LA04/2019/2724/NMC	LOCDEV	2-6 Castlereagh Place Belfast BT5 4NN	Non material change - LA04/2018/0951/F	NON MATERIAL CHANGE REFUSED
LA04/2019/2735/NMC	LOCDEV	Sainsbury's Supermarket Limited Holywood Exchange 302 Airport Road West Belfast.	Non material change LA04/2019/1956/F	NON MATERIAL CHANGE GRANTED
LA04/2019/2745/LDE	LOCDEV	10 Wellington Park Terrace Belfast BT9 6DR	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2755/DC	LOCDEV	226 Antrim Road Town Parks Belfast	Discharge of condition no. 3 of LA04/2019/1759/F (management plan)	CONDITION DISCHARGED
LA04/2019/2763/DC	LOCDEV	Willowfield Parish Church Hall 290-296 Woodstock Road Belfast BT6 9DP.	Discharge of condition no. 3 of LA04/2019/0625/F (Noise Management Plan)	CONDITION DISCHARGED
LA04/2019/2774/CONTPO	LOCDEV	Bladon Drive from Bladon Park	Tree surgery to overhanging trees. The limb being removed has failed.	WORKS TO TREES IN CA - AGREED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2793/LDE	LOCDEV	115 Malone Road Belfast BT9 6SP	Existing House of Multiple Occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2799/LDE	LOCDEV	18 Florenceville Avenue Belfast BT7 3GZ	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2856/DC	LOCDEV	112 Donegall Avenue Belfast BT12 6LW.	Discharge of condition no. 1 of Appeal Decision 2019/E0018 (Management Plan)	CONDITION DISCHARGED
LA04/2019/2933/DC	LOCDEV	183-191 Beersbridge Road Belfast BT5 4RR	Discharge of Condition no.3 of LA04/2016/1921/F (restricted opening mechanism)	CONDITION DISCHARGED
LA04/2019/2985/CONTPO	LOCDEV	12 Cranmore Avenue Belfast BT9 6JH	Tree surgery to 1no. tree	WORKS TO TREES IN CA - AGREED

ADDENDUM REPORT Development Management Officer Report

Summary	
Application ID: LA04/2018/2470/O	Date of Committee: Thursday 23 rd January 2020
Proposals: Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works.	Location: Vacant lands at existing level Carpark bounded by Winetavern Street, Gresham Street and North Street including 108 North Street and 1 Gresham Street, Belfast.
Referral Route: Major development	
Recommendation: Approval	
Applicant Name and Address: Bywater and Ashmour 46 James Street Marylebone London W1U 1EZ	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
<u>Background</u> This application, for the redevelopment of the site and change of use of the listed Butchers Building in the north-east corner, were originally considered by the Planning Committee at its meeting on 11 th June 2019. The Committee resolved to approve the application with conditions, delegated to the Director of Planning and Building Control to finalise the wording of conditions. Under the Planning (Notification of Applications) Direction 2017, it was also necessary to notify the Department for Infrastructure because the resolution to approve the application was contrary to the views of Department for Communities Historic Environment Division, a statutory consultee. On 6 th December 2019, the Department for Infrastructure wrote to the Council to confirm that it does not consider it necessary for the application to be referred to it for determination. In such circumstances, Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 requires the Council to hold a pre-determination hearing to give the applicant and interested parties opportunity to appear before and be heard by a committee of the Council. The pre-determination hearing was held prior to this Planning Committee meeting and Members may now proceed to make a final determination of the application. The original committee report, and for information purposes the accompanying Listed Building Consent and Full reports for works to the listed Butchers Building, of 11th June 2019 are appended to this report.	

For information, since the June Planning Committee meeting the Council has received amendments to the associated detailed listed building proposals for the Butchers Building (Full application and Listed Building Consent) in order to address issues raised by HED. As a result of these changes HED no longer object to the proposed change of use and accompanying listed building consent for the Butchers Building. It should be noted that their objections with regard to the wider redevelopment of the site, the subject of the outline application, still remain. HED are of the opinion that the outline proposal is contrary to PPS6 BH11 (a) and SPPS paragraph 6.12 due to its scale, height and massing.

The officer recommendation, to grant outline planning permission subject to conditions, is unchanged. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions.

Development Management Officer Report Committee Application

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

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

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

Consultees & Environmental Matters

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

DFC Historic Environment Division – Objection

DFI Roads – No objection

Rivers Agency – No objection

Belfast city Airport – No objection

Building Control – No objection

No objections or third party representations have been received.

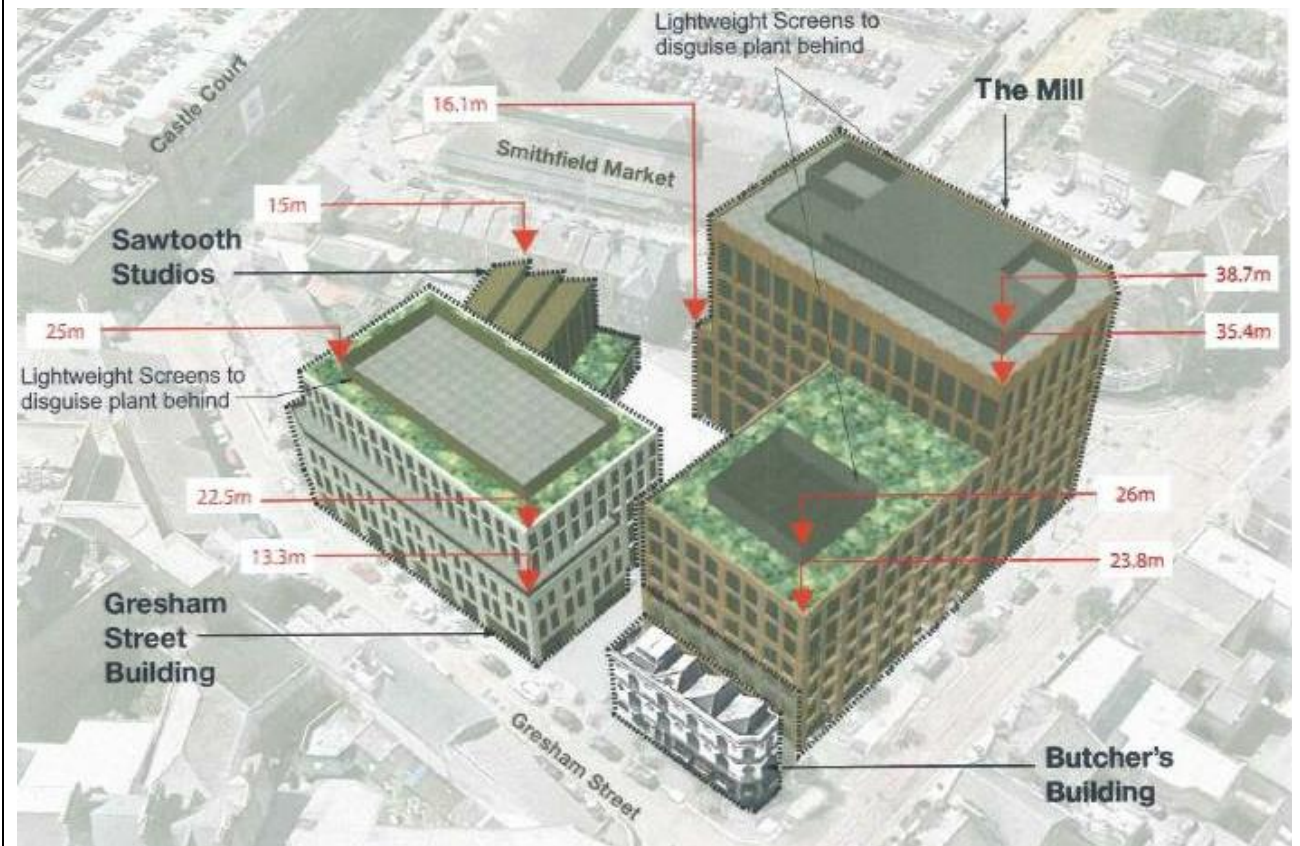
Recommendation

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

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

Case Officer Report

Site Location Plan



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

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

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

	<p><i>Street block is slightly higher at 6 storeys, rising to 9 on Winetavern Street. This has been informed by a robust conceptual approach on what is a development opportunity site on a key arterial route into the city centre.</i></p> <ul style="list-style-type: none"> - <i>'Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units';</i> - <i>Consideration has been given to breaking up the massing of the mill building to address the setting of the listed butchers building, which is welcomed. An attempt has also been made to break up the facades of those larger blocks through the articulation of bays to reflect the scale of surrounding traditional units. The building arrangement within the proposed layout takes cognisance of the general plot widths and urban grain of the surrounding area.</i> - <i>'Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt'.</i> - <i>The site layout results in two interlocked 'L' Blocks between which a central yard space is formed. This yard space is accessible from both Winetavern Street and Gresham Street, forming a continuous and permeable link through the block. It is also noted that both entrances to the yard would be flanked by one new building and one historic building, namely the three storey terrace (Nos. 5-23) in the case of Winetavern Street and the Butchers Building at Gresham Street. The proportions of both entrances pick up contextually on the old entries of Belfast with the yard space itself providing spill out space for proposed GF uses. The more domestic scale of the Sawtooth Studios, which aligns the southern edge of this central space, would allow for greater light penetration.</i> <p>Objections to Designations in Draft BMAP 2015</p> <p>9.8 <i>Retail</i> There were some general objections to the extent of the Primary Retail Core designation. The PAC recommended that the Retail Core be reduced accordingly. This amendment does not affect the site and should the draft Plan 2004 be adopted it would remain in the Primary Retail Core. The presumption remains in favour of retail development.</p> <p>9.9 <i>Offices</i> The PAC concluded in their report that there is no need for a Main Office Area in Belfast and that offices should be allowed throughout the defined City Centre. This does not affect the proposal in that it is located in the defined City Centre and as such the presumption remains in favour of office development at this location.</p> <p>9.10 <i>Character Areas</i> There were both general and more specific objections raised in relation to the draft Character Areas. The PAC recommended no change to the Plan as a result of the general objections. In terms of the specific objections to the Old City Character Area, within which the site is located, they commented that the Department (DoE) were willing to amend the second bullet point (minimum height of 3 storeys and maximum of 5 storeys) to allow departure from specified heights in exceptional circumstances, where a design statement and visual impact assessment were submitted. The PAC recommended that under the 'Elsewhere' Key Site Requirements the following should be added:</p>
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9.11	<p><i>‘Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt’.</i></p>
9.12	<p>Development Opportunity Sites In terms of the Development Opportunity Site designation relating to this application (CC035) the PAC recommended that Castle Court be removed on the basis of an objection. It was also recommended that the Key Site Requirement relating to retail development be removed as the site lies within the Primary Retail Core and that buildings along North Street are included within the Development Opportunity Site.</p>
9.13	<p>Prematurity to the emerging BMAP and Local Development Plan As a result of the aforementioned Judicial Review (para 9.2) the pre-adopted version of BMAP 2015 is an emerging plan. This has led to a scenario where Belfast now has two emerging Area Plans, the draft BMAP and the Draft Local Development Plan Strategy. In light of this any planning decision made at the moment has the potential to be premature to these two emerging plans.</p>
9.14	<p>For example such a course of action would be appropriate where development proposals, either individually or cumulatively:</p> <ul style="list-style-type: none"> - would prejudice the ability of the emerging new or replacement development plan to achieve or retain general conformity with the RDS; or - would prejudice the outcome of the plan process by predetermining decisions that ought properly to be taken following full consideration of the relevant issues in the context of a public inquiry.
9.15	<p>Where a plan is at the draft plan stage but no objections have been lodged to relevant proposals then considerable weight should be attached to those proposals because of the strong possibility that they will be adopted and replace those in the existing plan.</p>
9.16	<p>In terms of the emerging Local Development Plan the argument is more straight forward. Where an LDP is at the consultation stage with no early prospect of submission for examination, then refusal on prematurity grounds would be seldom justified.</p>
9.17	<p>Inner North West Masterplan The site sits within the heart of the Inner North West (INW) Masterplan area and would serve as a catalyst for future development. The INW Masterplan seeks to create a high quality built environment to foster a mixed use neighbourhood with both residential and employment uses.</p> <ul style="list-style-type: none"> - The site layout as proposed largely conforms to the good practice place making principles and core objectives advocated within the INW Masterplan, which is welcomed. - The street hierarchies identified within the INW Masterplan are reinforced by the site layout in relation to the proposed built form and arrangement of land uses.
9.18	<p>Principle of Proposed Uses Office Use The main use within the proposed buildings is offices, which apart from the ground floor, occupy the entirety of the three blocks on Gresham Street, North Street and Winetavern Street. The thrust of the Strategic policy within the SPPS BUAP and the draft BMAPs is to direct office development towards the city centre, thus strengthening the city centre economy and ensuring accessible employment. The eastern part of the site is located within the ‘Main Office Area’ in the BUAP and the site lies within the defined City Centre</p>

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

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

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

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

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

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

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

	<p>The consultant has stated within the air quality assessment that changes in road vehicle emissions were the most important consideration during the operational phase of the development. Modelled results have demonstrated that the impact of additional transport emissions associated with the development will not be significant in terms of nitrogen dioxide and particulate matter concentrations. In addition, the modelling data indicates that none of the local sensitive receptors will experience breaches of the nitrogen dioxide and particulate matter air quality objectives.</p>
9.69	<p>However, the submitted assessment has not considered the impact of combustion sources on the nearest relevant receptors. The consultant has stated that at this stage further details of the proposed heating systems are not defined. However they do state that the heat generation will be via gas boilers. Therefore Environmental health have requested that a condition is added, should outline permission be granted, as detailed at 11.14 below.</p>
9.70	<p>Furthermore, the consultant has identified the potential for dust emissions associated with the development. The consultant has indicated that with the implementation of suitable mitigation measures, the potential for dust impact will be much reduced. However, as the site was categorised as <i>High Risk</i> in accordance with the <i>Guidance on the assessment of dust from demolition and construction IAQM</i>, Environmental health Department has requested that the mitigation measures as outlined in section 1.5 of the RPS report are adopted into a Dust Management Plan prepared for the development. This should be incorporated into the condition Construction Management Plan</p>
	<p>Drainage and Flooding</p>
9.71	<p>The Strategic Flood Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. Hence DfI Rivers would have no specific reason to object to the proposed development from a drainage or flood risk perspective.</p>
9.72	<p>Due to the size and nature of the development as well the development being partially within a predicted flooded area according to Flood Maps NI, FLD3 of PPS15 applies. As this is an outline application and Rivers Agency have no objections from a drainage perspective a Drainage assessment can be conditioned, should outline planning permission be granted. This condition is detailed below at 11.20.</p>
	<p>Impact on Protected Sites</p>
9.73	<p>The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.</p>
9.74	<p>DAERA Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.</p>
9.75	<p>Shared Environmental Services have stated that should any land or ground water contamination is found during the intrusive ground investigation at Reserved Matters stage, SES should be re-consulted in order to assess potential impacts of this on any designated European Site.</p>
	<p>Pre-application Community Consultation</p>
9.76	<p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory</p>

	<p>duty on applicant for planning permission to consult the community in advance of submitting an application.</p> <p>9.77 Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2018/1671/PAN) was submitted to the Council on 28th June 2018.</p> <p>9.78 Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p> <p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> - A public exhibition was also held at the listed 'Butchers Building' on four separate days in September 2018 with staggered start and finish times ensuring that it was fully accessible to a wide range of groups and demographics. - Events were advertised in the Belfast Telegraph and Irish News on 20th August 2018. - 1000 leaflets were distributed to business and residential properties on 35 streets in the surrounding area including Donegall Street, Royal Avenue, Peters Hill, Clifton Street and Trinity Street. Information on the flyers included details of the community consultation exhibition. - Over a three month period meetings were held between the development team and elected representatives from North Belfast assembly Constituency and North Belfast Westminster Constituency. - In summary the pre-application community consultation process involved a large number of groups including North Belfast MLAs, stakeholder, community and business groups. - An estimated 200 people attended the public exhibition and 42 comment cards were completed. 40 people commented positively and 2 were unsure. - In response to concerns raised during and after the public consultation the development team have provided evidence to answer any questions and contacted the consultees accordingly. <p>9.79 It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
10.0	Summary of Recommendation:
10.1	<p>It is recommended that outline planning permission be granted subject to conditions on the basis that:</p> <ul style="list-style-type: none"> - Largely vacant brownfield site (in terms of built form), designated in Draft BMAP as a development opportunity site.

	<ul style="list-style-type: none"> - It has been demonstrated through the indicative floor plans, elevations, 3 dimensional plans and supporting information, that the principle of the proposed uses at this location is acceptable. The proposal will develop a surface level car park in an area of the city centre predominantly characterised by surface level car parks, vacant ground floor units and general dereliction and disrepair. The improvement in the physical environment with the introduction of a high quality mixed use scheme, accompanied by public realm improvements within the vicinity of the site, is welcomed and follows the thrust of strategic planning policy by directing office and retail uses towards the city centre, whilst enhancing the diversity and viability of Belfast's City Centre and providing accessible services and jobs. - The mixed of uses proposed, including cafes, retail and workshop units at ground floor level and offices on the floor above, is entirely appropriate to the city centre location. - The use of a perimeter block arrangement as outlined on the submitted site layout, is welcomed. - The density of development within the site has been increased through a higher site coverage, which is welcomed. - The building arrangement within the proposed layout takes cognisance of the general plot widths and urban grain of the surrounding area, which is welcomed. - Siting the taller element at the junction of North Street and Winetavern Street reflects the hierarchy of this junction and that portion of the site where consideration could be given to an uplift in height. It is considered that definitive heights pertaining to the various buildings proposed will be dealt with as reserved matters. - Buildings step down in scale along the secondary streets to reflect the more domestic scale of development in these locations, which is welcomed. - Consideration has been given to breaking up the massing of the mill building to address the setting of the listed butchers building, which is welcomed. - An attempt has also been made to break up the facades of those larger blocks through the articulation of bays to reflect the scale of surrounding traditional units.
<p>11.0</p> <p>11.1</p> <p>11.2</p> <p>11.3</p>	<p>Conditions</p> <p>Application for approval of the reserved matters shall be made to the Council within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-</p> <ul style="list-style-type: none"> i. the expiration of 5 years from the date of this permission; or ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved. <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters"), shall be obtained from the Council, in writing, before any development is commenced.</p> <p>Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Council.</p> <p>Full particulars, detailed plans and sections of the reserved matters required in Conditions 01 and 02 shall be submitted in writing to the Council and shall be carried out as approved.</p>

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

11.9	<p>The development shall not be occupied unless a Travel Plan has been submitted to and approved in writing by the Council. The Plan shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors, to be agreed by DfL Roads.</p> <p>The development shall not be carried out unless in accordance with the approved Travel Plan.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.10	<p>The development shall not be occupied unless a Service Management Plan has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved Service Management Plan.</p> <p>Reason: In the interests of road safety and traffic progression.</p>
11.11	<p>Notwithstanding the submitted details, no development shall be undertaken unless a Revised Preliminary Risk Assessment (often referred to as a Phase I) has been submitted to, and approved in writing by the Council. This should include a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.</p> <p>Should the Revised Preliminary Risk Assessment demonstrate that potential pollutant linkages exit on the site then a Quantitative Risk Assessment (often referred to as a Phase II) that addresses these issues should be submitted to the Council at Reserved Matter stage. This must incorporate:</p> <ul style="list-style-type: none"> - A detailed site investigation in line with British Standards BS10175:2011. Any ground gas investigations should be conducted in line with BS8485; - A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance; and the revised soil quality standards – LQM/CIEH S4ULs for Human Health Risk Assessment. In addition, risks associated with ground gases should be assessed under the methodology outlined in CIRIA C665; - Based on the outcome of this risk assessment, a Remediation Strategy (often referred to as a Phase III) may be required. If found to be necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health. <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.12	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>

11.13	<p>After completing the remediation works under Condition 11.11; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).</p> <p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.14	<p>Prior to the installation of the combustion system(s) within the proposed development details of the proposed heating systems must be provided and an additional air quality report must be submitted to the Planning Authority for review and written approval. This report must include details of the specification(s) of the heating systems, the number of units proposed, their exact location and emission points/ vent locations. The report must demonstrate that the cumulative impact of the boiler emissions and the traffic emissions will not have an adverse impact on air quality.</p> <p>Reasons: Protection of adverse air quality impacts.</p>
11.15	<p>At Reserved Matters stage odour abatement details shall be submitted to the Council for approval. Prior to the operation of the development hereby approved, a proprietary odour abatement system shall be installed in accordance with the approved details, and shall be retained in accordance with these plans. The installed odour extraction and ventilation system must be cleaned and maintained to the satisfaction of Belfast City Council thereafter.</p> <p>Reason: In the interests of amenity.</p>
11.16	<p>No development shall be carried out unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP must pay due regard to the mitigation measures recommended in the RPS noise and vibration assessment(October 2018) and the RPS Air Quality Impact Assessment (Oct 2018) and to the current BS 5228: Noise and Vibration Control on Construction and Open Sites and should include a programme of works and must clearly outline the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises, the proposed noise and vibration monitoring methods, and evidence of community liaison.</p> <p>The demolition and construction works shall not be carried out unless in accordance with the approved construction Environmental Management Plan (CEMP)</p> <p>Reason: Protection of amenity of neighbouring premises.</p>
11.17	<p>No part of the development shall be occupied unless a Noise Verification Report has been submitted to and approved in writing by the Council. The Noise Verification Report shall demonstrates the following:</p> <ul style="list-style-type: none"> ▪ That the rating level (dBL_{Ar}) from the operation of all combined roof top plant does not exceed the existing daytime and night- time background noise level of 52dBL_{A90} and 47dBL_{A90} respectively when measured or determined in accordance with BS4142:2014;

	<ul style="list-style-type: none"> ▪ That the rating level (dBL_{Ar}) from the operation of all combined non roof top plant associated with the ground floor uses and electrical substation does not exceed the existing daytime and night- time background noise level of $52dBL_{A90}$ and $47dBL_{A90}$ respectively when measured or determined in accordance with BS4142:2014; <p>Reason: Protection of Residential Amenity</p> <p>11.18 No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> - The identification and evaluation of archaeological remains within the site; - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and - Preparation of the digital, documentary and material archive for deposition. <p>The works shall not be carried out unless in accordance with the approved POW.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>11.19 A programme of post-excavation analysis, preparation of an archaeological report dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 11.18. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p> <p>11.20 At Reserved Matters Stage a drainage assessment shall be submitted to the Council. The assessment shall indicate proposed surface water runoff.</p> <p>Reason: To ensure satisfactory drainage to the site.</p> <p>11.21 No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” available at http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf.</p> <p>The development shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
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11.22	No service collection or deliveries shall be carried out from the development hereby approved between 11pm and 7am. Reason: In the interests of amenity.
12.0	Notification to Department (if relevant) Yes. Objection from a statutory consultee – Historic Environment Division
13.0	Representations from elected members: None received
Neighbour Notification Checked Yes	
Signature(s)	
Date:	

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

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

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

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

Development Management Officer Report Committee Application

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

Recommendation

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

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

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

Signature(s):

Case Officer Report

Site Location Plan



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

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

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

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

12.0	Notification to Department (if relevant) Yes. Objection from a statutory consultee – Historic Environment Division
13.0	Representations from elected members: None received
Neighbour Notification Checked N/A	
Signature(s)	
Date:	

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

**Development Management Officer Report
Committee Application**

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

between the listed 'Butchers Building' and the traditionally styled new build, which has been modelled on an old mill building. The extension in itself, given its lightweight and passive architectural style, should not harm the character of the listed building, which previously had an adjoining terrace of equal or greater height and of a more solid built form. Further information has been submitted in an attempt to address HED concerns, HED have yet to comment on this information. However given that the width of the extension has remained unaltered it is not likely that this aspect of their objection will change.

Consultees & Environmental Matters

Environmental Health – Further information requested

DFC Historic Environment Division – Await response. Likely to object

DFI Roads – No objection

NI Water – No Objections

Recommendation

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

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

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

Site Location Plan



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

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

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

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

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

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

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

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

	<p>A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance; and the revised soil quality standards – LQM/ClEH S4ULs for Human Health Risk Assessment. In addition, risks associated with ground gases should be assessed under the methodology outlined in CIRIA C665; Based on the outcome of this risk assessment, a Remediation Strategy (often referred to as a Phase III) may be required. If found to be necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.5	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.6	<p>After completing the remediation works under Condition 11.4; and prior to occupation of the development, a verification report shall be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.7	<p>Prior to the installation of the combustion system within the proposed development details of the proposed heating systems must be provided and an additional air quality report must be submitted to the Council for review and written approval. This report must include details of the specification(s) of the heating systems, the number of units proposed, their exact location and emission points/ vent locations. The report must demonstrate that the cumulative impact of the boiler emissions and the traffic emissions will not have an adverse impact on air quality.</p> <p>Reasons: Protection of adverse air quality impacts.</p>
11.8	<p>Prior to commencement of development odour abatement details shall be submitted to the Council for approval. Prior to the operation of the development hereby approved, a proprietary odour abatement system shall be installed in accordance with the approved details, and shall be retained in accordance with these plans. The installed odour extraction and ventilation system must be cleaned and maintained to the satisfaction of Belfast City Council thereafter.</p> <p>Reason: In the interests of amenity.</p>
11.9	<p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and</p>

	<p>approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
11.10	<p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p>
11.11	<p>The extension hereby approved shall not be constructed unless a contract has been signed for the redevelopment of the adjoining site in accordance with outline planning permission LA04/2018/2470/O.</p> <p>Reason: To ensure the comprehensive development of the site and in the interests of visual amenity.</p>
12.0	<p>Notification to Department (if relevant) Yes. Objection from a statutory consultee – Historic Environment Division</p>
13.0	<p>Representations from elected members: None received</p>
Neighbour Notification Checked Yes	
Signature(s)	
Date:	

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

Committee Application

Development Management Report	
Application ID: LA04/2019/2132/F	Date of Committee: Thursday 23 January 2020
Proposal: 17.5m telecommunications column, with 6no. antenna (3No. enclosed within a shroud, 3No. not enclosed). proposal includes the provision of 4No. new equipment cabinets and associated ground works.	Location: On lands approximately 110m North West of No. 518 Lisburn Road Belfast BT9 6GX.
Referral Route: Elected Member Request	
Recommendation: Refusal	
Applicant Name and Address: Telefonica Uk Limited & Cornerstone 260 Bath Road Slough SL1 4DX	Agent Name and Address: Taylor Patterson 9a Clare Lane Cookstown BT80 8RJ
<p>Executive Summary:</p> <p>The proposal is for a 17.5m telecommunications column, with 6 antennae (3 enclosed with a shroud, 3 not enclosed). The proposal also includes the provision of 4 new equipment cabinets and associated ground works.</p> <p>The key considerations for this proposal are:</p> <ul style="list-style-type: none"> • Impact on visual amenity and the local environment • Impact on residential amenity • Government support for provision of full and up to date telecommunications coverage <p>18 objections have been received from local residents and one on behalf of local constituents from Councillor McAteer. The issues raised include:</p> <p>Proposal will have an impact on:</p> <ul style="list-style-type: none"> • The visual amenity and character of the area; on environmentally sensitive features; will create a cluttered and unattractive pedestrian environment; impact on pedestrian safety. • Land Ownership • Health Concerns • Private Views • Property Prices <p>The developer has submitted supporting information explaining that a new site is required for densification reasons in order to address 4G capacity and congestion due to higher traffic volumes in the immediate area. Supporting information states that where possible existing sites are shared, however in this instance this is not an option as the only nearby site is working to optimum level and unable to provide a suitable degree of coverage for local users. Supporting information also advises that five other sites were considered however, the statement fails to fully set out alternative investigations, their feasibility and environmental impact.</p> <p>Telecommunications development proposals should be facilitated in an efficient and effective manner. Modern telecommunications are an essential and beneficial element of everyday living for the people and visitors to this region. It is important to continue to support investment in high</p>	

quality communications infrastructure which plays a vital role in our social and economic well-being. Whilst it is acknowledged that there is government support for improvements for telecommunications, this needs to be balanced against policy and must not be to the detriment of residential and visual amenity.

It is considered that the telecommunications mast and equipment cabinets at this location will result in unacceptable damage to the visual amenity of the local area and the development has not been sited in order to minimise environmental impact. In addition, there will be a cumulative impact from the number of pieces of equipment proposed, exacerbating the visual impact. The proposed development will also result in a cluttered and unattractive pedestrian environment.

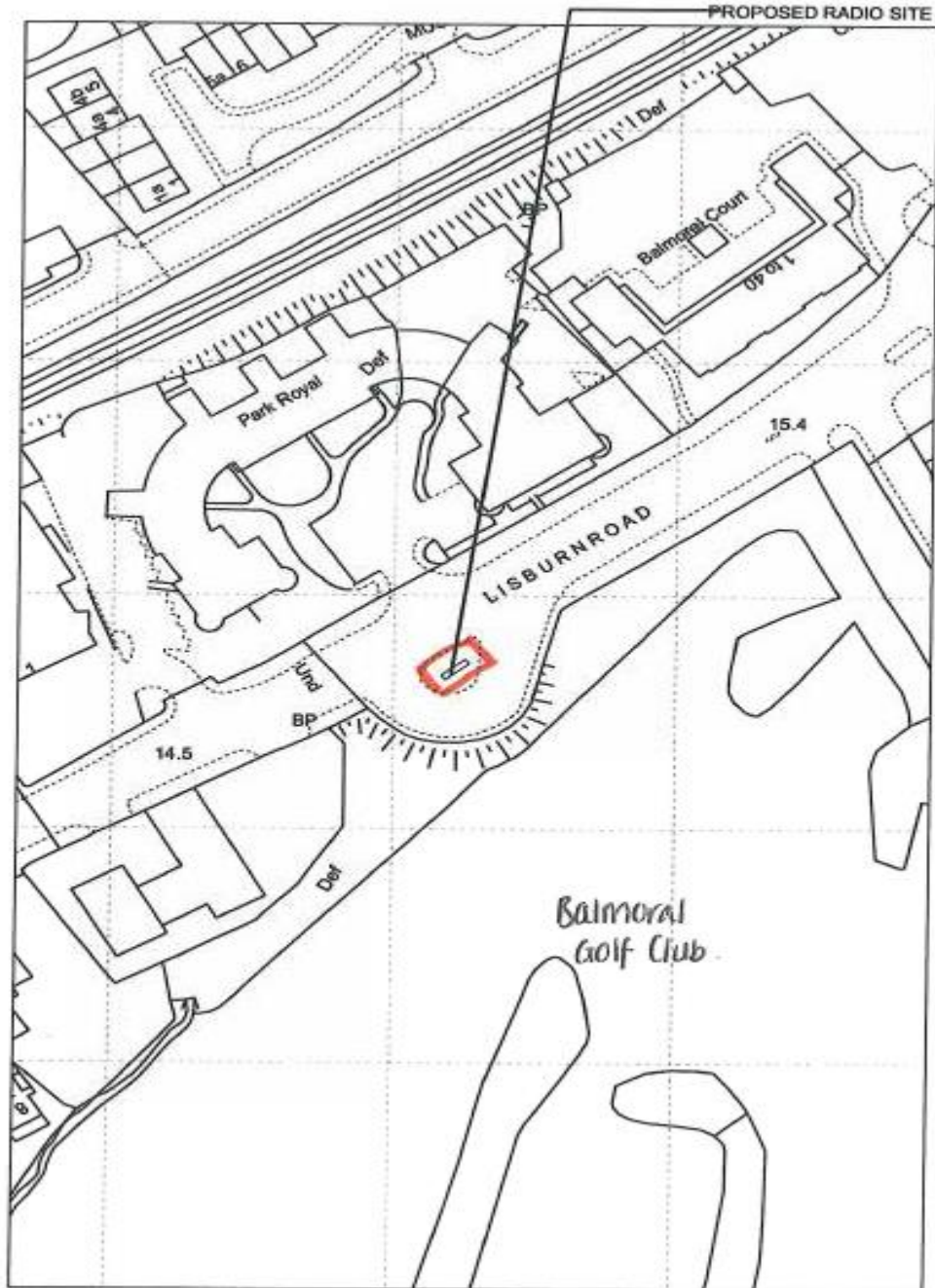
Refusal is recommended for the following reasons

- The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications in that the proposal, if approved, will result in unacceptable damage to visual and residential amenity in this location by way of its height, location, prominence and resulting clutter.
- The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications as the applicant has failed to demonstrate that the proposal has been sited and designed to minimise visual and environmental impact.

Delegated authority is requested to the Director of Planning and Building Control to finalise the wording of refusal reasons.

Case Officer Report

Site Location Plan



SITE LOCATION PLAN - 1:1250

Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The proposal is for a 17.5m telecommunications column, with 6 no antennae (3 no enclosed with a shroud, 3 no not enclosed). The proposal also includes the provision of 4no new equipment cabinets and associated ground works.

2.0 Description of Site

2.1	The application site is located on land approximately 110m North West of no 518 Lisburn Road. The site forms part of a small turning circle / lay-by. There is a small section of footpath located within the middle of the layby with a lighting column.	
2.2	The area is characterised by a variety of residential properties to the north, north east and north west of the site, business properties such as Creighton's petrol station to the south west and Balmoral Golf Club to the south of the site.	
Planning Assessment of Policy and other Material Considerations		
3.0	Site History	
3.1	There is no planning history on this specific site.	
4.0	Policy Framework	
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (dBMAP)	
	4.1.1	White land - BUAP
	4.1.2	Whiteland – dBMAP; adjacent to LLPA
4.2	Strategic Planning Policy Statement (SPPS) PPS 10 Telecommunications DCAN 14 Siting and Design of Radio Telecommunications Equipment	
5.0	Statutory Consultees Responses	
5.1	DFI Roads – No objection, subject to condition	
5.2	Belfast City Airport – No objection	
5.3	Historic Environment Division – No Objection	
6.0	Non Statutory Consultees Responses	
6.1	Arqiva Services Ltd – No objection	
6.2	Hutchison 3G Ltd – No objection	
6.3	British Telecom Radio Network Connection – No objection	
6.4	Eircom UK Ltd – No objection	
6.5	Ofcom Northern Ireland – No objection	
6.6	Vodafone (Cable and Wireless) – No objection	
7.0	Representations	
7.1	19 objections has been received.	
7.2	The issues raised include: <ul style="list-style-type: none"> • Proposal will have an impact on the visual amenity and character of the area. • Proposal will have an impact on environmentally sensitive features. 	

	<ul style="list-style-type: none"> • Proposal will create a cluttered and unattractive pedestrian environment. • Proposal will impact on pedestrian safety • Health Concerns • Land Ownership (Balmoral Golf Club) • Private Views • Property Prices <p>The first five bullet points are material planning matters which are addressed through this report. With respect to land ownership, the applicant has filled in a Certificate of Ownership and served the appropriate notice on Department for Infrastructure.</p>
8.0	Assessment
8.1	<p><u>Development Plan</u> 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. The application site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p> <p>8.2 The site is located within the existing development limits as designated within both the BUAP and dBMAP. The site is also located adjacent to Balmoral Golf Club, which is an existing open space and a Local Landscape Policy Area.</p> <p>8.3 <u>Principle of Development</u> The proposed development falls to be considered under Planning Policy Statement 10 Telecommunications and the SPPS. The objectives for telecommunications set out in the SPPS replicates operational planning policy in PPS10 which advises that proposals for telecommunications development and associated enabling works will be permitted where they will not result in unacceptable damage to visual amenity or harm to environmentally sensitive features of locations.</p> <p>8.4 The proposal does not comply with Policy TEL 1 in that the developer has not fully demonstrated that the proposals have been sited and designed to minimise visual impact and it has not been demonstrated that the new mast represents a better environment solution than other options. The new location for the telecommunications mast is in a location close to a residential development that will have prominent views of the site from their homes, it is in a prominent position in the middle of a lay by and is of a height and width which make it incongruous in the street scene.</p> <p>8.5 <u>SPPS</u> The objectives of the SPPS are to ensure that where appropriate new telecommunication equipment is accommodated by mast and site sharing, to ensure the visual and environmental impact is kept to a minimum, to minimise undue interference that may be caused to radio spectrum users and encourage appropriate provision for telecommunications systems in the design of other forms of development.</p> <p>8.6 Para 4.15 of the SPPS states that Planning authorities should utilise development planning, regeneration and development management powers to contribute to the creation of an</p>

	environment that is accessible to all and enhances opportunities for shared communities; has a high standard of connectivity and supports shared use of public realm.
8.7	<p><u>Visual Impact, Character of Area and Environmentally Sensitive Features</u></p> <p>The application includes the introduction of 5 no. additional standalone pieces of telecommunications equipment alongside the existing streetlight. The telecommunications column measures 17.5m in height with a total of 6 no antennae attached, 3 no antennae will be enclosed with a shroud and 3 no antennae will be visible. In addition to the new column there will be 4 no. new equipment cabinets. The column and cabinets will be placed on concrete bases.</p> <p>The 4 separate equipment cabinets are situated across a distance of approximately 6.9 metres within the centre of a circular layby measuring approximately 13 metres. This results in more than half of the existing vacant layby taken up by infrastructure. The equipment is located in the centre of a turning circle which is set forward from the trees and railings located on the boundary of the grounds of Balmoral Golf Club. This position on the small central footpath of the circle results in the equipment appearing dominant and highly visible; and will result in unacceptable damage to residential and visual amenity and harm to the location, mainly Park Royal residential area and Balmoral Golf Club Local Landscape Policy Area. The outlook from Park Royal will be prejudiced by the introduction of visually intrusive telecommunications infrastructure.</p>
8.8	The proposal is contrary to Policy Tel 1 and paras 6.3 and 6.4 of PPS10 in that the proposal fails to show what measures have been considered to minimise visual and environmental impact. The siting of the mast on the small central footpath of the layby is unacceptable and will result in unacceptable impact on residential and visual amenity. The masts width and height are far in excess of the adjacent lamppost and when read with that and all associated ancillary equipment will create unacceptable visual clutter which does not integrate with surroundings but sits in a prominent position without any immediate backdrop across from residential properties and in front of a LLPA.
8.9	<p><u>Mast / Site Sharing</u></p> <p>As detailed in Development Control Advice Note 14- Siting and Design of Radio Telecommunication Equipment- all telecommunications equipment, including the siting of masts, equipment housing, access tracks and power supplies should be planned to avoid adverse impact on sensitive features and locations.</p>
8.10	The developer has submitted supporting information explaining that a new site is required for densification reasons in order to address 4G capacity and congestion due to higher traffic volumes in the immediate area. Supporting information states that where possible existing sites are shared, however in this instance this is not an option as the only nearby site is working to optimum level and unable to provide a suitable degree of coverage for local users. The existing site that covers the area is located at Lislea Drive which is currently in a more commercial area and preferable to the prominent roadside site being brought forward.
8.11	Five other sites were considered, 2 of which are already beyond the search area; it was submitted that one would fail to give adequate coverage (however no explanation was given as to why); one is a redevelopment site and another is discounted due to proximity to an existing telecoms site at Boucher Road. No information is presented as to the location of both the existing and alternative sites and distances between each comparative to distances between the proposed site and existing masts.
8.12	Policy TEL 1 of PPS 10 provides the policy tests for 'Control of Telecommunications Development'. Telecommunications development should not result in unacceptable

	<p>damage to visual amenity or harm to environmentally sensitive features or locations. The current proposal does not comply with the policy tests of TEL 1 due to the unacceptable damage to visual amenity. Furthermore it is not considered that supporting information fully sets out alternative investigations and their feasibility. Whilst it is submitted that the existing mast at Lislea is working to optimum level there is no indication as to the ability of the existing site at Lislea to be upgraded with a new mast or to share the site with a second mast.</p>
8.13	<p><u>Pedestrian Safety</u> In terms of pedestrian safety Dfi Road was consulted regarding the proposal and offered no objection to the proposal subject to the following condition <i>'the proposal shall be erected in the positions shown on Drawings No 02, reason: in the interest in road safety and the convenience of road users'</i>.</p>
8.14	<p><u>Impact on Health</u> Policy TEL1 (3) requires that base stations associated with telecommunications development, when operational, will meet the ICNIRP guidelines for public exposure to electromagnetic fields. Supplementary documentation has been provided that demonstrates that the proposal is in full compliance with the requirements of the Radio Frequency Public exposure Guidelines of the International Commission on Non-Ionising Radiation (ICNIRP).</p>
8.15	<p>Therefore, the applications conforms to Policy TEL 1 (3) of PPS10 regarding public exposure to electromagnetic fields.</p>
9.0	Summary of Recommendation
9.1	<p>Telecommunications development proposals should be facilitated in an efficient and effective manner. Modern telecommunications are an essential and beneficial element of everyday living for the people and visitors to this region. It is important to continue to support investment in high quality communications infrastructure which plays a vital role in our social and economic well-being. Whilst it is acknowledged that there is government support for improvements for telecommunications, this needs to be balanced against policy and must not be to the detriment of residential and visual amenity.</p>
9.2	<p>It is considered that the cumulative impact of the proposed development, in addition to the existing infrastructure, will result in detrimental visual impact. The proposed development will also result in a cluttered and unattractive pedestrian environment, thereby impacting detrimentally on the local environment.</p>
9.3	<p>It is considered that the telecommunications mast and 4 equipment cabinets at this location will result in unacceptable damage to visual amenity of the local area and the mast and its associated equipment have not been sited to minimise environmental impact.</p>
10.0	Refusal Reasons
10.1	<p>The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications in that the proposal, if approved, will result in unacceptable damage to visual and residential amenity in this location by way of its height, location, prominence and resulting clutter.</p>
10.2	<p>The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications as the applicant has failed to demonstrate that the proposal has been sited and designed to minimise visual and environmental impact.</p>

ANNEX	
Date Valid	29th August 2019
Date First Advertised	27th September 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) 126 neighbours notified. 178, Ormeau Road, Belfast, Ormeau, Antrim, Northern Ireland, BT7 2ED	
Date of Last Neighbour Notification	09/10/2019
Date of EIA Determination	n/a
ES Requested	No
Drawing Numbers and Title Drawing No. 01 Type: Location Plan Drawing No. 02 Type: Site Plan Drawing No. 03 Type: Site Elevations Drawing No. 04 Type: Planning Photomontage	
Notification to Department (if relevant) Date of Notification to Department: n/a Response of Department:	
Representations from Elected members: Councillor Geraldine McAteer South Belfast Sinn Fein	

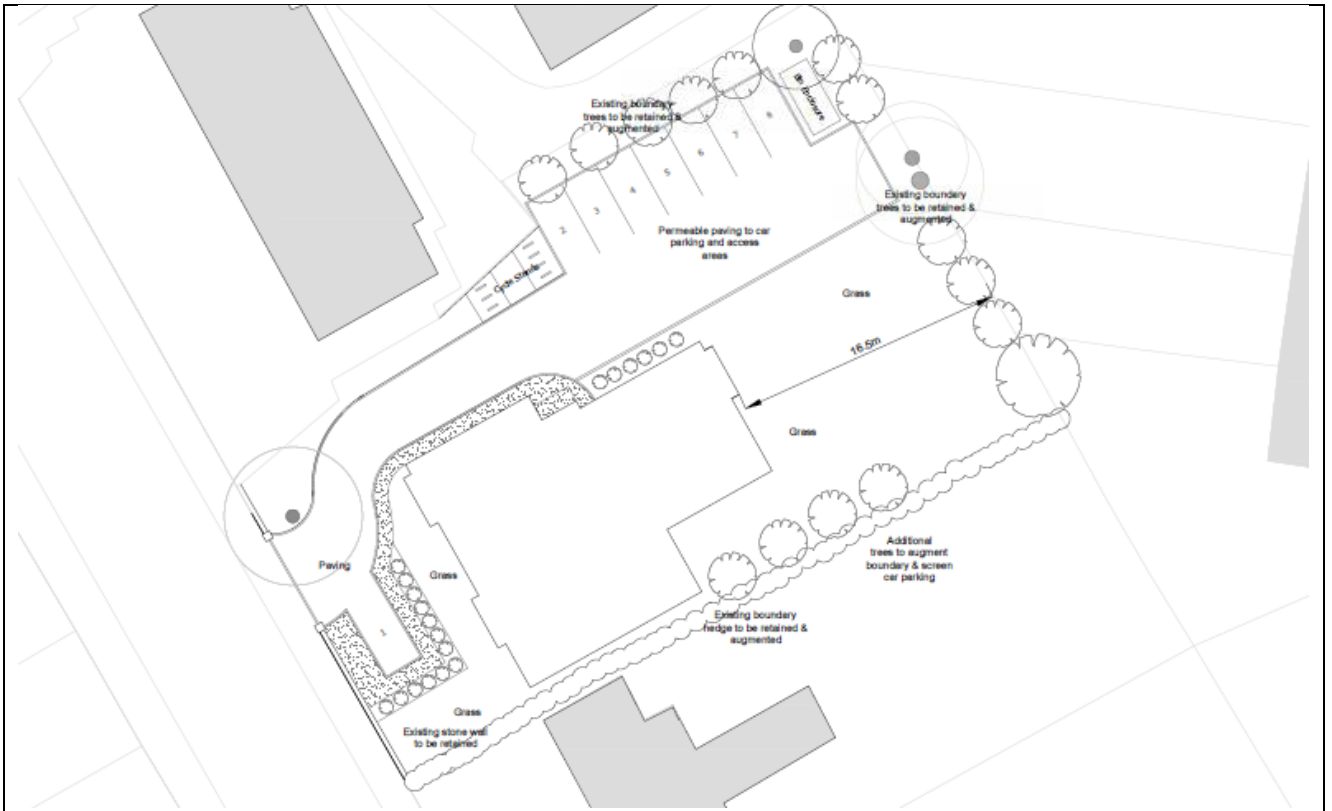
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 23 January 2020	
Application ID: LA04/2018/0856/F	
Proposal: Demolition of existing dwelling and construction of 8 apartments within one block and 8 associated car parking spaces	Location: 134 Finaghy Road South Belfast BT10 0DG
Referral Route: Requested to be presented to the Planning Committee by elected member	
Recommendation: Approval Subject to Conditions	
Applicant Name and Address: Diatom Ltd 50 Glen Road Holywood BT18 0HB	Agent Name and Address: Lisgorran Ltd 15 Ardvarna Park Belfast BT4 2GH
<p>Executive Summary:</p> <p>The application seeks full planning permission for the demolition of the existing bungalow on site and the replacement with eight apartments and associated site works</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of Development and Use; - Scale, Design & Massing; - Impact on Surrounding Character; - Impact on Amenity; - Traffic Movement & Parking; - Other Environmental Matters <p>The principle of apartment development has already been established under Z/2006/2536/F (11 Apartments) and Z/2008/1264/F (12 Apartments). These are both now extant.</p> <p>The proposed design is considered acceptable and will have a positive impact on the character of the area. The proposal will not result in an unacceptable impact on residential amenity.</p> <p>All consultees offer no objection to the proposal.</p> <p>A total of 54No letters of objections were received to the proposal. This includes 48No letters of objection on the previous design proposals and 6No letters of objection on the amended current proposal. All of objections received were from seventeen neighbouring properties and included an objection from Cllr. David Graham and Christopher Stalford MLA. The Elected Member and MLA objection related to previous scheme comprising two apartment blocks.</p> <p><u>Recommendation</u></p> <p>Having had regard to the extant development plan, the draft development plan, relevant planning policies, and other material considerations the proposed development is considered on balance to be acceptable.</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission with conditions.</p>	

Case Officer Report

Site Location Plan





Proposed site block Plan

Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 Full planning permission is sought for demolition of an existing dwelling and construction of 8 apartments within one block with 8 associated car parking spaces.

2.0 Description of Site.

2.1 The site is a domestic plot consisting a bungalow with a roof dormer, a timber shed building and car parking space. The site has a slight incline falling from the front boundary toward the rear boundary. The majority of the plot is grassed with a mature boundary of vegetation (trees and hedging) with timber fencing also forming an enclosure.

2.2 The character of the surrounding area is residential with a mixture of house types. To the north of the site two apartment complexes are located, one accessed off Finaghy Road South the other via Benmore Drive. To the south the neighbouring properties consist of bungalows and two storey dwellings. To the east (rear of site) the bounding properties consist of two storey terrace dwellings. To the north the properties are a mix of detached and semi-detached two storey and single storey dwellings.

Planning Assessment of Policy and other Material Considerations

3.0 Planning History

- Z/2006/2536/F - Demolition of existing dwelling & outbuilding and erection of 11No. apartments with associated parking – permission granted 6th Dec 2007.

	<ul style="list-style-type: none"> Z/2008/1264/F - Change of design from previously approved planning permission Ref: Z/2006/2536/F, to provide one additional apartment (12 Apartments in total) – permission granted 24th Feb 2009
4.0	Policy Framework
4.1	<p><u>Planning policy framework and guidance included:</u></p> <ul style="list-style-type: none"> BUAP Draft BMAP 2015 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 are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. SPPS for Northern Ireland Planning for a Sustainable Environment PPS 2 Natural Heritage PPS 3 Access, Movement and Parking PPS 7 Quality Residential Environments PPS 12 Housing in Settlements PPS 15 Planning and Flood Risk
5.0	Statutory Consultee Responses
	<p>Rivers Agency – no objection NI Water – no objection DfI Roads Service – no objection DAERA – no objection</p>
6.0	Non Statutory Consultees Responses
	<p>BCC Environmental Health – no objection BCC Tree Officer – no objection</p>
7.0	Representations
7.1	<p>Twenty six neighbouring properties were notified and the proposal was advertised in the local press. A total of 54 letters of objections were received to the proposal. This includes 48 letters of objection prior to the scheme being significantly amended and 6 letters of objection on the amended current proposal. The objections received were from seventeen neighbouring properties and included an objection from Cllr. David Graham and Christopher Stalford MLA. The Elected Member and MLA objection related to original scheme which comprised two apartment blocks.</p>
7.2	<p>Matters raised by the objectors include:</p> <ul style="list-style-type: none"> - Overlooking - Over development of site - Access/parking - Design - Flooding - Wildlife
7.3	<p>These matters will be considered throughout the main body of the report.</p>
8.0	Other Material Considerations
	<p>DCAN 8 Housing in Existing Urban Areas Creating Places Achieving Quality in Residential Developments DCAN 15 Vehicular Access Standards DOE Parking Standards</p>
9.0	Assessment

9.1	<p>The key issues to consider in the assessment of this application are as follows:</p> <ul style="list-style-type: none"> - Principle of Development and Use; - Scale, Design & Massing; - Impact on Surrounding Character; - Impact on Amenity; - Traffic Movement & Parking; - Other Environmental Matters
9.2	<p><u>Principle of Development and Use</u></p> <p>The site is located on unzoned - white land in the both BUAP and dBMAP. Therefore, using the land for residential purposes does not conflict with any designated land use within the development plan and the principle of residential redevelopment at this location is acceptable, providing it meets the relevant policy tests as set out in regional policy and other guidance.</p>
9.3	<p>There is also a historic planning approval in 2009 for apartment development at this location, which expired in February 2014.</p>
9.4	<p><u>Scale, Design & Massing</u></p> <p>A single apartment block is proposed fronting Finaghy Road South. The block will comprise 3 storeys in height with an overall ridge height of 8.4 metres. The ridge height has taken account of the surrounding ridge heights in the area.</p>
9.5	<p>The design of the apartment block makes use of common typical building materials of red brick, painted render and grey roof tiles. The design includes front two storey bays using both the red brick and painted render adding architectural features that presents an active façade fronting the road. The design and architectural treatment is considered to be contextually appropriate at this location.</p>
9.6	<p>The roof design includes both a full gable and hipped end both of which are reflective of the surrounding area. The roof form of the proposal has been designed with a hipped roof end adjacent to the neighbouring detached bungalow (136 Finaghy Road South), it is considered that will also contribute to reducing the potential for dominance of the neighbouring property.</p>
9.7	<p>The design also makes use of a rear return which is also a common architectural feature that is typical within an urban setting. The design of the building within the plot results in the retention of garden space to the rear.</p>
9.8	<p>The existing boundary treatment consists of trees and hedging which is to be augmented with additional planting improving the level of amenity offered by the existing planting; and the proposed boundary landscaping features of trees and hedging will also act in a manner that will contribute to reducing any appearance of dominance.</p>
9.9	<p>The site layout results in the provision of one car parking place to the front the remaining spaces to be located to the side/rear; cycle parking and bin storage is also located to this area.</p>
9.10	<p>Within Creating Places guidance it is expressed that where an apartment block is to share a common boundary with existing dwellings there should be a separation distance of 15m between the rear of the apartments and the common boundary. The application exceeds this requirement providing 16.5m between the proposed apartment block and the rear</p>

	<p>common boundary at its nearest point. It is considered that the separation distance is sufficient to ensure that dominance will not be a significant issue.</p>
9.11	<p>It is considered that, on balance, the design of the building is appropriate to the surrounding context which is an assortment of detached and semi-detached two storey and single storey dwellings and apartments. The scale and massing of the proposal is considered to be appropriate at this location and will sit comfortably within its surroundings.</p>
9.12	<p><u>Impact on Surrounding Character</u></p>
	<p>The proposal will introduce apartments to the existing urban setting which contains a mixture of housing types that includes single family dwellings and two storey and four storey apartment blocks.</p>
9.13	<p>A number of objections have been received regarding the design of the proposal being out of character for the area, notably the three storey height of the proposed apartment block fronting the roadway. Concerns were expressed that this design is out of character with the surrounding context of two storey and single storey housing fronting the roadway.</p>
9.14	<p>Although the design is for a three storey building, it is designed to have a ridge height that is in keeping with the surrounding area and will reflect the ridge height of the neighbouring apartment block and other two storey dwellings along the road frontage. The design of the building comprises two full floors with a third floor above within the roof space - natural light for this floor will be achieved through the use of roof lights. It is considered that the design of the proposal will not significantly impact on the surrounding character as the context of the area includes apartment development of a similar height. The proposal will not be significantly incongruous for the area which consists of many house types fronting the road leading to no uniformity of styling within the area.</p>
9.15	<p><u>Impact on Amenity</u></p>
	<p>Each apartment would meet the space standards as expressed within the second addendum to PPS 7, the ground and first floor units are 70sqm. The space standards require 60/65sqm for these types of two bedroom units. The second floor units consist of a 100sqm two bedroom unit and 48 sqm one bedroom unit. The standard requirement being 60/65 sqm and 35/40sqm respectively. In terms of prospective residents, each unit has adequate outlook to the public street or the external amenity area. The outdoor private amenity space (land behind the building line) is in excess of 430sqm, Creating Spaces Guidance refers to amenity space of 10sqm to 30sqm of amenity space per apartment in regards to this site it would equate to 80sqm to 240sqm of amenity space would be required.</p>
9.16	<p>The proposal is designed to house the eight apartments in one block fronting onto Finaghy Road South. It is not envisaged that this block will offer a significant level of impact on neighbouring amenity. A number of objectors have voiced concerns that there is a potential for their properties to be overlooked from the proposed apartment block. The separation distance between the proposed apartment block and the housing opposite is in excess of 30m. It is considered that there is a significant separation distance between the site and these dwellings and for these reasons the proposal will not introduce a significant level of overlooking; notwithstanding the additional upper floor roof light windows. The separation distance also ensures that the proposal will not significantly dominate these fronting properties.</p>

9.17	<p>Regarding properties to the rear, the proposed apartment block is designed to be situated 16.5m (at its nearest point) from the common boundary with the existing housing at Orlock Square. The design, as previously stated, is to have two full floors with a third located within the roof-space. The design results in eight windows in total to the rear elevation at ground and first floor, six of these windows are serving bedrooms the remaining two serving living room/kitchens. It is considered that the bedroom windows arrangements are common to an urban context and will not cause a significant impact on the living conditions of neighbouring properties. In regards to the living/kitchen spaces the impact from the ground floor apartment (annotated as apartment 3) will not be greater than normally found within the urban context. It is accepted that the first floor living/kitchen window for proposed apartment no.6 does offer a higher level of potential overlooking than the current bungalow on site, however, this is not considered to be unacceptable given the proposed separation distances and is not an uncommon relationship in the urban context. The separation distance of 16.5m coupled with existing trees and the proposed planting of semi mature trees will limit the opportunity for the proposal to overlook neighbouring properties.</p>
9.18	<p>To the south of the site is located no 136 Finaghy Road South, a detached bungalow. This property has an attached garage to the side and is adjacent to the site boundary with an 8.0m separation distance between proposed apartment block and the rear return of bungalow. The design of the apartments when viewed from no.136 is a two storey hipped gable, finished in red brick with a two storey rear return, set back a further 4.5m from the boundary. The elevation towards no.136 is designed with four small windows to serve an en-suite and bathroom to the ground and first floors, second floor apartments are served by roof lights, it is considered that these window will not significantly impact on the amenity of this property, obscure glazing will be conditioned for these windows.</p>
9.19	<p>The western elevation (as annotated) has eight windows and two roof lights that faces onto the neighbouring apartment blocks. Four of the windows are to serve bedrooms to apartments 1, 3, 4 and 6 and two windows to serve the internal staircase. The remaining two windows are to serve the living room/kitchen of apartments 3 and 6. The windows face onto the gables of the neighbouring apartment blocks and the shared amenity for the blocks. The proposed windows therefore will not impact on private amenity and are considered to be acceptable.</p>
9.20	<p>It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.</p>
9.21	<p>Overall, it is considered that the proposal would respect its surrounding context and maintain the character and appearance of the area in accordance with Draft BMAP, Policy QD1 of PPS7, Creating Places and the SPPS.</p>
9.22	<p><u>Traffic Movement & Parking</u></p> <p>The proposal provides sufficient incurtilage parking for 8 cars. DOE Parking Standards guidance document requires the provision of 1.5 spaces per unit for this type of development. The proposal of eight units results in the need to provide 12 parking spaces for the development. A parking survey was submitted detailing that the four additional spaces can be accommodated by on street parking. DfI Roads Service, following consultation, offered no objection to the parking, manoeuvring and cycle storage provision for the scheme. It is therefore considered that the proposal provide adequate parking facilities for the scheme and complies with PPS 3 and DCAN 15.</p> <p>Adequate provision have been made with the site for storage of waste.</p>

9.23	<p><u>Other Environmental Matters</u></p> <p>Paragraph 4.11 and 4.12 of the SPPS states that there are a wide range of environmental and amenity considerations including noise and air quality, should be taken into account by planning authorities when proposing policies or managing development. Other amenity considerations arising from development that may have potential health and well-being implications include design considerations, impacts relating to visual intrusion, general nuisance, and loss of light and overshadowing. Adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality.</p>
9.24	<p><i>Impact on wildlife</i></p> <p>Objectors have expressed concerns regarding the potential for the development to impact on protected wildlife. A Bat Survey was submitted as part of the application. DAERA Natural Environment Division offered no objection stating that the development is unlikely to significantly impact the local bat population. The development scheme has been significantly reduced since the receipt of these comments it is therefore considered that the assessment conclusion remains, there will be no significant impact on local wildlife. The proposal is considered to comply with the SPPS and PPS2.</p>
9.25	<p><i>Impact on flooding</i></p> <p>The objections to the proposal expressed concern regarding the potential for flooding. Rivers Agency was consulted and re-consulted with the concerns expressed by the objectors. The comments from Rivers Agency indicate that they are content with the applicant's current method to dispose surface water from the site. NI Water has also indicated that there is available capacity within the sewage treatment works to accommodate the needs of the development. The scheme has also been reduced from eleven units to eight units and from two blocks to one block since these comments from Rivers Agency and NI Water were received reducing further any potential impact. As such the proposed development would comply with Policy FLD 3 of PPS 15 and the SPPS.</p>
9.26	<p><i>Impacts on existing trees & landscaping issues</i></p> <p>The Tree officer was consulted on the potential impact the development may have on the trees within the site. The officer advised that no tree on site was worthy of protection however, did accept that the trees to the rear of the site provided amenity to neighbouring houses however the trees have not been maintained for a considerable period of time and were showing a need for significant level of works to ensure that they remain healthy.</p>
9.27	<p>The proposal does not call for the removal of the trees within the site and suggests that the existing trees and vegetation that defines the site boundary will be augmented with additional planting. It is considered that the proposal will offer an enhanced vegetated boundary adding to the local amenity and there is unlikely to be any significant damage to the existing trees to the rear of the site. The Tree Officer offered no objection to the proposed development.</p>
9.28	<p><i>Noise</i></p> <p>The issue of noise, associated with the proposed parking, was raised as an objection. BCC Environmental Health Services offered no objection to the proposal. From the time of consultation response due to design changes the parking provision has now been reduced from 17 No spaces to the rear to 7No spaces with an increased separation distance of 30m between the parking spaces and neighbouring dwellings.</p>

9.29	<p>Having regard to the increased separation distance of 30m between parking spaces and neighbouring dwelling and the retention of, and additions to, the boundary planting, it is considered that the potential for noise associated with onsite parking will not be at a level sufficient to create a significant nuisance.</p>
<p>10.0</p> <p>10.1</p>	<p>Summary of Recommendation: Approval Subject to Conditions</p> <p>It is considered that, on balance, the proposal is an acceptable form of development for the site at this location, and will not be detrimental to the living conditions of those living to the rear of the site and therefore satisfies relevant planning policy and guidance.</p>
<p>11.0</p>	<p>Conditions and Informatives</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>2. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No. 101, published on the Planning Portal 6th November 2019, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.</p> <p>Reason - To ensure that adequate provision has been made for parking within the site.</p> <p>3. The vehicular access shall be constructed in accordance with Drawing No. 100, published on the Planning Portal 6th November 2019.</p> <p>Reason - To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>4. Covered cycle parking shall be provided in accordance with Drawing No. 101 published on the Planning Portal 6th November 2019.</p> <p>Reason - To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>5. All hard and soft landscaping, including existing and proposed boundary planting, shall be completed in accordance with, hereby approved, plan 113 bearing the Council's date stamp 11th November 2019 before the occupation of any approved apartment.</p> <p>Reason: to ensure that a satisfactory form of landscaping and to aid neighbouring privacy.</p> <p>6. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>

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ANNEX	
Date Valid	4th April 2018
Date First Advertised	27th April 2018
Date Last Advertised	22nd November 2019
Elected representative Interest:	
Cllr Declan Boyle (request to bring to Committee)	
Christopher Stalford MLA	
Cllr David Graham	
Neighbours notified & Advertised :	
17 Neighbours	
Date of Last Neighbour Notification	
Date of EIA Determination	
ES Requested	Yes /No
Drawing Numbers and Title	
Notification to Department (if relevant)	
Date of Notification to Department: N/A	
Response of Department:	

Committee Application

Development Management Report

Application ID: LA04/2019/1522/F	Date of Committee: Thursday 23 January 2020
Proposal: Proposed part two storey and single storey rear extension	Location: 29 Casaeldona Park Belfast BT6 9RB
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Mr Ryan Scates 29 Casaeldona Park Belfast BT6 9RB	Agent Name and Address: Alan Gregg 32 Carolhill Drive Belfast BT4 2FT

Executive Summary:

Planning Permission is sought for a part two storey and single storey extension to the rear of the dwelling at 29 Casaeldona Park.

The key issues to be considered are:

- The effect on character and appearance
- Design of the proposal
- Impact on amenity

Five representations have been received in relation to the application raising issues including over dominance, overshadowing/loss of light, scale and massing; boundary issues and these are dealt with in full in the case officer report.

The proposal has been amended and reduced during the processing of the application. The most recent amendment was received on 6 January 2020 and neighbours were re-notified, to date of this report no further objections have been received. Members will be advised through late items if any further comments are received.

The proposed extension will not adversely impact the character and appearance of the surrounding area. It is considered to be sympathetic in its built form, scale, massing and appearance with the existing property and with surrounding neighbouring properties. It is considered that the proposal will not raise any issues in relation to overshadowing and loss of light, to neighbouring dwellings as the 45 degree angles test has been satisfied.

There is sufficient space remaining within the curtilage of the property for domestic purposes including parking and the manoeuvring of vehicles and storage of bins.

Recommendation

Approval subject to Conditions

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

- 1.0 Description of Proposed Development**
 Planning Permission is sought for a part two storey and single storey extension to the rear of the dwelling at 29 Casaeldona Park.
- 2.0 Description of Site**
 The site is located at 29 Casaeldona Park and is comprised of a semi-detached chalet bungalow finished in red brick with a pitched roof. There are dormers to the front and rear of the property. There is a driveway providing off street car parking and a garden bound by a small wooden fence. There is a paved amenity area and grass garden to the rear of the site.
- The surrounding area is mainly medium density residential streets with both semi-detached and detached dwellings, set out in a traditional form with front and rear gardens and side driveways.

Planning Assessment of Policy and other Material Considerations

- 3.0 Site History**
- 3.1 Surrounding Site History**
- | Reference | Location | Proposal | Status | Date |
|---------------|--------------------|--|--------------------|------------|
| Y/2003/0174/F | 31 Casaeldona Park | Two storey and single storey extension to rear of dwelling | PERMISSION GRANTED | 09/07/2003 |
- 4.0 Policy Framework**
- 4.1 Belfast Urban Area Plan
- 4.2 Draft Belfast Metropolitan Area Plan 2015

	The extant development plan remains 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.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Addendum to Planning Policy Statement 7: Residential Extensions and Alterations
5.0	Statutory Consultees Responses
5.3	None
6.0	Non Statutory Consultees Responses
6.1	None
7.0	Representations
7.1	<u>Representations</u> The application has been neighbour notified and advertised in the local press. Comments have been received from two addresses and they are summarised below, a reply is provided to comments not applicable to the consideration of this proposal.
7.2	Overbearing and dominance - <i>Case Officer's Response: The original proposed extension was for a two storey rear extension which was considered to be dominant and overbearing to the neighbouring properties. It adversely impinged on the immediate aspect or outlook from the adjoining property at No.31. Through several amendments the proposal was altered to a part two storey and single storey extension. The proposal as amended is now subordinate to the existing dwelling as the roof pitch of the extension is set below the existing ridge line. The side wall of the part two storey extension closest to No.31 has been stepped back to create a less dominant extension from the view of the neighbouring property at number No.31.</i>
7.3	Precedent- <i>Case Officer's Response: The proposal for a part two storey and single storey extension complies with policy and each application is determined on its on merit. This type of extension is not untypical in the area.</i>
7.4	Scale and Massing- <i>Case Officer's Response: The scale and massing of the proposed extension is considered acceptable through the amended plans. The proposal is acceptable as it is subordinate to the host dwelling and the pitch of the roof is set below the ridge of the existing dwelling.</i>
7.5	Overshadowing/loss of light- <i>Case Officer's Response: Amendments to the proposal show that the extension has been stepped back to a part two storey and single storey extension. Within the boundary area between the application site and number 31, there is a two storey element which extends for approximately 1.5m. This part of the extension satisfies the 45 degree angles test from the closest habitable room on the ground floor of No.31. From the first floor of No.31 the 45 degree angle complies also. This room is to facilitate a bathroom which is not considered a habitable room. The single storey extension has a flat roof and complies with the 60 degree angles test. The larger part of the two storey element of the proposal satisfies the 45 degree angle. Due to the changes made the 45 degree angles test has been met and no demonstrable harm will impact the neighbouring properties at Nos. 41 and 23 Delamont Park and Nos. 31, 33 and 35 Casaeldona Park in terms of overshadowing and loss of light.</i>

7.6	Boundary issues- <i>Case Officer's Response: The proposal is shown to be within the boundary of No.29 and does not encroach into the boundary of No.31. matters around party boundaries are not within the remit of planning.</i>
7.7	Water collection and drainage: <i>Case Officer's Response: The agent has noted that all gutters and fascia will not extend beyond the centre line of the screen wall between the two properties.</i>
7.8	Privacy and Overlooking- <i>Case Officer's Response: whilst the proposed ground floor utility window and new tri fold door are at an angle towards No.31, they will not cause any further harmful overlooking to the neighbouring property due to the existing boundary treatments as the existing floor level and patio levels are to remain as existing. The proposed first floor bedroom window which is also at an angle will be conditioned to be obscured glazing to prevent any overlooking to No.31, as will the proposed bathroom window. The proposed windows will therefore have no impact on the amenity of the neighbouring properties and there will be no issues of loss of privacy or overlooking.</i>
7.9	No elevation drawing submitted that shows the view/impact to No.31- <i>Case Officer's Response: The agent submitted a drawing which provided an elevation that shows the view from No.31.</i>
7.10	<p>Concerns which fall outside of the remit of planning:</p> <ul style="list-style-type: none"> - Cooking extractor vent/ boiler vent - Scaffolding - Decrease value of properties in the area - Washing appliance noise - Joint flat roof and PVC alterations
8.0	Assessment
8.1	Character and Appearance
	The proposal is for a part two storey and single storey extension. The original submitted plans were for a two storey rear extension which was considered to be dominant and overbearing and the flat roof proposed was out of character with the area. The proposal was also largely outside of the 45 degree angles test and caused overshadowing to the neighbouring property at 31 Casaeldona Park through both natural daylight and sunlight.
8.2	After several amendments the agent proposed a part two storey and single storey extension. It is considered that this proposal is less obtrusive in nature and does not have a dominant appearance in the surrounding area. The proposed extension will not adversely impact the character and appearance of the surrounding area, as it is considered to be sympathetic with the built form and appearance of the existing property. The scale of the proposal is considered to be in keeping with the existing dwelling on site and with surrounding neighbouring properties. The roof pitch of the extension is set below the ridge line of the existing dwelling and the single part extension has a flat roof. Amendments to the proposal show that the part two storey part of the extension on the boundary with No.31 has been stepped back to prevent any actual or perception of dominance. Overall the scheme is considered acceptable due to the extension being sub-ordinate in height, scale, and mass to the existing property and it is restricted below the ridge line and pitch of the existing dwelling.
8.3	Design
	The quality of the design and finish of the proposal is considered to be compliant with the addendum to PPS7. The proposal is considered to be compliant with Policy EXT1 of the Addendum to PPS7 in that the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property

	and will not detract from the appearance and character of the surrounding area. The external finishes of the extension are to match the existing dwelling.
8.4	<p>Impact on amenity</p> <p>The proposed extension is considered to be in accordance with Policy EXT1 of the addendum to PPS7 in that the proposal will not unduly affect the privacy or amenity of neighbouring residents. Whilst the proposed ground floor utility window and new tri fold door are at an angle facing onto No.31 they will not cause any harmful overlooking to the neighbouring property due to the existing boundary treatments as the existing floor level and patio levels are to remain as existing.</p>
8.5	<p>The proposed first floor bedroom window which is also at an angle will be conditioned to be obscured glazing to prevent harmful overlooking to No.31, as will the proposed bathroom window. The additional proposed window openings will have no impact on the amenity of the neighbouring properties and there will be no issues of privacy or overlooking. It is considered that the proposal will not raise any issues in relation to overshadowing and loss of light, as the 45 degree angles test has been satisfied and no overshadowing will occur to the neighbouring properties. The orientation of the site and its neighbouring property is such that the rear is north east facing and therefore the sun path will move around the front of the dwellings in the afternoon and the evening light is unaffected.</p>
8.6	<p>There is sufficient space remaining within the curtilage of the property for recreational and domestic purposes including parking and the manoeuvring of vehicles.</p>
9.0	Summary of Recommendation: Approve subject to Conditions
10.0	The proposal is considered to be in compliance with the development plan and having regard for the policy context and the considerations set out above, the proposal is considered acceptable.
10.2	Planning permission is recommended subject to conditions for the following reasons:
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>2. The external materials shall be constructed in accordance with the approved plans.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>3. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the ground floor utility room, first floor side bedroom window and first floor bathroom window on drawing 02D, date stamped 6th January 2020 and marked with an 'x' shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).</p> <p>Reason: To safeguard the privacy of adjacent properties.</p>

Notification to Department (if relevant) N/A

Representations from Elected members:

Request for application to be brought before Planning Committee made by Cllr Michael Long.

Committee Application

Development Management Report	
Application ID: LA04/2017/1439/F	Date of Committee: 23 January 2020
Proposal: Proposed construction of 13 no. dwellings comprising 3 no. detached dwellings and 6 no. semi-detached dwellings along with 4 no. apartments. Development also includes alteration of an existing access, parking, landscaping, pumping station and ancillary works (Amended proposal description and drawings)	Location: Lands opposite Ruby Cottages and St Ellen's Terrace, Edenderry Road, Edenderry Village
Referral Route: Proposal is for over 12 dwellings with representations that conflict with the case officer recommendation	
Recommendation: APPROVAL	
Applicant Name and Address: Edenderry Developments Ltd 1 st Floor Montgomery House Belfast BT1 4NX	Agent Name and Address: Clyde Shanks Ltd 5 Oxford Street Belfast BT1 3LA
Executive Summary: The scheme is for the proposed construction of 13 no. dwellings comprising 3 detached dwellings and 6 semi-detached dwellings and 4 apartments. Development also includes alteration of an existing access, parking, landscaping, a pumping station and ancillary works. The key considerations for this proposal are: <ul style="list-style-type: none"> • Principle of development • Layout, scale, massing and design • Impact on character of the village and Lagan Valley Regional Park. • Impact on residential amenity • Impact on flooding • Impact on traffic • Impact on trees and natural environment The site is located outside the settlement limit according to the Lisburn Area Plan 2001 and 2004 version of dBMAP. At the BMAP Inquiry, the PAC recommended that the site is included within the development limit due to the planning history of the site. Subsequently, the site was located within the settlement limit of Edenderry in the 2015 version of draft BMAP (which was subsequently declared unlawful). An outline planning application for a mixed use development was approved in 2006 with the reserved matters application subsequently approved in 2015 for 'Mixed use development in five blocks including offices/craft workshops, restaurant ancillary site works and retaining walls'. The scheme is significantly taller and bulkier than the current proposal but appears to represent a potential fall-back	

position for the developer as the development has commenced and is therefore live due to site works having been carried out.

36 neighbours have been notified of the proposed development. 13 objections have been received, with 1 support letter and 1 non-committal representation. Two consultees, Rivers Agency and Lagan Valley Regional Park have also objected to the development.

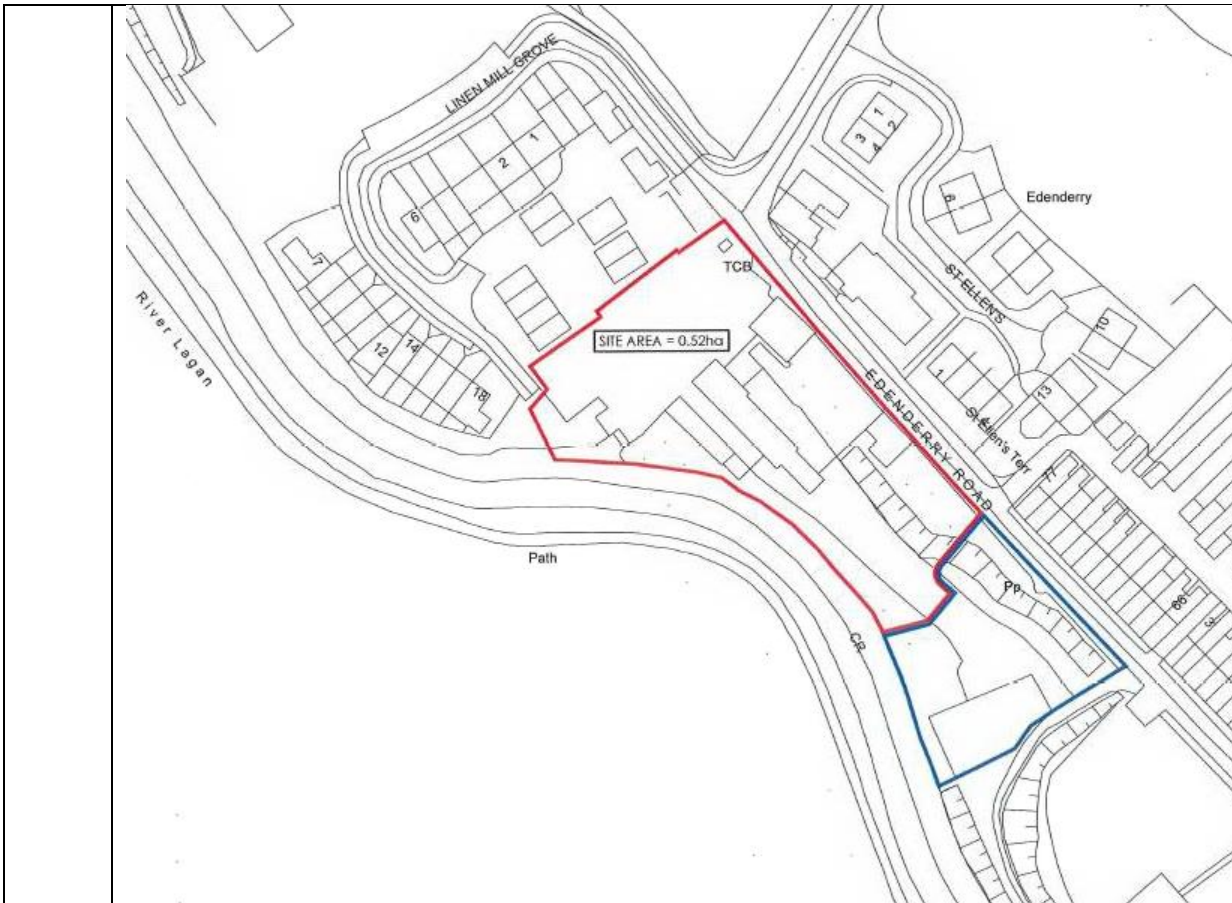
It is considered the elevational design and appearance of the dwellings is respectful of the adjacent Ruby Cottages and on balance, the proposal respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.

It is considered that the proposed development on balance is acceptable, given the planning history on the site, this proposal is considered a significant improvement to the extant approval. It is considered to respect the surrounding context and is more appropriate to the character of the village, Lagan Valley Regional Park and the AONB. Significant supporting information was submitted with regard to the proposal, covering issues of contaminated land, waste water, odour, noise, landscaping and the natural environment. The relevant consultees have considered this information and advised they are content with the proposal, subject to conditions where applicable.

Recommendation

Approval is recommended subject to Conditions. Delegated authority is requested to the Director of Planning and Building Control to finalise the wording of Conditions.

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for 'Proposed construction of 13 no. dwellings comprising 3 no. detached dwellings and 6 no. semi-detached dwellings along with 4 no. apartments. Development also includes alteration of an existing access, parking, landscaping, pumping station and ancillary works'.
1.2	The proposal includes 6 dwellings (2 detached and 4 semi-detached) along the northern boundary of the site, backing on to the existing residential development, Linen Mill Grove. These dwellings are a mix of 2 and 2.5 storey, with ridge height ranging from 9 to 9.5 metres from FFL.
1.3	There is an apartment building comprising 4 apartments located along the south western boundary of the site, adjacent to the River Lagan. The apartment building has a ridge height of approximately 9.3 metres from FFL.
1.4	There are 2 semi-detached dwellings and 1 detached dwelling located on the eastern portion of the site, adjacent to Edenderry Road. These dwellings are split level 1.5 / 2.5 storey dwellings, with a ridge height of 10.4 metres from FFL. When viewed from the front, the buildings have a ridge height of 7.5 metres from ground level.
1.5	The predominate finish materials include red brick walls, blue / black slate roof coverings, hardwood timber doors and uPVC rainwater goods and downpipes. Some of the buildings also include render detailing and zinc / lead standing seam dormers.
1.6	The proposal includes an area of communal open space immediately to the south of the site access. Within this area of open space is a pumping station compound.
2.0	Description of Site
2.1	The application site is located in Edenderry Village. It is an irregularly shaped site, located immediately to the north of the River Lagan and south of the Edenderry Road. An existing residential development, Linen Mill Grove, is located to the west of the site.
2.2	The site is currently undeveloped and is covered in vegetation including shrubbery and trees, the majority of which are protected by a Tree preservation order (TPO). The site is secured by a mixture of timber fencing and temporary mesh fencing. It is evident that infilling has occurred on the site and it appears that a site access has been created.
2.3	The surrounding area is characterised primarily by residential development, with red brick a predominant wall finish within the village. The adjacent residential development, Linen Mill Grove, is relatively large scale with 3 storey townhouses prevalent.



Car Parking Analysis

Type	Housetype	Description	No.	Requirement/dw.		Total
				Incurtilage	Visitor	
B1	Detached	4 bed	1	1 x 2.0 = 2.0	1 x 1.00 = 1.00	3.00
A1	Detached	4 bed	1	1 x 2.0 = 2.0	1 x 1.00 = 1.00	3.00
B	Semi-detached	4 bed	4	4 x 2.0 = 8.00	4 x 0.75 = 3.00	11.00
C	Semi-detached	4 bed	2	2 x 2.0 = 4.00	2 x 0.75 = 1.50	5.50
D	Detached	4 bed	1	1 x 2.0 = 2.00	1 x 1.00 = 1.00	3.00
				Assigned Spaces		
7-10	Apartment	2 bed	4		Unassigned Communal 4 x 1.50 = 6.00	6.00

Planning Assessment of Policy and other Material Considerations									
3.0	Site History								
3.1	S/2007/0468/RM - Mixed use development in five blocks including offices/craft workshops, restaurant ancillary siteworks and retaining walls – Granted 9/2/15								
3.2	LA04/2016/2672/NMC - Non-material changes to planning condition 14 of S/2007/0468/RM re timing of drainage works - Granted								
3.3	S/2005/0760/O - Proposed mixed use development including craft workshop, interpretative centre, restaurant, retail unit, offices, open space, car parking and footbridge over the River Lagan – Granted 27/2/06								
3.4	S/2003/2035/F - Relocation of gabion wall and design change (retrospective), landscape amendments in association with wall and amendments to House Type D (site25) – Granted 24/4/05.								
3.5	S/2001/0907/RM - Housing development (30 dwellings) including associated road access, site works, retaining walls & flood defence system – Granted 5/8/03.								
3.6	S/1996/0621 - Part redevelopment of works for residential purposes, refurbishment and reconstruction of industrial buildings for craft workshop, office & studio business uses – Granted.								
4.0	Policy Framework								
4.1	Lisburn Area Plan 2001 (LAP)								
4.2	Draft Belfast Metropolitan Area Plan 2015 (dBMAP)								
4.3	Lagan Valley Regional Park Local Plan 2005 (LVRP LP)								
	<table border="1"> <tr> <td>4.1.1</td> <td>Outside Settlement Limit (LAP)</td> </tr> <tr> <td>4.1.2</td> <td>Lagan Valley Regional Park (LAP)</td> </tr> <tr> <td>4.1.3</td> <td>Area of High Scenic Value (LAP)</td> </tr> <tr> <td>4.2.1</td> <td>Outside settlement limit in 2004 dBMAP version, however the adopted BMAP included the site within the settlement limit (dBMAP).</td> </tr> </table>	4.1.1	Outside Settlement Limit (LAP)	4.1.2	Lagan Valley Regional Park (LAP)	4.1.3	Area of High Scenic Value (LAP)	4.2.1	Outside settlement limit in 2004 dBMAP version, however the adopted BMAP included the site within the settlement limit (dBMAP).
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4.4	<p>Strategic Planning Policy Statement (SPPS)</p> <p>Planning Policy Statement 2: Natural Heritage</p> <p>Planning Policy Statement 3: Access, Movement and Parking</p> <p>Planning Policy Statement 7: Quality Residential Environments</p> <p>Planning Policy Statement 7 Addendum: Safeguarding the Character of Established Residential Areas</p> <p>Planning Policy Statement 15: Planning and Flood Risk</p>								
5.0	Statutory Consultees Responses								
5.1	NIEA - No objection, subject to conditions								

5.2	DFI Roads – No objection, subject to conditions.
5.3	Historic Environment Division – No objection
5.4	NI Water - No objection
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection, subject to conditions
6.2	Rivers Agency – Proposal contrary to FLD 1 of PPS 15.
6.3	Shared Environmental Services – No objection, subject to conditions.
6.4	BCC Tree and Landscaping Officer – No objection, subject to conditions.
6.5	Lagan Valley Regional Park – Objection to the proposed development.
7.0	Representations
7.1	15 representations have been received relating to this proposed development, 13 objecting to the proposal, 1 in support of the proposal and 1 non-committal.
7.2	<p>The issues raised by the objectors include:</p> <ul style="list-style-type: none"> • Bat survey required • Impact of street lighting on bats. • Lack of detail showing the existing buildings and land form. • Details of proposed dwellings should be more appropriate to the original Victorian village. • Poor general detail and quality of materials. • Edenderry is a late Victorian / Edwardian village – the mock Georgian design is detrimental to this character. • No sectional details – to show context of apartment height to river and impacts on users of the river / towpath. • No detail of embankment retaining structures and concern that the proposal will impact the river. • Concerns about impacts on tree roots. • Concerns regarding views into the site. • Concerns regarding the TPO Monkey puzzle tree and other mature trees. • Impact on traffic – no additional public transport to serve the village. Village infrastructure cannot support the additional cars. • Possible placement of flags and large signs at the site • Impact of the proposed boundary treatment on the Listed Village Pump? • High brick wall is not an attractive entrance (artist designed brick wall alluding to the history would be preferable). • Much of what is alluded to in the D&A statement is not followed through to the actual scheme. • HED should be consulted because of proximity to listed pump. • Conservation officer should be consulted. • Proposal should be considered in conjunction with planning reference LA04/2018/1795/F. • Impact on AONB and reduction of green areas in the village.

7.3	<ul style="list-style-type: none"> • Impact of potential heavy metal pollutants which could impact detrimentally on the river. • Proposal should include community benefits. Developer could expand the services for communal play area in the park. • It is noted that some objections state that the proposed residential use is preferable to the mixed use scheme previously approved. <p>The support letter raises the following issues:</p> <ul style="list-style-type: none"> • Addition of 3-4 bedroom houses will provide additional housing stock for families.
8.0	Assessment
8.1	<p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> • Principle of development • Layout, form, scale, massing and design • Impact on character of the village and Lagan Valley Regional Park. • Impact on residential amenity • Impact on flooding • Impact on traffic • Impact on trees and natural environment
8.2	<p><u>Development plan context</u></p> <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. The site is located in Edenderry Village. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Lisburn Area Plan 2001 (LAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p>
8.3	<p>The site is located outside the settlement limit according to the LAP. The site is located within the Lagan Valley Regional Park and an Area of High scenic value.</p>
8.4	<p>The site is also located outside the settlement limit according to the 2004 version of dBMAP. At the BMAP Inquiry, the PAC recommended that the site be included within the development limit due to the planning history of the site (this will be discussed further in the next section of the report). Subsequently, the site is located within the settlement limit of Edenderry in the 2015 version of draft BMAP.</p>
8.5	<p><u>Principle of Development</u></p> <p>As previously discussed, the site was not located within the settlement limit designated by the LAP or dBMAP (2004 version). However, subsequent to the publication of both plans, an outline planning application for a mixed use development was approved under ref. S/2005/0760/O on 27/2/06. The reserved matters application was subsequently approved on 9/2/15 under ref. S/2007/0468/RM (Mixed use development in five blocks including offices/craft workshops, restaurant ancillary site works and retaining walls).</p>
8.6	<p>The proposal included raising of ground levels within the site. It appears from the submitted existing topographical survey and aerial photographs of the site that infilling</p>

	<p>has occurred and ground levels have been raised on the site. Furthermore, it appears that the site access has been constructed, as per condition No. 2 of the approval. The only other pre-commencement condition associated with S/2007/0468/RM related to drainage works to be carried out prior to the commencement of development (Condition No. 14). The Council previously approved an application for a non-material change which varied this condition to a pre-occupation condition. Accordingly, it appears that the mixed use development approved under ref. S/2007/0468/RM has commenced and as such represents a fall back for the developer.</p>
8.7	<p>With regard to this context, it is considered that a residential development on this site is acceptable in principle.</p>
8.8	<p><u>Character</u></p> <p>Edenderry village is a small village characterised primarily by residential development. Victorian style terraced dwellings are particularly prevalent within the village, however there are a mix of styles in close proximity to the application site, including three storey townhouses on land adjacent to the site. It is considered that the proposed massing and appearance of the proposed dwellings is more appropriate to the traditional setting of the village than the existing townhouses adjacent to the site. Part of the village is designated as an 'Area of Village Character', however this designation does not extend to the application site. The proposal includes 3 split level dwellings that are accessed directly from Edenderry Road. It is considered the front elevational design and appearance of these dwellings is respectful of the adjacent Ruby Cottages. It is considered that on balance, the proposal respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance.</p>
8.9	<p><u>Lagan Valley Regional Park / AONB</u></p> <p>The site is located within Lagan Valley Regional Park (LVRP) and the Lagan Valley AONB. The LVRP Planning sub-committee were consulted on the proposal. Although they advise that the dwellings seem reasonable in terms of massing and size, they have objected to the proposed development for several reasons:</p> <ul style="list-style-type: none"> • Redevelopment of the site contributes to urbanization of what has traditionally been a rural area. • Potential for proposed development to impact detrimentally on local fauna, particularly in relation to additional lighting at night. • Detrimental visual impact of buildings near to the river and the proposed vehicle access and parking adjacent to the river bank. <p>LVRP have also enquired if communal areas will be subject to a future management plan.</p>
8.10	<p>It is important to note that the previous planning approval represents a fall-back position for the developer. This mixed use development included 5 separate blocks with significant amount of hard surfaced car parking. This approval included buildings that are significantly taller and bulkier than the current proposal.</p>
8.11	<p>The LVRP LP advises that new development within the settlement is acceptable provided it is sympathetic to the design, scale and character of the existing village. Furthermore, all developments must have regard to siting, massing, shape, design, finishes and landscaping in order to integrate into the rural setting.</p>
8.12	<p><u>Flooding</u></p> <p>Rivers Agency have advised that the proposal is contrary to Policy FLD 1 of PPS 15. They have stated that the proposed development is outside the 1% AEP floodplain</p>

	<p>plus 600 mm freeboard as a result of infill levels that form part of a previous extant (and enacted) approval. Further advice from Rivers Agency indicates that due to the infilling that has already occurred when enacting the current planning permission, there will be a maximum increase in depth of 7 mm of the 1 in 100 year fluvial floodplain on lands adjacent to the site. These works have already been carried out under the previous planning permission and Rivers Agency's response indicates that the current proposal will not exacerbate flooding on the adjacent lands. Subsequent to the latest Rivers Agency response, the Rivers Agency case officer contacted the Council to clarify that the proposed development will not exacerbate potential flood impact on the adjacent lands. In essence, in the event of construction of the proposed development, the situation will remain the same as the current situation. It is therefore considered that the proposal does not increase flood risk relative to the current situation.</p>
8.13	<p>With regard to the previous planning history, the extant planning approval on the site relates to an outline application decided prior to the adoption of PPS 15. At reserved matters stage, Rivers Agency objected to the development. The case officer report for S/2007/0468/RM states that the flooding matters were not highlighted by Rivers Agency at outline stage, therefore the principle of development had already been accepted.</p>
	<p><u>Contaminated Land</u></p>
8.14	<p>A former mill complex was located on the site up until the early 2000s. An 'Environmental Site Assessment and Generic Quantitative Risk Assessment' was submitted in support of the proposal. Following consultation with BCC Environmental Health (EHO) and NIEA, no unacceptable risks to environmental receptors have been identified.</p>
	<p><u>Waste water treatment</u></p>
8.15	<p>NI Water previously advised the Council that waste water treatment capacity is not available for the proposed development. However, the latest correspondence from NI Water states 'Waste water treatment capacity in the area is not available. Following discussions with NI Water the developer has confirmed that the re-development of the site will see a reduction in the amount of storm water entering the foul / combined sewer. On this basis NI Water would be prepared to facilitate a foul only connection for this proposed development'. It is therefore considered that the proposed development will have the potential to effectively deal with waste water.</p>
8.16	<p>The proposal includes a pumping station compound located adjacent to the access to the site, on the north western portion of the communal amenity space. The Council initially advised that the proposed siting was inappropriate due to its proximity to the communal amenity space and site access. The agent advised that this location was the only appropriate area for a number of reasons, including space needed for the compound, sufficient separation distance from dwellings, topography, flood risk and access. Therefore, the pumping station compound is now proposed to be surrounded by a 1.8 m high palisade fence with a hedgerow planted on the outside to mitigate visual impact. With no other alternative the screening is considered on balance, to be acceptable at this location.</p>
	<p><u>Layout, scale, design and appearance</u></p>
8.17	<p>The application site and Edenderry village display an essentially rural character. It is considered that the proposed layout draws upon positive aspects of the rural character and appearance of the surrounding area. The proposed layout includes the protection of existing TPO trees and includes generous provision of soft landscaping and amenity space, both private and public. This should contribute to the protection</p>

	of views into the site from the adjacent towpath. The proposed buildings at Sites 6, Sites 7-10 and 11-13 are orientated to take account of views towards the River Lagan, thereby creating a positive outlook for potential residents. The proposed development includes a mix of detached and semi-detached dwellings and apartments, introducing variety to the housing stock in the village.
8.18	The overall scale and density of the proposed development respects the form and character of the surrounding area. The predominate building material is red brick, which is characteristic of the village.
	<u>Residential Amenity</u>
8.19	The rear elevation of six proposed dwellings are orientated towards Linen Mill Grove. The dwellings in Linen Mill Grove are orientated in a different direction, therefore there is no direct window to window views. Dwellings No. 4 and 5 are located approximately 9.5 metres from the rear boundary, whilst dwellings No. 2 and 3 are located approximately 11 metres from this boundary. These dwellings are 2.5 storey with rear windows on the upper floor. It is considered that these rear windows should be opaque glazing to reduce any potential overlooking impact. The internal plan of the dwellings will allow for opaque glazing, without any detriment to potential residents' outlook.
8.20	Additional information relating to noise and odour was submitted in relation to the proposed pumping station. EHO provided comment on this information and have no objection, subject to conditions.
8.21	Provided potential amenity impact is mitigated by condition, it is considered that the proposal will not have an unacceptable adverse impact in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
	<u>Access & car parking</u>
8.22	Amended Private streets and car parking information was received by the Council on 10th October 2019. DFI Roads have provided comments on the proposal and are content with the proposed layout, access and car parking. The proposed development also supports walking, cycling and is accessible to public transport.
	<u>Boundary treatments and retaining walls</u>
8.23	The propose boundary treatments, inducing brick walls, railings, timber fencing, chestnut paling and hedgerows are considered appropriate to the character of the site and surrounding area. The proposal includes retaining walls on the eastern portion of the site adjacent to sites 11, 12 and 13. The retaining walls are constructed with brick and concrete coping with estate railings as guarding. The site layout shows that the maximum height of retaining wall will be 2 metres.
	<u>Amenity Space</u>
8.24	Private Amenity space is proposed for each individual dwelling at an acceptable standard, in accordance with the provisions of 'Creating Places', ranging from 62 sq m to 154 sq m approx. per dwelling unit (excluding the apartments). A communal amenity area is also provided adjacent to the entrance of the development, which measures approx. 375 sq m. Furthermore, a small area of communal amenity space is provided between the apartment building and the River Lagan, measuring approx. 55 sq m. The proposed amenity provision is considered acceptable.
	<u>Landscaping</u>
8.25	Within the site a number of the trees are protected by a Tree Preservation Order; TPO/2004/0010. The application includes the retention of 7 x existing trees, and

	proposes planting 27 x trees of mixed species (extra heavy standard in size) with additional hedging and low-ornamental shrub planting as part of the residential development.
8.26	Following consultation with the Tree Officer, the proposed tree planting throughout the site, especially on the southern boundary edge should help play a role in the integration of the development into the surrounding context when the proposed trees begin to establish over time. The addition of the Beech hedging within garden boundaries will further help soften the site, and provide elements of screen to private amenity garden spaces.
8.27	The revised Landscape Management Plan sets out the long term strategy and approach with regards to future management and maintenance of trees and landscaping within the site. The plan is considered to be in accordance with published guidance.
8.28	Furthermore, additional rear boundary finishes are included in a revised landscape plan with a 1500mm high timber fence and Beech hedge proposed adjacent to the proposed fence boundary. These additional boundary finishes are proposed along southern boundary of the Apartment building to help screen, allow enjoyable privacy and integrate the plot in the context of the local area. The installation of a hedge and fence would also act as a deterrent and aid safety of persons adjacent to the rivers edge, whilst also allowing views out to the River Lagan.
	<u>Materials</u>
8.29	The predominate finish materials include red brick walls, blue / black slate roof coverings, hardwood timber doors and uPVC rainwater goods and downpipes. Some of the buildings also include render detailing and zinc / lead standing seam dormers. The proposed materials are considered acceptable.
8.30	Due to the location of the proposed development within Lagan Valley Regional Park and the AONB, it is considered appropriate that samples of materials should be submitted to and approved by the Council prior to construction.
	<u>Neighbourhood / Community facilities</u>
8.31	The proposed development is for a residential development of 13 dwellings, therefore it is not necessary to provide local neighbourhood facilities within this development.
	<u>Natural Heritage</u>
8.32	Additional information was submitted in support of the proposal with respect to the Natural Environment, including a Biodiversity Checklist, Outline construction environmental management plan, Bat roost potential survey and an Outdoor lighting report. Following consideration of this information, it is considered that the proposal complies with the policy tests of PPS 2, in relation to designated sites, protected species, habitats and the Area of outstanding Natural Beauty. NIEA NED advised that they have no objection to the proposal.
	<u>Archaeology and Built Heritage</u>
8.33	HED Historic Buildings do not consider that the proposed development will have an unacceptable adverse impact on the listed pump (ref. HB19/23/049) located adjacent to the site, therefore the proposal passes the policy tests of the SPPS and PPS 6.
8.34	HED Historic Monuments are content that the proposal passes the tests of the SPPS and PPS 6 and no further archaeological mitigation is necessary.

8.35	<p><u>Habitats Regulation / EIA</u></p> <p>Shared Environmental Services (SES) have considered the proposal in accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc) Regulations (NI) 1995 (as amended) and have advised that the proposal will not have an adverse effect on site integrity of any European site. Furthermore, the proposed development was screened in accordance with the Planning (Environmental Impact Assessment) Regulations (NI) 2017. It is considered that the proposal does not have the potential for significant environmental impacts by reason of size, nature and location therefore an Environmental Statement is not required.</p>
9.0	Summary of Recommendation: Approval
9.1	The application site has a complex history, in terms of the development plan and extant planning history. As previously discussed, it is considered that the principle of residential development on this site is established.
9.2	13 objections to the proposed development have been received, with 1 support letter and 1 non-committal representation. Two consultees, Rivers Agency and Lagan Valley Regional Park Planning Sub-committee have also objected to the development.
9.3	The application site and Edenderry village display an essentially rural character. It is considered that the proposed layout draws upon positive aspects of the rural character and appearance of the surrounding area. The proposed layout includes the protection of existing TPO trees and includes generous provision of soft landscaping and amenity space, both private and public. The overall scale, density, design and appearance of the proposed development is respectful of the surrounding character.
9.4	Rivers Agency have advised that the proposal is contrary to Policy FLD 1 of PPS 15. However, they go on to qualify that the proposed development is <i>outside</i> the floodplain plus 600 mm freeboard as a result of infill levels that form part of a previous extant (and <i>enacted</i>) approval. These works have already been carried out under the previous planning permission and Rivers Agency's response indicates that the current proposal will not exacerbate flooding on the adjacent lands. Therefore, in summary, in the event of construction of the proposed development, the situation will remain the same as the current situation.
9.5	LVRP have raised objection with regard to the urbanization of the area, detrimental impact on local fauna and visual impact. Officers in considering this objection have balanced it against the potential build out of the extant approval and in consideration of the context, the site is surrounded by built form and consultees raise no objections in relation to the local environment or wildlife.
9.6	It is important to note that the previous planning approval represents a fall-back position for the developer. This mixed use development included 5 separate blocks with significant amount of hard surfaced car parking. This approval included buildings that are significantly taller and bulkier than the current proposal. It is considered that the proposed residential development would be preferable to this extant approval.
9.7	On balance, it is considered that the proposal respects the surrounding context and is appropriate to the character of the village, Lagan Valley Regional Park and the AONB. Significant supporting information was submitted with regard to the proposal, covering issues such as contaminated land, waste water, odour, noise, landscaping and the natural environment. The relevant consultees have considered this

9.8	<p>information and advised they are content with the proposal, subject to conditions where applicable.</p> <p>It is considered that the proposed development accords with the policies of the development plan and prevailing regional planning policy therefore approval is recommended, subject to conditions.</p>
10.0	Conditions
10.1	<p>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>
10.2	<p>The Private Streets (Northern Ireland) Order 1980.</p> <p>The Department hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing PSD 01A 'P360 / R04k Proposed Road Layout' bearing the Belfast City Council Planning Office date stamp 18 October 2019 and bearing the Department for Infrastructure – Roads date stamp 06 December 2019. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4A).</p> <p>REASON: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p>
10.3	<p>The development shall operate using hard surfaced areas constructed generally in accordance with the approved layout Drawing No. 02C 'Site Layout Plan' bearing the Belfast City Council Planning Office date stamp 18 October 2019 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</p> <p>REASON: To ensure that adequate provision has been made for parking and servicing.</p>
10.4	<p>The access gradients to the dwellings shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
10.5	<p>No dwellings shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.</p> <p>REASON: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.</p>

10.6	<p>Any existing street furniture or landscaping obscuring visibility or located within the proposed vehicular accesses shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.</p>
	<p>REASON: In the interests of road safety and the convenience of road users.</p>
10.7	<p>All landscaping works shall be carried out in accordance with the approved details on Drawing No. 44A date stamped 18th October 2019. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p>
	<p>Reason: In the interests of the character and appearance of the area.</p>
10.8	<p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p>
	<p>Reason: In the interests of visual amenity.</p>
10.9	<p>Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site. Please inform Council when tree fencing is erected for Council to inspect and agree that they are in the correct locations.</p>
	<p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p>
10.10	<p>If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.</p>
	<p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.</p>
10.11	<p>Careful hand digging will be employed within the RPAs with extreme care being taken not to damage tree roots and root bark.</p>
	<p>Reason: To avoid root severance.</p>
10.12	<p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p>

10.13	<p>Reason: To avoid compaction within the RPA.</p> <p>The applicant, on completion of the works and prior to the occupation of the proposed development, shall provide to the Belfast Planning Service, for approval, a Verification Report. This report must demonstrate that the remedial measures outlined in the WYG report titled "Remedial Strategy, Lands at Former Edenderry Mill, Edenderry, Belfast report no 601977-R2(00) dated January 2018 have been implemented. The Verification Report shall demonstrate the successful completion of the remediation works and that the site is now fit for end use. It must demonstrate that the identified source-pathway-receptor linkages as outlined in the WYG report are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular the Verification report must demonstrate that:</p> <p>Gas protection measures commensurate with Gas Characteristic Situation 2 have been designed and installed in accordance with BS 8485 and their installation has been verified in line with Ciria C735.</p> <p>Reason: Protection of human health</p>
10.14	<p>No piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0202bisw-e-e.pdf In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.15	<p>If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10.16	<p>After completing any remediation works required under Conditions 14 and 15 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>

10.17	<p>No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, have been submitted to and approved, in writing, by the Council. The development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of visual amenity and to allow the Council to control the external appearance.</p>
10.18	<p>Prior to the occupation of the hereby approved development, the proposed boundary treatments on stamped approved Drawing No. 03C date stamped 18th October 2019 shall be carried out in full. In the event any part of the boundary walls or fencing become damaged or defective, they shall be replaced in accordance with the approved details.</p> <p>Reason: In the interest of visual amenity.</p>
10.19	<p>The Rating Level (dB LAr) of sound from all plant associated with the pumping station serving the hereby permitted development shall not exceed the background sound level (for both day time and night time) when measured or determined at 1m from the façade of the nearest noise sensitive premises in line with the methodology outlined in BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound. A Rating Level (dB LAr) indicative of 'no adverse impact' shall be maintained thereafter.</p> <p>Reason: Protection of Residential Amenity.</p>
10.20	<p>The windows marked with an X on Drawings No. 19 date stamped 23rd June 2017 shall be finished in opaque glass, shall be permanently retained, and in the event of breakage shall be replaced with obscure glass within four weeks to the satisfaction of Belfast City Council.</p> <p>Reason: In the interests of residential amenity.</p>
10.21	<p>The open space and amenity areas indicated on the stamped approved Drawing No. 44A date stamped 18th October 2019 shall be managed and maintained in accordance with the Landscape Management Plan received on 18th October 2019. Any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.</p> <p>Reason: To ensure successful establishment and ongoing management and maintenance of the open space and amenity areas in the interests of visual and residential amenity.</p>

Notification to Department (if relevant)

Representations from Elected members:

Cllr Dudgeon
Cllr Graham

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 23 January 2020	
Application ID: LA04/2019/2157/F	
Proposal: Erection of floodlights and ancillary equipment	Location: Paisley Park, West Circular Road Belfast
Referral Route: Applicant is Belfast City Council	
Recommendation: Approve subject to conditions	
Applicant Name and Address: Belfast City Council Physical Programmes Department 9 Adelaide Belfast BT2 8DJ	Agent Name and Address: Greg Seeley Consulting Ltd i2 Innovation Centre 73 Charlestown Road Craigavon BT63 5PP
<p>Executive Summary: Full permission is sought for the erection of floodlights and ancillary equipment at Paisley Park.</p> <p>The key issues in assessment of the proposed development are:</p> <ul style="list-style-type: none"> • Impact of the proposal on residential amenity; • Impact on the character and appearance of the area <p>It is considered that the proposal would not have an adverse impact on the character and appearance of the area.</p> <p>Environmental Health requested further information including a light spill assessment and proposed hours of operation. This information has been submitted and Environmental health are now satisfied that the predicted level of light will not be obtrusive.</p> <p>In principle there is no objection to the erection of the floodlights. It will provide greater visibility for the local community using the park allowing for a safe and secure site and also allow greater use and activity of the area.</p> <p>No representations have been received.</p> <p>Recommendation Approval - it is recommended that the application is approved subject to conditions and it is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions.</p>	

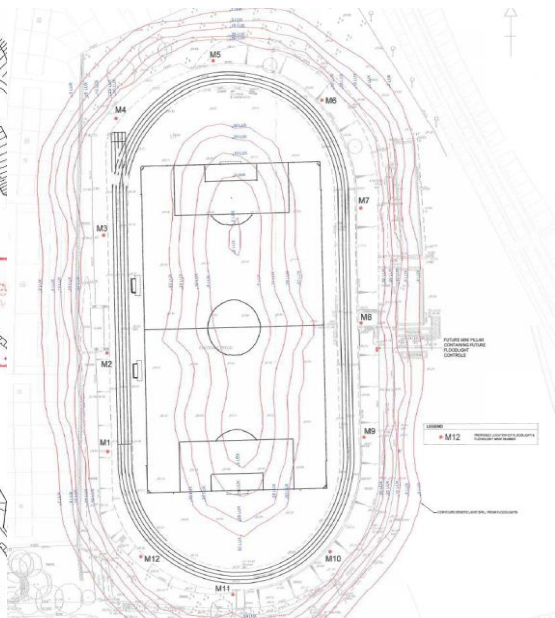
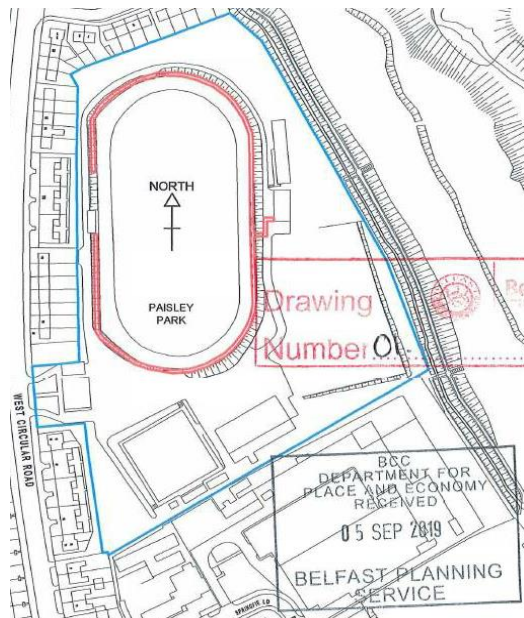
Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 The application is for the installation of 12 x 10m masts, each mast carrying lamps/floodlights of various horizontal and vertical illuminance levels. The masts/lights will be positioned around an athletic track and separated at intervals of 3m.
- 1.2 The proposed lighting is to illuminate the athletic track only and is not designed to floodlight the playing field in the middle of the track.
- 1.3 The main regular usage will be evenings from 5.30-8.30pm for club training nights, potentially 4-6 nights a week. It is proposed the lights will be utilised for a maximum hours of 4pm to 9pm.

Site Location

Proposed Lights and Locations



2.0 Description of Site

- 2.1 The site within Paisley Park, is an athletic track enclosing a playing field. It is located to the rear of residential properties on the east side of the West Circular Road. To the north are residential properties, to the south a bowling green and the west – residential properties. To the east of the athletic track, there is a floodlit 3G football pitch and a large area of scrub land.

Planning Assessment of Policy and other Material Considerations

- 3.0 **Site History**
Z/1997/2382 - Provision of synthetic surface pitch, car parks, roadways and ancillary works including floodlighting and fencing. Approved in September 1997

4.0 Policy Framework

4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	SPPS
4.4	Planning Policy Statements 8 – Open Space, Sport and Outdoor Recreation
5.0	Statutory Consultees Responses
5.1	None
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press.
7.2	No written representations have been received.
8.0	Assessment
8.1	Plan Status/Relevant Policy/Constraints The extant development plan is 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 are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
8.2	The site is within the development limit of Belfast as designated in both the BUAP and the draft BMAP. It is designated as an area of open space in the adopted BMAP.
8.3	The Strategic Planning Policy for Northern Ireland (SPPS) is a material consideration for all decisions on individual planning applications and provides general policy context. PPS 8 also provides relevant policy guidance.
8.4	SPPS Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. In practice this means that development that accords with an up-to-date development plan should be approved and proposed development that conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise.
9.5	Consideration The main issue for the assessment of this proposal is its impact on the character and appearance of the area and its impact on residential amenity.

<p>8.6</p> <p>8.7</p> <p>8.8</p> <p>8.9</p> <p>8.10</p>	<p>Principle of proposed Flood Lighting</p> <p>The proposal will help realise the strategic objectives of the BUAP 2001 in terms of improving the quality of the urban environment. The floodlights will allow the athletic track to be used throughout the dark evenings of the autumn and winter, providing a facility for the local community to use all year round. The proposed works support the general provisions of Draft BMAP Policies CF1 and CF 2 and Policy CF 1 in the adopted BMAP relating to protection of land for education, health, community and cultural affairs. The proposal is also considered to support the general provisions of Policy OS1: Protection of Open Space in Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation.</p> <p>The proposal is considered to have a positive contribution to the character and appearance of the area and will enhance the facilities provided at Paisley Park.</p> <p>Impact on Amenity</p> <p>Environmental Health Service have been consulted about the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations. EHO requested clarification in respect of the flood lights to the track including illuminance levels, an obtrusive light spill assessment and proposed hours of operation. On receipt of this information EHO is content that there is no adverse impact on neighbouring amenity. A condition will be added to any permission limiting the use to 10pm.</p> <p>EHO considered the cumulative impact of the adjacent flood-lit 3g football pitch and the introduction of floodlights around the athletic track. However the separation distance between the floodlights in situ and the location of the proposed floodlights; and luminance levels mean there would not be a negative cumulative impact.</p> <p>EHO have also requested a condition is placed on any permission to ensure no public address system should be installed to maintain acceptable noise level and ensure impact on residential amenity is not negatively impacted.</p> <p>Conclusion</p> <p>It is considered that the proposed external lighting works comply with relevant policy and will enhance the appearance of the area. Approval is recommended subject to conditions. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions.</p>
<p>9.0</p>	<p>Summary of Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions - Approve subject to conditions</p>
<p>10.0</p>	<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. Prior to commencement of operation of the approved lighting scheme of the hereby permitted development a lighting scheme shall be installed as per drawing titled "Horizontal and Vertical Illuminance Levels" from Abacus Lighting Ltd, design reference UKS17292/1B and dated 20th November 2019.

<p>11.0</p>	<p>3. The floodlighting shall not be used between 10pm and 8am. Reason: In the interest of residential amenity.</p> <p>4. No public address system is to be installed on site. Reason: In the interest of residential amenity.</p> <p>Informatives</p> <p>The design of any proposed lighting scheme for the proposal should be in accordance with guidance contained within the Institute of Lighting Professionals 'Guidance for the Reduction of Obtrusive Light' ILP (2011) available online at: http://www.wiltshire.gov.uk/guidance-notes-for-the-reduction-of-obtrusive-light.pdf</p> <p>All flood lighting should be optically controlled and directed in such a manner as to minimise light pollution from glare and light spill.</p> <p>In the event that unexpected contamination is encountered during the approved development of this site, the development should cease and the applicant should contact the Environmental Health Service. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with current best practice.</p>
<p>Notification to Department (if relevant) – N/A</p>	
<p>Representations from Elected members: Phone call from Cllr McCoubrey requesting information on the application.</p>	

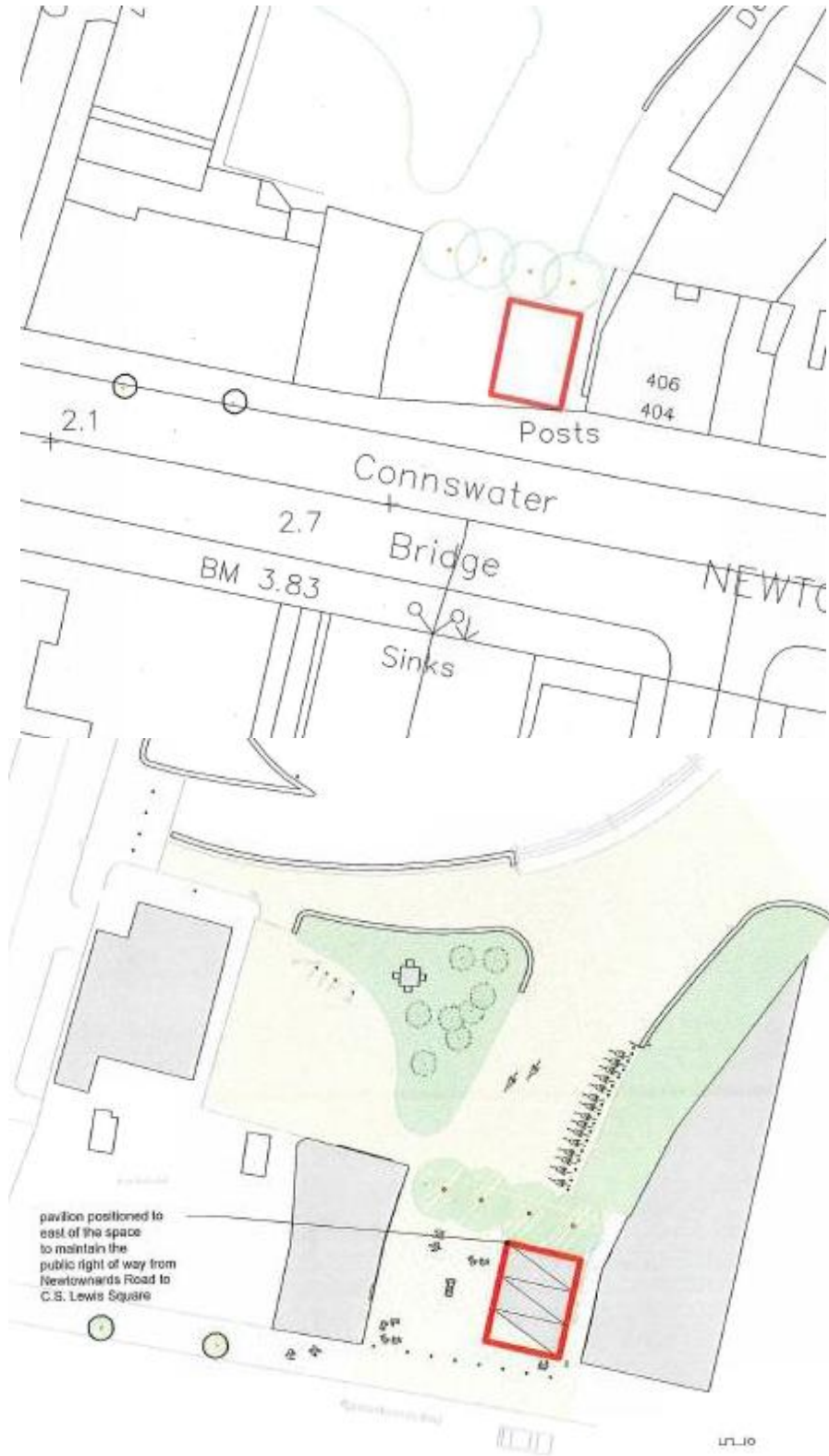
ANNEX	
Date Valid	9th September 2019
Date First Advertised	4th October 2019
Date Last Advertised	4 th October 2019
Details of Neighbour Notification (all addresses) 48 neighbours notified	
Date of Last Neighbour Notification	26th September 2019
Date of EIA Determination	
ES Requested	No

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2019/2412/F	Date of Committee: 23rd January 2020
Proposal: Renewal of planning approval LA04/2018/0593/F for a temporary single storey timber structure	Location: C.S.Lewis Square Newtownards Road Belfast
Referral Route: Belfast City Council is the landowner.	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Eastside Property Avalon House 278-280 Newtownards Road Belfast BT4 1HE	Agent Name and Address: Doug Works 17 Albion Works Studios 63 Sigdon Road London E8 1AW
<p>Executive Summary: This application seeks permission for the renewal of planning approval LA04/2019/0593/F for a single storey timber structure at CS Lewis Square for a temporary period of 18 months.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Principle of development • Impact on character and appearance of the surrounding area • Access • Flooding <p>The proposal would continue to provide an addition to the visitor attraction at the Hub and offer shelter to users of C.S Lewis Square. Overall, it is not considered to detract from this public space and surrounding area including the Connswater Greenway.</p> <p>Environmental Health and Rivers Agency were consulted in relation to the proposal and have no objections to its renewal.</p> <p>The application has been neighbour notified and advertised in the local press. No representations have been submitted.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal should be approved.</p> <p><u>Recommendation – Approval Subject to Conditions</u></p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to approve the applications, including finalisation of the wording of the conditions</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Renewal of planning approval LA04/2018/0593/F for single storey timber structure for a temporary period of 18 months. The structure is currently used to provide shelter and as a visitor attraction.
2.0	Description of Site
2.1	The application site is a paved area located between the visitors centre and the neighbouring Boots chemist, in view of the Newtownards Road. The surrounding area is predominantly commercial with the Connswater Greenway to the north of the site.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2007/0350/F - Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Hollywood Arches and installation of weir infrastructure at entrance to Victoria Park. Permission granted 26.07.2007
3.2	Z/2008/0795/F - Variation of conditions 5 and 6 of planning approval Z/2007/0350/F. Permission granted 28.10.2008
3.3	LA04/2016/0910/F - Civic Square at Hollywood Arches. Permission granted 25/10/2016
3.4	LA04/2018/0593/F - Temporary single storey open timber structure. Permission granted 27.04.2018. Conditioned for a limited period of 18 months, to expire on 15 th November 2019 and be removed in its entirety.
3.5	LA04/2018/1390/NMC - Non material change ref LA04/2018/0593/F. The proposed changes involve the positioning of the concrete foundations above the ground to minimise damage to the existing paving slabs - NMC Granted 12 th June 2018.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan 2015 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.
4.3	SPPS, Planning Policy Statements: Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005)

	Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 15: Planning and Flood Risk
5.0	Statutory Consultees Responses
5.1	Rivers Agency – No objection
6.0	Non Statutory Consultees Responses
6.1	Belfast City Council Environmental Health – No objection
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received regarding the application.
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	The key issues to be considered are: <ul style="list-style-type: none"> - Principle of development - Impact on character and appearance of the surrounding area - Access - Flooding
9.2	The proposal is considered to be in compliance with the development plan. <u>Principle of Development</u>
9.3	The previous permission granted the temporary timber structure for a limited period of 18 months only and expired on 15 th November 2019. This application seeks to renew the time for the temporary structure at the entrance of the C.S Lewis Civic Square for a further period of 18 months. The principle of renewal for a temporary period is considered to be acceptable and in compliance with PPS 8 and the SPPS for NI. <u>Impact on character and appearance of the area</u>
9.4	The proposal comprises an open boarded timber structure which has been designed to reflect the local architectural heritage of the 'Belfast truss' which was a prevalent roof structure of industrial buildings in Belfast. The structure also serves a practical function providing shelter to users of the open space. It is considered that its renewal would continue to offer an enhancement to the character and appearance of this public space and the surrounding area in accordance with the SPPS.
9.5	A line of four oak trees lie directly behind the proposed structure. The structure has been positioned to stay clear of the canopy of these trees and presently does not have a detrimental impact on them.

9.6	<p><u>Access</u></p> <p>The proposal will maintain pedestrian/cyclist connectivity to/from Newtownards Road and C.S Lewis Square in accordance with Policy AMP 1 of PPS 3 and the SPPS.</p>
9.7	<p><u>Flooding</u></p> <p>The application site is located within the flood plain. The proposal represents an exception of Policy FLD 1 of PPS 15 and the SPPS as it is a minor development within an area protected by flood defences. A Flood Risk Assessment was previously completed as part of the redevelopment of C.S Lewis Square. As the proposal is an open structure it does not impede the flow of water. As such, no concern is raised in respect of flooding. Rivers Agency have been consulted and have no objections to the proposal.</p>
10.0	Summary of Recommendation: Approval
10.1	<p>Having regard to the policy context and other material considerations including the previous history on site, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The permission hereby granted is for a limited period of 18 months only and shall expire on (from date of decision XXX). The structure shall be removed in its entirety from the site and the ground covering return to its former condition. <p>Reason: A permanent structure at this location has not been assessed and may result in a detrimental impact to the locality.</p> <ol style="list-style-type: none"> 2. The development hereby permitted shall be constructed in the materials shown on the approved plans referenced above and shall be retained as such thereafter. <p>Reason: To protect the visual amenities of the area.</p> <p>Informative</p> <ol style="list-style-type: none"> 1. The applicant's attention is drawn to the information provided on the consultee responses which are available to view on the planning portal. 2. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority. 3. <u>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NI) 2011</u> <p>In the event that unexpected contamination is encountered during the approved development of this site, the development should cease and the applicant should contact the Environmental Health Service. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with current best practice.</p>

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ANNEX	
Date Valid	25th October 2019
Date First Advertised	15th November 2019
Date Last Advertised	15th November 2019
Details of Neighbour Notification (all addresses)	
402 Newtownards Road,Belfast,Down,BT4 1HH	
402 Newtownards Road,Belfast,Down,BT4 1HH	
404-408 ,Newtownards Road,Belfast,Down,BT4 1HH	
404-408 ,Newtownards Road,Belfast,Down,BT4 1HH	
404-408 ,Newtownards Road,Belfast,Down,BT4 1HH	
Unit 14 Connswater Retail Park,East Bread Street,Ballymacarret,Belfast,Down,BT5 5DL	
Date of Last Neighbour Notification	5th November 2019
Date of EIA Determination	n/a
ES Requested	No
Drawing Numbers and Title	
1 - Location Map	
3 - Existing & Proposed Elevations	
4 - Existing & Proposed Sections	
5 – Proposed Plan	
6 – Proposed Elevations	
7 – Proposed Roof Plan	
Notification to Department (if relevant)	
Date of Notification to Department:	n/a
Response of Department:	
Representations from Elected members:	
No representation has been received from elected members.	