

## ADDENDUM REPORT

**Committee Meeting Date:** Tuesday 14 June 2022

**Application ID:** LA04/2020/1666/F

**Proposal:**

Demolition of existing two storey building and erection of an office development with heights of 9-14 storeys with landscaping, parking, and associated development.

**Location:**

Lands at 102-127 Grosvenor Road and adjoining the Westlink/Grosvenor Road Junction, Belfast BT12 4GH.

**Referral Route:**

Major Application

**Recommendation:**

Approval subject to S76 agreement.

**Applicant Name and Address:**

Ossian Holdings Ltd  
46a Dungannon Enterprise Centre  
2 Coalisland Road  
Dungannon  
BT71 6JT

**Agent Name and Address:**

Gravis Planning  
1 Pavilions Office Park  
Kinnegar Drive  
Holywood  
BT18 9JQ

**Background:**

This application for planning permission was considered by the Planning Committee in March 2021. The original case officer report is attached as Annex 1. The Committee accepted the officer recommendation to grant planning permission with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement.

Due to the length of time taken to finalise the Section 76 Agreement following the Committee meeting in March 2021, the Planning Service reconsulted NI Water and they responded on 3<sup>rd</sup> June 2021 and advised that there is insufficient Waste Water Treatment Capacity available at present for the proposed development. The response states:

*'Belfast WWTW no longer has headroom capacity to serve this proposal. However, initial improvement works currently under construction at Belfast WWTW, once completed, together with base maintenance of the activated sludge process of the existing works, will result in providing some additional capacity in advance of the major phased upgrade of Belfast WWTW.'*

In a further response dated 2<sup>nd</sup> June 2022 they advised that:

*'Our only requirement is that this proposal shall not be occupied before 1 July 2023, which is the date when additional treatment capacity will be available as a result of completion of initial phase of upgrade work at Belfast WWTW. The developer has already confirmed to NI Water that this condition would be acceptable as this proposal will not be completed until after this date.'*

The application is being brought back to Committee to highlight this change of position, that NI Water are now citing WWTW capacity objections.

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

**Recommendation:**

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

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

# Annex 1: Development Management Officer Report Committee Application

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

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

No objections have been received.

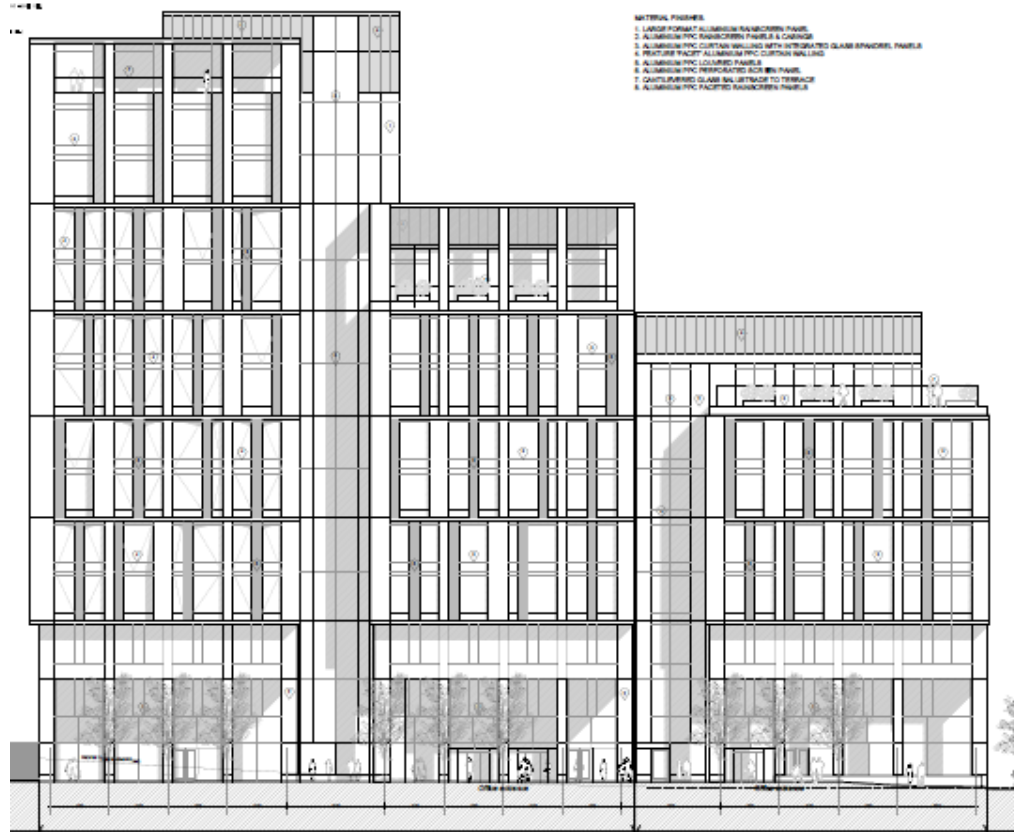
The proposal will generate an estimated 115 direct construction jobs, and it is estimated that 2500 employees will attend the building once operational.

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

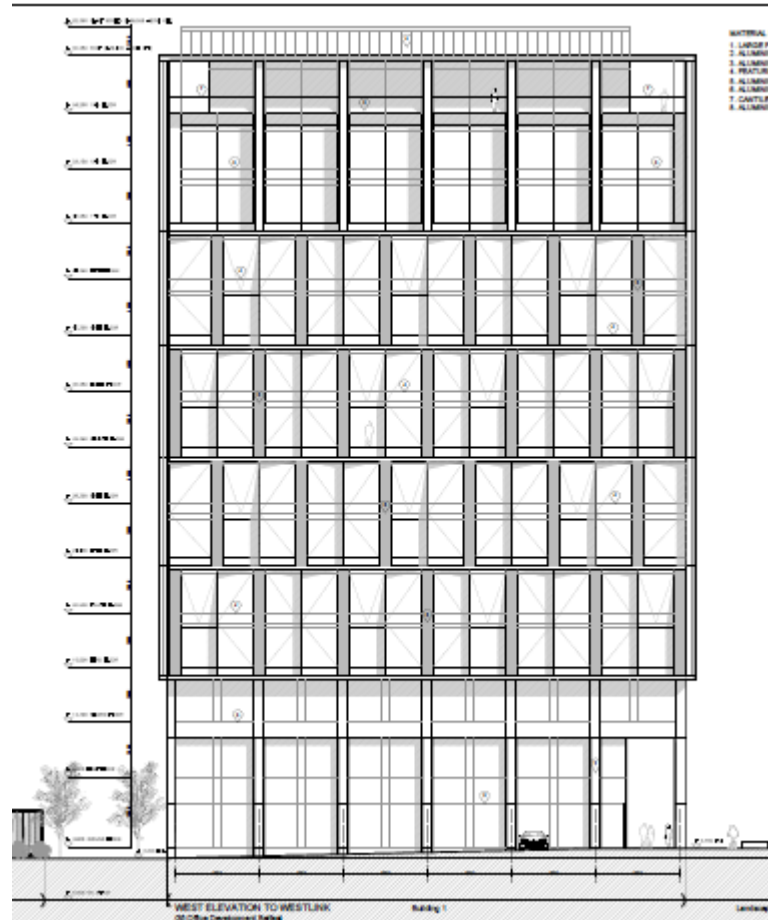
It is recommended that planning permission is granted subject to conditions, as set out in the report, and that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and enter into the Section 76 planning agreement.



## Grosvenor Road elevation



## Westlink elevation



**Grosvenor Road elevation (CGI)**



**Westlink elevation (CGI)**





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



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

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

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

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

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

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

8.14.1	An Outline Construction Environmental Management Plan (oCEMP) was submitted in support of the application as well as an Air Quality Assessment. Further information was requested by BCC: EH with regards to air quality. Following submission of this information, BCC: EH has no objections and has provided an informative with regards to industry standards during construction.
<b>8.15</b>	<b><u>Pre-Community Consultation</u></b>
8.15.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.
8.15.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. LA04/2019/2581/PAN was submitted to the Council on 1 <sup>st</sup> November 2019 and was deemed to be acceptable on 19 <sup>th</sup> November 2019.
8.15.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of the public event, email consultations and newspaper advertising. No responses were received and there was no attendance at the public event.
<b>8.16</b>	<b><u>Developer Contributions</u></b>
8.16.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals".
8.16.2	The Developer Contributions Framework published by Belfast City Council in January 2020 sets out the circumstances whereby mitigation or management of the impacts of new development is required.
8.16.3	In this case the applicant is providing a developer contribution in the form of public realm improvements along the site frontage of Grosvenor Road. In addition the applicant has volunteered to provide a Belfast Bike dock – this is welcomed by the Council however it is not required to mitigate the proposal and as such has not been included in the Section 76. Transport travel cards will also be provided. These will be dealt with by planning condition.
8.17.4	The Economic Unit assessed the information provided by the applicant and have requested that a Section 76 clause regarding employability and skills be included. This clause will require an employability and skills plan to be submitted to the Council to detail mitigations and interventions that will be put in place to ensure the viability of the development relating to employability and skills.
8.17.5	The City Regeneration and Development Team welcome the proposal and noted that public realm proposals would be welcomed. These have been agreed with the applicant and a condition for further details is provided at Para 8.8.
<b>8.17</b>	<b><u>Economic Principles and impacts of the Proposal</u></b>
8.17.1	Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities.
8.17.2	



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

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

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

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

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

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

Unit 20,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 3,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 4,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 5,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 5a,10a ,Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ Unit 7,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 8,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit 9,90-92 Building 1,Grosvenor Road,Belfast,Antrim,BT12 5AX Unit A,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ Unit B 1st & 2nd Floor,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ Unit B,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ Unit B,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ Unit C,8 Albert Street,Citylink Business Park,Belfast,Antrim,BT12 4HQ	
<b>Date of Last Neighbour Notification</b>	30th September 2020
<b>Date of EIA Determination</b>	26 <sup>th</sup> February 2021
<b>ES Requested</b>	No
<b>Planning History</b> Ref ID: LA04/2019/2581/PAN Proposal: Redevelopment to comprise offices, associated parking and landscaping Address: Lands at 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road junction, Belfast, Decision: PAN Acceptable Decision Date: 19.11.2019  Ref ID: LA04/2017/1388/F Proposal: New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements, temporary structures for bus operations during construction and temporary site construction compounds. Address: Lands: To the East of The Westlink (A12); South Of (Nos.127-9) And Including Grosvenor Road; At Intersection of Grosvenor Road and Stanley Street; At the Intersection of Durham Street and Grosvenor Road; At the Intersection of Fisherwick PI Decision: Permission Granted Decision Date: 29.03.2017  Ref ID: Z/2014/0997/O Proposal: Demolition of existing building and erection of new class B1 gateway office development and associated site works. Address: 102-127 Grosvenor Road and lands adjoining the Westlink/Grosvenor Road Junction Belfast BT12 4GH, Decision: Permission Granted Decision Date: 09.07.2015  Ref ID: LA04/2015/0817/F Proposal: Construction of a new vehicular entrance to existing car parking area Address: Site adjacent to and West of 107-127 Grosvenor Road, Belfast, Bt12 4GT, Decision: Permission Granted Decision Date: 19.02.2016	



Ref ID: Z/2005/1236/O

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

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

Decision: Permission Granted

Decision Date: 05.08.2011