

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Monday 27th June 2022	
Application ID: LA04/2022/0535/F & LA04/2022/0468/DCA	
<p>LA04/2022/0535/F Proposal: Physical development - re-cladding of the exterior of the building, creation of a new access point to the upper floors and central core on Castle Arcade, demolition of bridge link over Castle Arcade and erection of a new oversail section at the junction of Castle Lane and Castle Arcade. Change of use - partial change of use of upper floors from storage and back of house facilities to a mixed use of Assembly and Leisure (class D2) and a sui-generis multifaceted leisure use combined with the sale of food and drink for the consumption on the premises. Reconfiguration of existing ground floor storage associated public realm improvements and ancillary development. Net reduction in gross floorspace of approximately 331 sqm.</p> <p>LA04/2022/0468/DCA – Proposal:- Partial demolition of existing facade treatment on Castle Lane, Castle Arcade and Cornmarket, demolition of existing internal staircases and internal walls and demolition of bridge link over Castle Arcade.</p>	<p>Location: 13-25 Castle Lane, Belfast, BT1 5DA; Castle Arcade, Belfast, BT1 5DF and 3-9 Cornmarket</p>
Referral Route: Major Application	
Recommendation:	Approve subject to conditions
<p>Applicant Name and Address: Alterity Investments Ltd 4 Annadale Avenue Belfast BT7 3JH</p>	<p>Agent Name and Address: Pragma Planning Scottish Provident Building 7 Donegall Square West Belfast BT1 6JH</p>
<p>Executive Summary: The proposed development seeks alterations including partial demolition of the existing building at 13-25 Castle Lane, Castle Arcade and 3-9 Cornmarket formerly occupied by BHS and currently vacant for a number of years.</p> <p>The relevant issues to be considered in the determination of the above applications are as follows:-</p> <ul style="list-style-type: none"> Acceptability of the proposed uses at this location Regeneration Benefits The acceptability of the design Impact on the Conservation Area Demolition in the Conservation Area Impact on Listed Buildings 	

- Access, parking and traffic management
- Environmental Considerations - Drainage, Contamination, Noise

The site is located within Belfast City Centre, retail core and retail frontage (Castle Lane and Cornmarket). A number of listed buildings are within the vicinity of the site at Arthur Square, Cornmarket and Chichester Street. HED has no objection to the proposed development.

The site is also within Belfast City Centre Conservation Area. BCC Conservation Officer considers the proposal contrary to Policies BH 12 and 14 of PPS 6. The Urban Design Officer has no objections to the proposal. Environmental Health has sought further information in respect of noise which has been submitted and is being reviewed. All other consultees are content with the proposed development.

One objection was received to the proposed development from Belfast Civic Trust and raised the following matters which are considered in the report.

- Proposal does not reflect the historic nature or vernacular of the conservation area in this critical location particularly in the case of the proposed cladding which does not reflect the City Centre Conservation area guidance which highlights important vernacular buildings in the area from which development should take its cue.
- The development could also have incorporated some residential units

Issues raised in the objection are considered in the main body of the report.

Summary

The proposed development represents a substantial investment in the city centre and will secure the physical and economic regeneration and revitalisation of the site and surrounding area.

The proposal will physically regenerate this key site within the City Centre which has been vacant for 6 years. Recovery of the city centre post Covid is a critical objective of the Council and this proposal will contribute significantly to achieving this objective. The architectural approach is based on a modern contemporary scheme which draws design cues from the previous Gaumont Cinema building and a Victorian building (Cornmarket) on the site and proposes a dynamic, good quality design which is supported by the Urban Design Officer. Officers consider that the proposal will enhance the character and appearance of the conservation area as the existing building on the site does not currently display the best characteristics of a conservation area.

The scheme will generate a significant amount of jobs during construction and operational phases and will provide for a vibrant mix of uses within the area supporting the vitality and viability of the wider city centre and has the potential to act as a catalyst for further investment and regeneration in the city centre.

There is an extant planning permission on the site and this is an important material consideration and a fall-back position for the applicant which could be implemented. The revised scheme is considered a substantial improvement over the extant scheme in design terms. It includes additional benefits such as significant enhancements and improvements to the public realm along Castle Arcade, improving connectivity and permeability within the wider area and provision of a mix of uses which will support an evening/night-time economy and tourism.

The economic and regeneration benefits which are set out in the report are considered on balance to outweigh concerns raised by the Conservation Officer and in the objection received.

Recommendation

Having regard to the development plan, relevant policy context and other material considerations, including the objection the proposal is on balance considered acceptable and approval is recommended subject to conditions for application LA04/2022/0535/F. Conservation Area

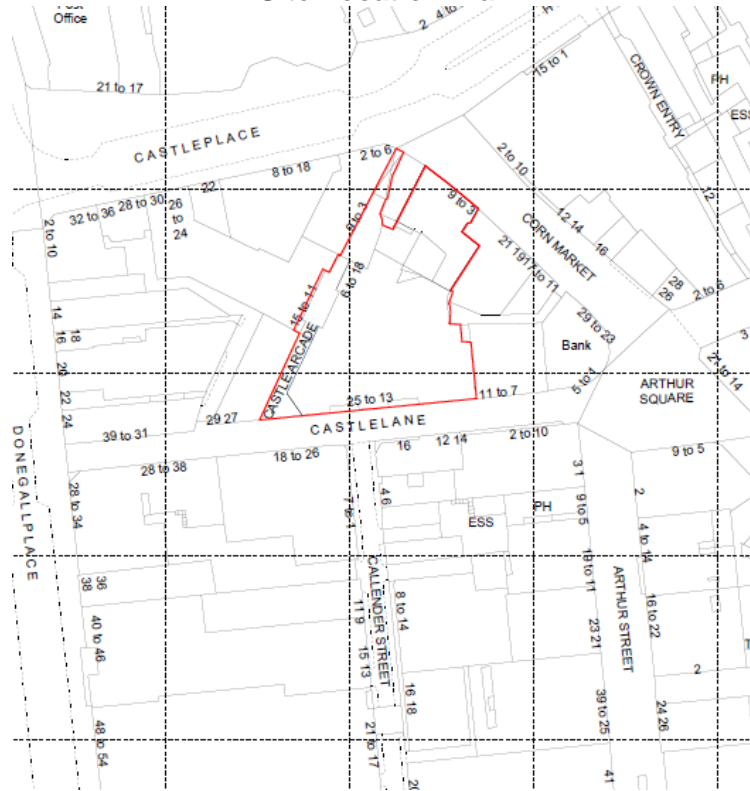
Consent is recommended for the demolition aspects of the application LA04/2022/0468/DCA subject to conditions.

It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of the conditions and resolve the issues raised by Environmental Health in respect of noise subject to no new substantive planning issues being raised.

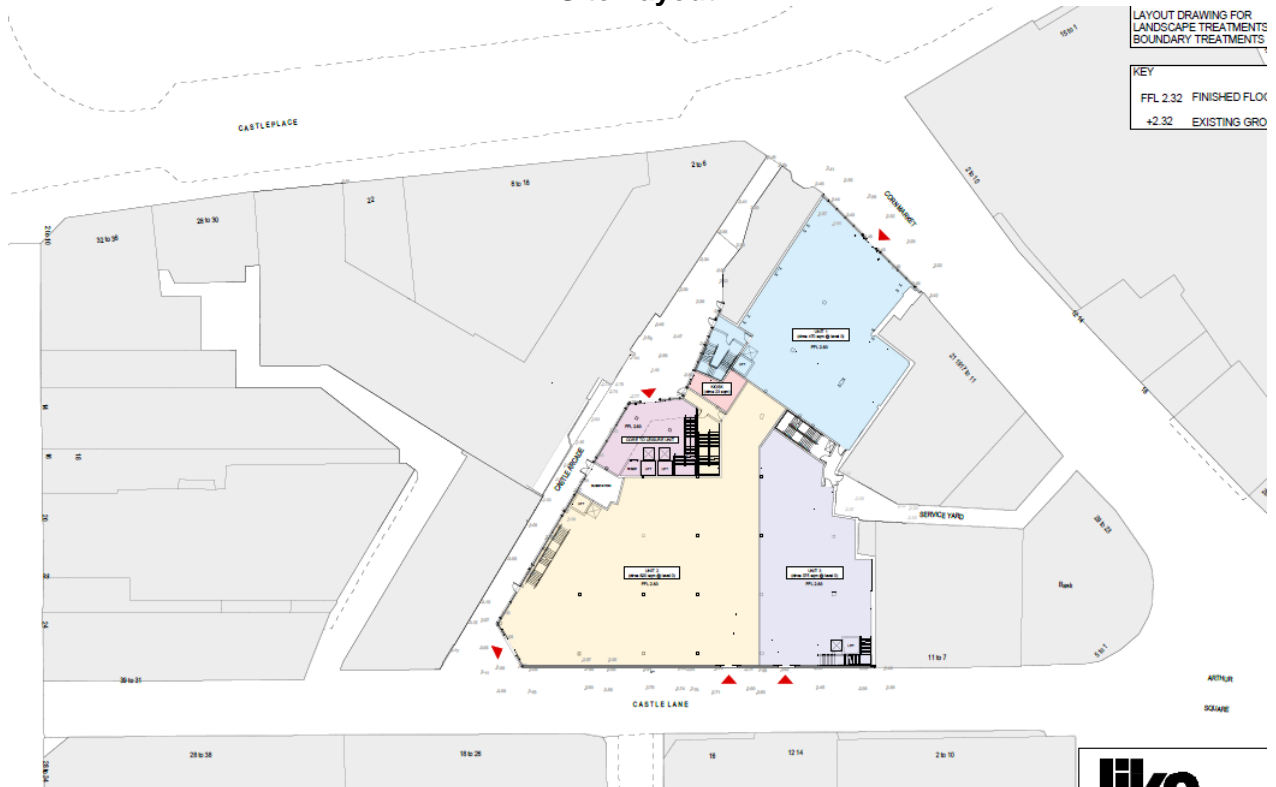
Case Officer Report

1.0 Drawings

Site Location Plan



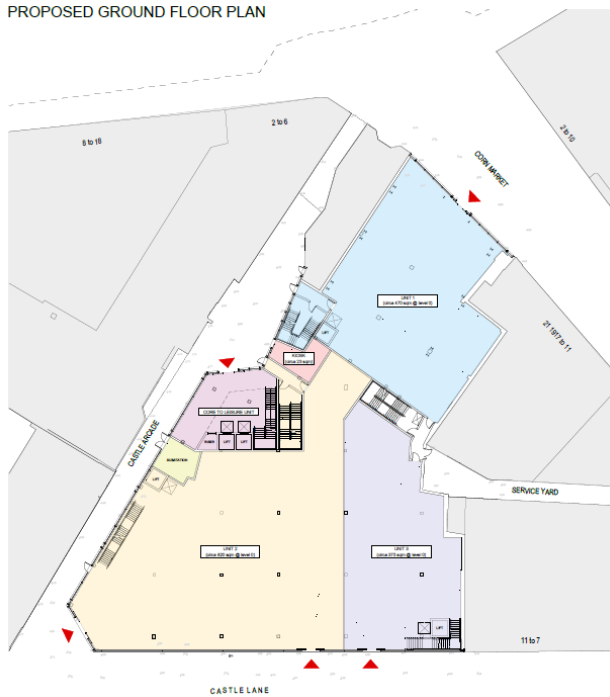
Site Layout



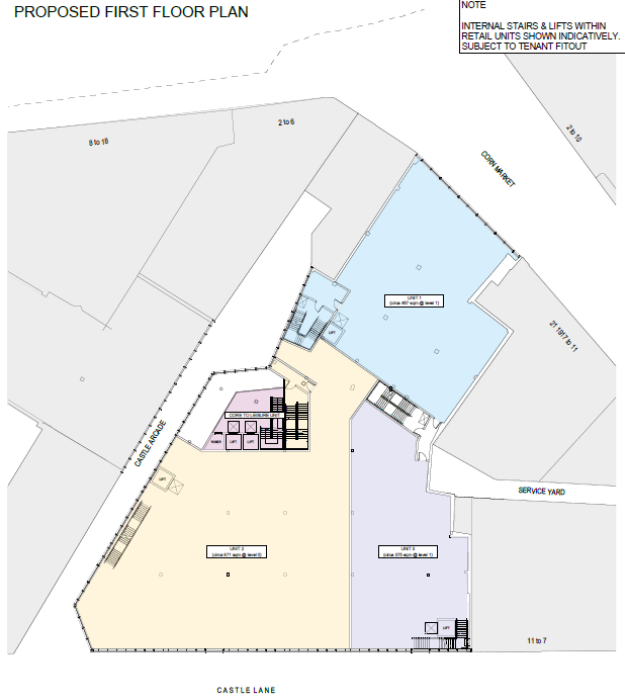
Floor Plans

Ground and First Floor Plans

PROPOSED GROUND FLOOR PLAN



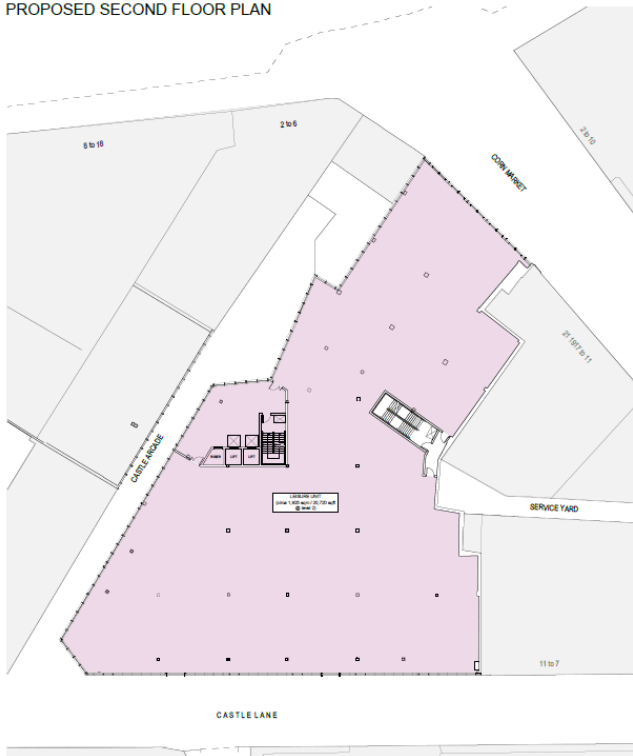
PROPOSED FIRST FLOOR PLAN



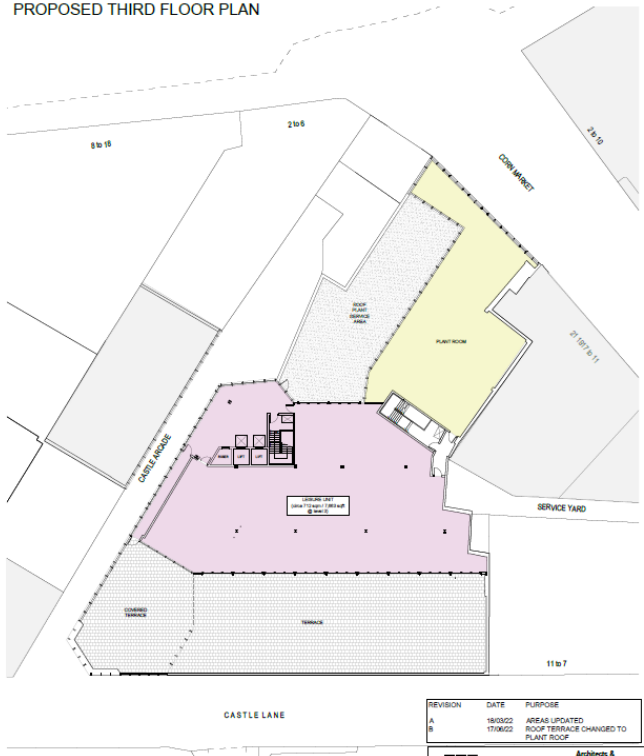
NOTE
INTERNAL STAIRS & LIFTS WITHIN
RETAIL UNITS SHOWN INDICATIVELY.
SUBJECT TO TENANT FITOUT

Second and Third Floor Plans

PROPOSED SECOND FLOOR PLAN



PROPOSED THIRD FLOOR PLAN

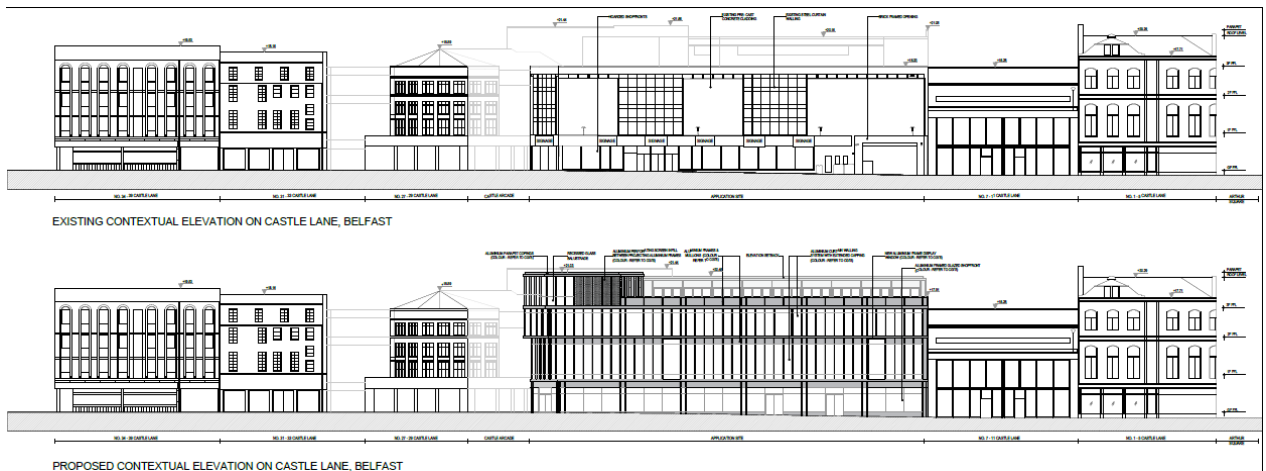


REVISION	DATE	PURPOSE
A	18/08/22	AREAS UPDATED
B	17/06/22	ROOF TERRACE CHANGED TO PLANT ROOM

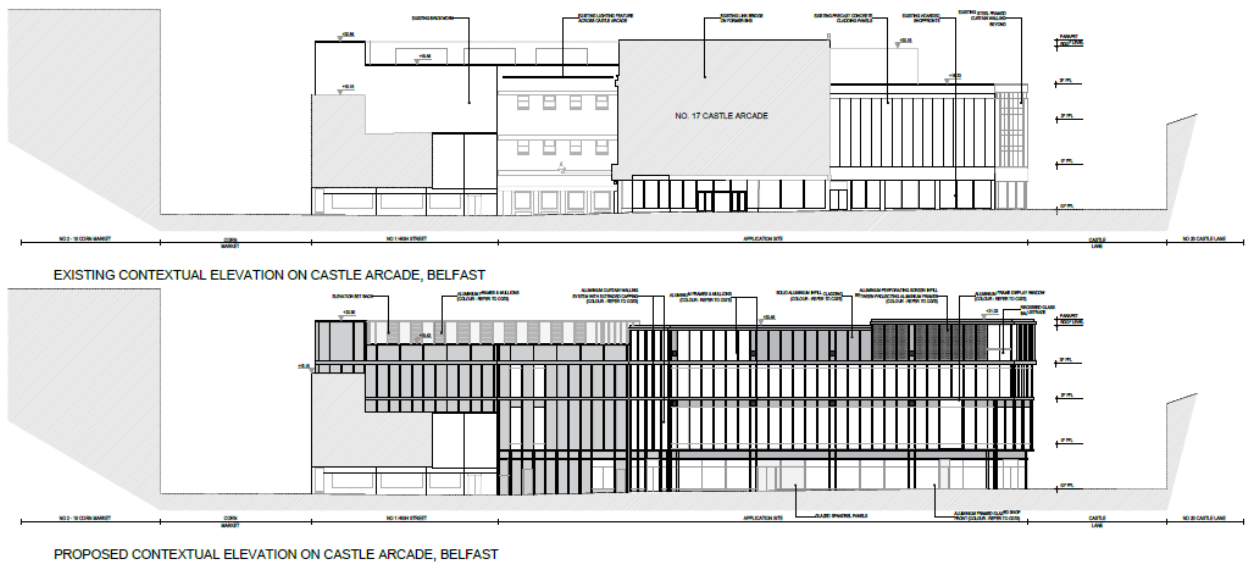
Architects & Engineers

Elevations

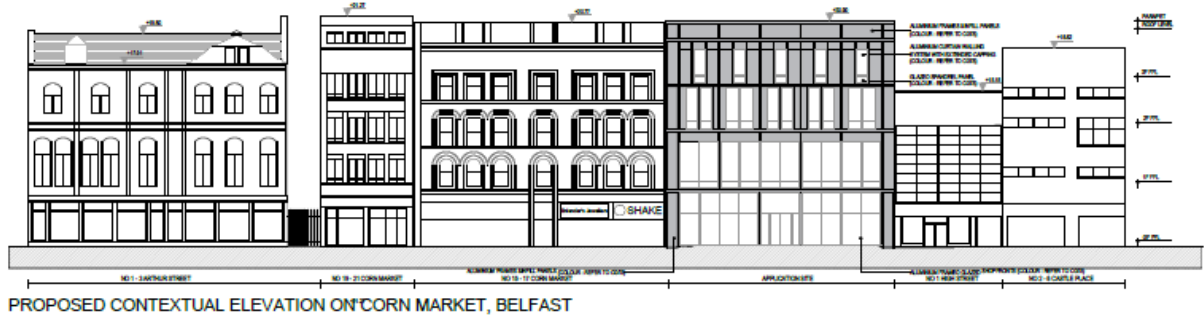
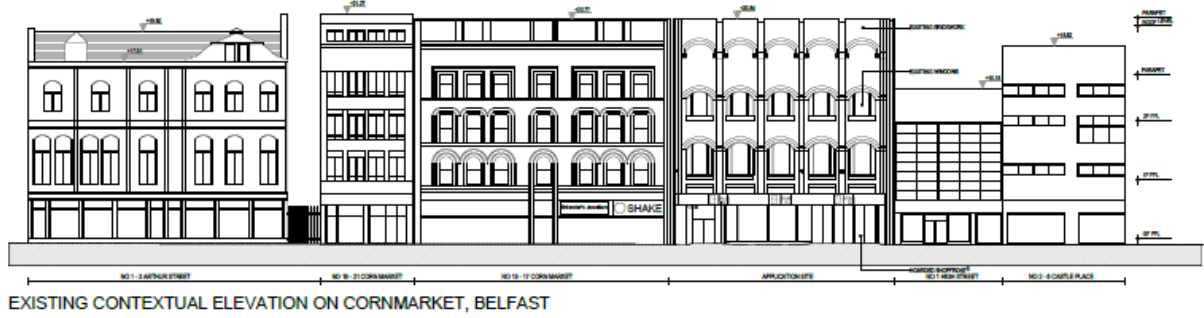
Castle Lane Elevation



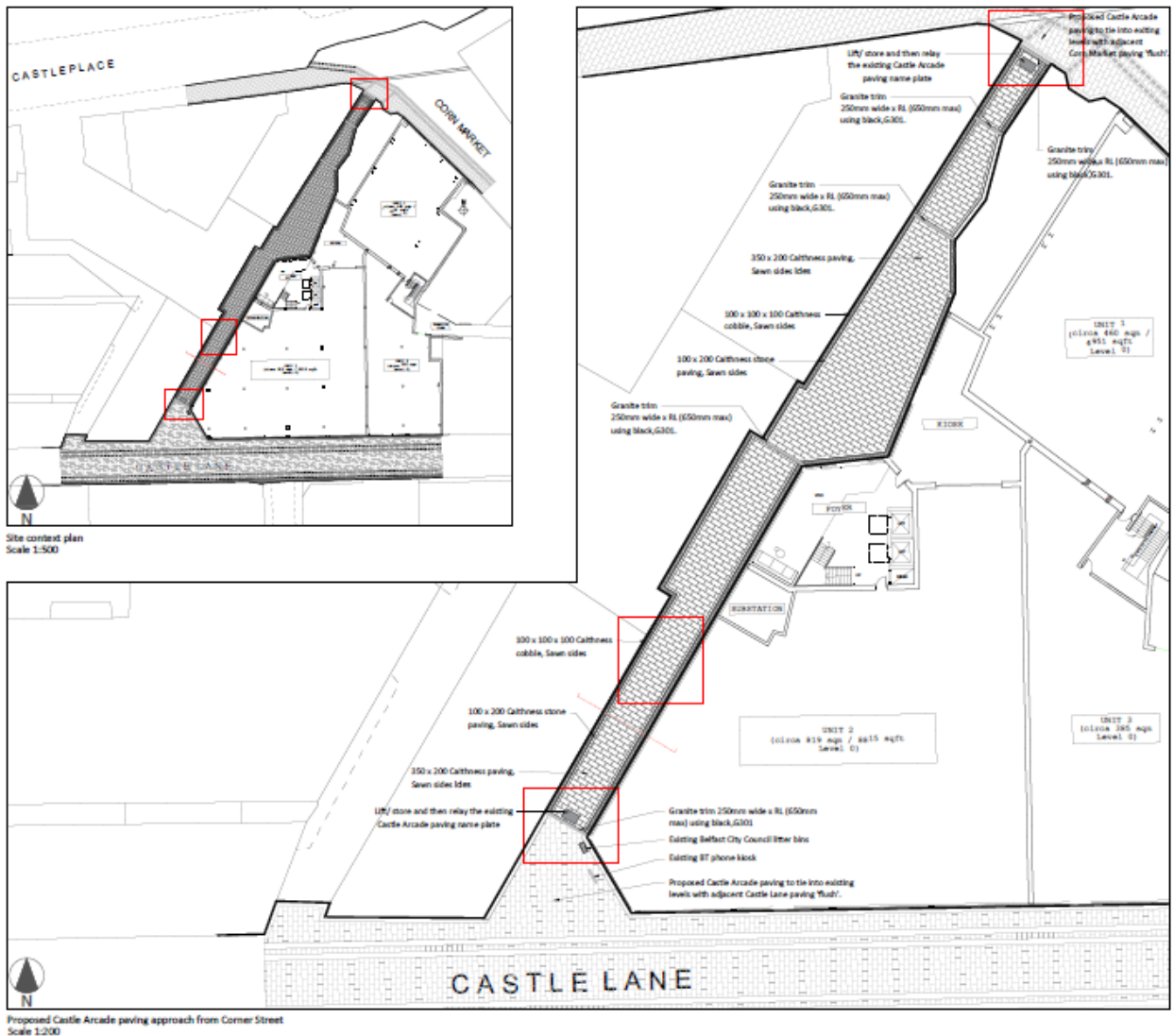
Castle Arcade Elevation



Cornmarket Elevation



Landscape Plan



CGI View along Castle lane towards Arthur Square



Former Gaumont Cinema



CGI View of Castle Arcade towards Castle lane



CGI view from Arthur Square along Castle Lane



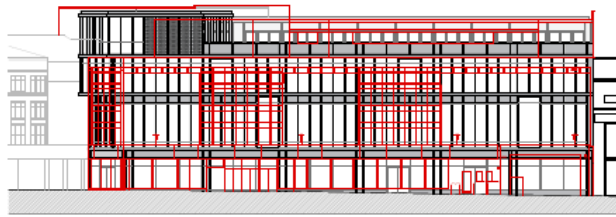
CGI view along Cornmarket towards Arthur Square



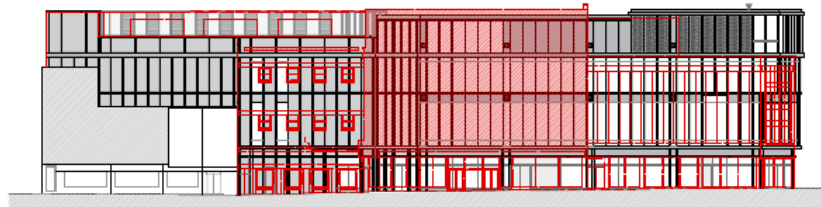
Former Victorian Cornmarket



LA04/2022/0468/DCA - Demolition Plans

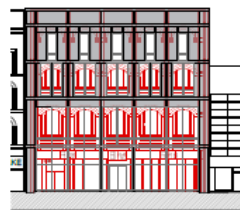


PROPOSED DEMOLITION ELEVATION ON CASTLE LANE, BELFAST

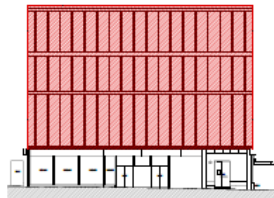


PROPOSED DEMOLITION ELEVATION ON CASTLE ARCADE, BELFAST

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PROPOSED DEMOLITION ELEVATION ON CORN MARKET, BELFAST



PROPOSED DEMOLITION ELEVATION A

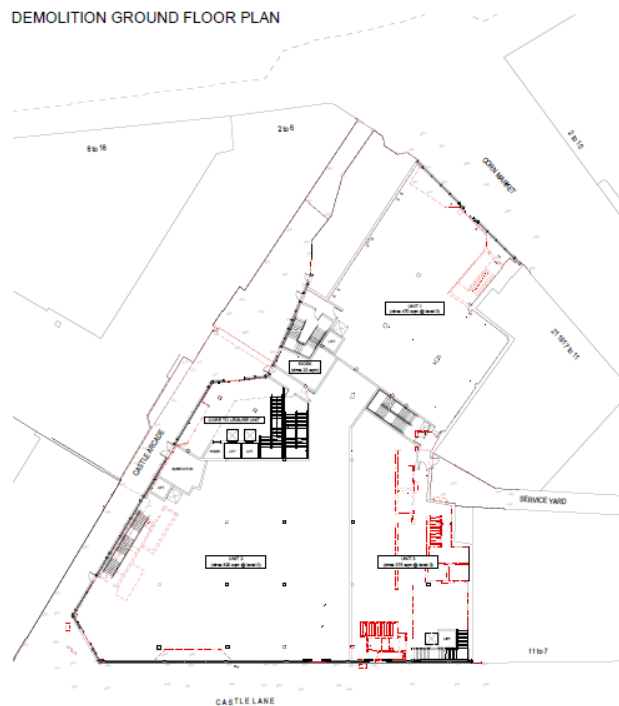


PROPOSED DEMOLITION ELEVATION B

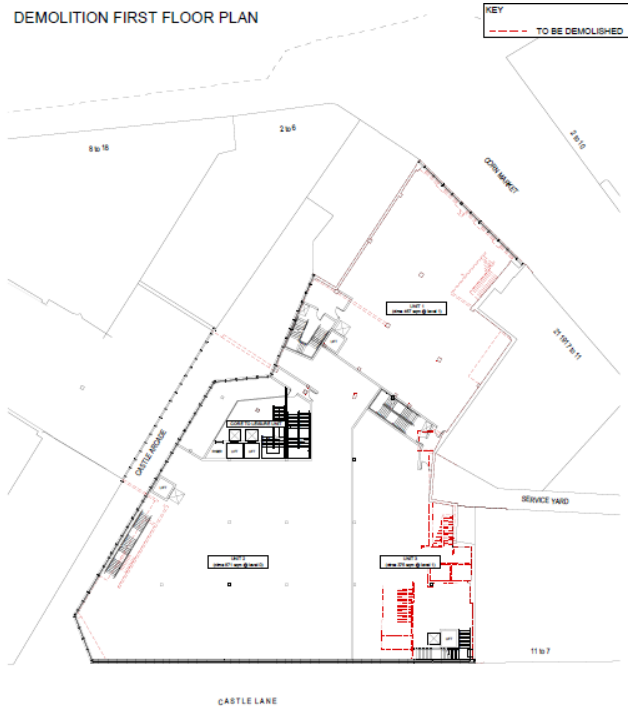


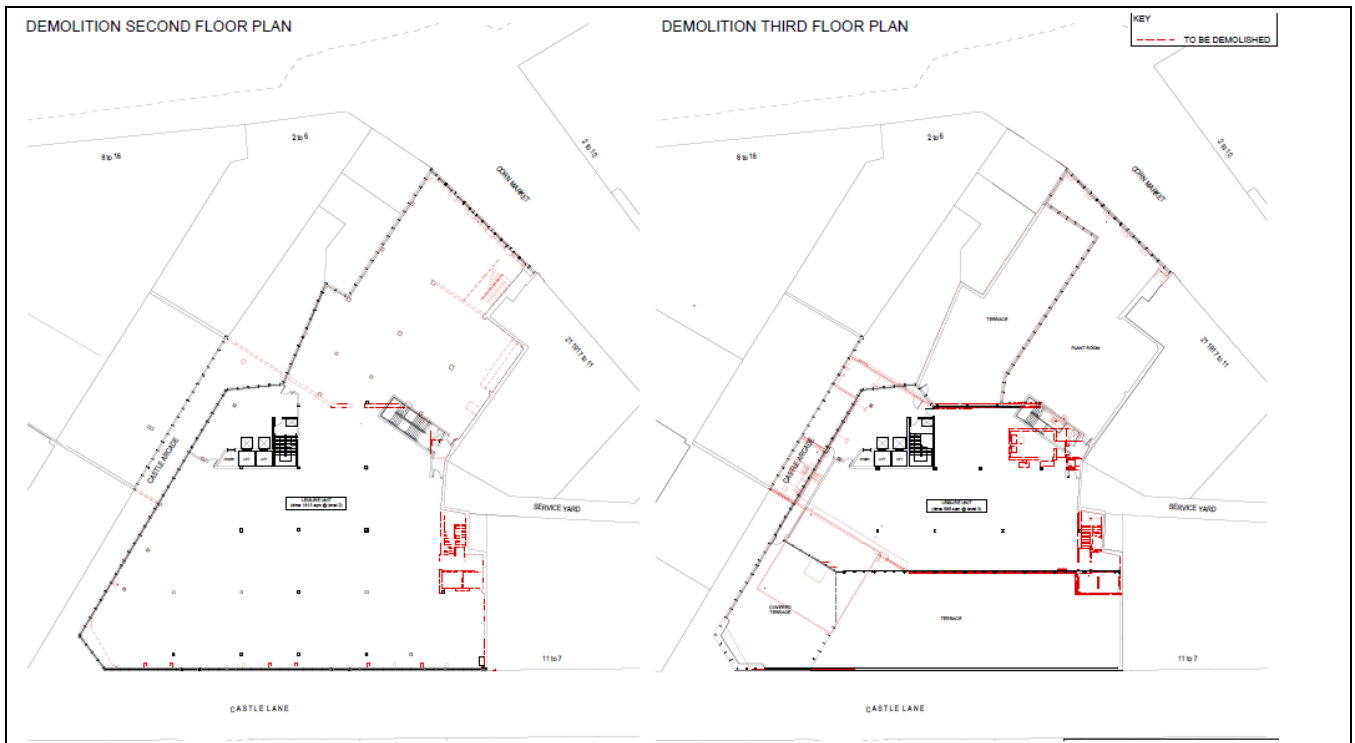
PROPOSED DEMOLITION ELEVATION C

DEMOLITION GROUND FLOOR PLAN



DEMOLITION FIRST FLOOR PLAN





2.0	Characteristics of the Site and Area
2.1	<p>The site is located in the city centre and fronts onto Castle Lane, Castle Arcade and Cornmarket. The existing vacant building on the site is 3 storeys on Castle Lane with a fourth-floor setback and extending to Cornmarket and was formerly used as a retail store for BHS department store. The existing building incorporates a three-storey element linking buildings on Castle Arcade. The area is predominantly retail with offices, restaurants, cafes and public houses nearby. The nearest residential developments are located on Donegall Place and Castle Place.</p>
3.0	Description of Proposal
3.1	<p>The proposal seeks the partial demolition of existing facade treatment on Castle Lane, Castle Arcade and Cornmarket, demolition of existing internal staircases and internal walls and demolition of bridge link over Castle Arcade. Re-cladding of the exterior of the building, creation of a new access point to the upper floors and central core on Castle Arcade, and erection of a new oversail section at the junction of Castle Lane and Castle Arcade and partial change of use of upper floors from storage and back of house facilities to a mixed use of Assembly and Leisure (class D2) and a sui-generis multifaceted leisure use combined with the sale of food and drink for the consumption on the premises. Reconfiguration of existing ground floor storage associated public realm improvements along Castle Arcade and ancillary development are also proposed.</p>
4.0	Planning Assessment of Policy and Other Material Considerations
4.1	<p>Policy Context</p> <p>Regional Planning Policy</p> <ul style="list-style-type: none"> • Regional Development Strategy 2035 (RDS) • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement • Planning Policy Statement 6 (PPS 6) – Planning, Archaeology and the Built Heritage • Planning Policy Statement 15 (PPS 15) - Flood Risk

4.2	<p>Local Planning Policy Context</p> <ul style="list-style-type: none"> • Belfast Urban Area Plan (2001) BUAP • Draft Belfast Metropolitan Area Plan 2015(v2004) • Draft Belfast Metropolitan Area Plan 2015(v2014) • Belfast Local Development Plan Draft Plan Strategy 2035 <p>Other Material Considerations</p> <ul style="list-style-type: none"> • Developer Contribution Framework • Belfast City Centre Conservation Area Design Guide <p>Planning History</p> <p>LA04/2021/1753/PAD - Physical development - comprising of the re-cladding of the exterior of the building, creation of a new access point to the upper floors and central core on Castle Arcade, demolition of part of the building over Castle Arcade and erection of a new oversail section at the junction of Castle Lane and Castle Arcade. Change of Use - comprising partial change of use of ground floor from storage to retail (Class A1) and change of use of all upper floors from retail and storage to a mixed use of Assembly and Leisure (Class D2 and a sui-generis multifaceted leisure use combined with the sale of food and drink for consumption on the premises and change of use of the rooftop to an external leisure and food and drink use. All of the above is combined with association ancillary development and services installations, Former BHS Building, 13-25 Castle Lane, BT1 5DB.</p> <p>LA04/2021/1648/PAN - Physical development - comprising of the re-cladding of the exterior of the building, creation of a new access point to the upper floors and central core on Castle Arcade, demolition of part of the building over Castle Arcade and erection of a new oversail section at the junction of Castle Lane and Castle Arcade. Change of Use - comprising partial change of use of ground floor from storage to retail (Class A1) and change of use of all upper floors from retail and storage to a mixed use of Assembly and Leisure (Class D2 and a sui-generis multi-faceted leisure use combined with the sale of food and drink for consumption on the premises and change of use of the rooftop to an external leisure and food and drink use. All of the above is combined with association ancillary development and services installations, Former BHS Building, 13-25 Castle Lane, Belfast, BT1 5DB, PAN Acceptable 27.07.2021.</p> <p>LA04/2020/0589/F - Environmental improvement scheme to pedestrian entry comprising painted artwork on building facade and feature lighting installation, Castle Arcade, Belfast, BT1 5DG. Permission granted 01.07.2020.</p> <p>LA04/2020/1302/DC - Discharge of Condition 2 of LA04/2020/0589/F Final Designs Castle Arcade Belfast, Castle Arcade, Belfast, BT1 5DG. Condition discharged 17.07.2020.</p> <p>LA04/2018/2127/NMC – Non-material change LA04/2017/2681/F, 24 to 26 Castle Place and, 15-11 Castle Arcade, Belfast, BT1 1GB. Granted 19.10.2018.</p> <p>LA04/2018/1899/DC - Partial discharge of Condition 3 of LA04/2017/2681/F (re Unit B) Address: 25 to 13 Castle Lane, 9 to 3 Cornmarket, 24 to 26 Castle Place, and direct elevations including, 15 to 11 and 6 to Castle Arcade, Belfast. Condition partially discharged 17.10.2018.</p> <p>LA04/2018/0992/DCA - Partial demolition of shopfronts/external facade treatment, internal walls and roof plant enclosure, 25 to 13 castle Lane, 9 to 3 Cornmarket, 24 to 26 Castle Place and direct elevations including 15 to 11 and 6 to 18 Castle Arcade, Belfast. Conservation Area Consent granted 07.06.2018.</p>
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	<p>LA04/2017/2681/F - Proposal: Refurbishment and reconfiguration of building including installation of new external fabric, new entrances, shopfronts, service access and services connections, 25 to 13 Castle Lane, 9 to 3 Cornmarket, 24 to 26 Castle Place, and direct elevations including 15 to 11 and 6 to 18 Castle Arcade, Belfast. Permission granted 07.06.2018.</p>
4.3	<p>Consultations</p>
4.3.1	<p>Statutory Consultations</p> <p>DFI Roads – No objection subject to conditions. DFI Rivers Agency – No objection. NI Water – No objections subject to conditions. NIEA – No objection subject to conditions. HED – No objection subject to conditions.</p>
4.3.2	<p>Non-Statutory Consultations</p> <p>Environmental Health – No objections to Odour, Contaminated Land and Air Quality matters. Further noise information requested. Economic Development Unit - Employability and skills related Developer Contributions Section 76 clauses should not be applied for the development. BCC Urban Design Officer – No objection. BCC Conservation Officer – Contrary to Policies BH12 and BH 18 of PPS 6. BCC Waste Management Team – No objection. BCC Landscape Planning and Development Team – No objection. BCC City Regeneration and Development Team – No objection, CRD supports the proposed regeneration opportunity. NIE – Response awaited.</p>
4.4	<p>Representations</p>
4.4.1	<p>The application has been advertised and neighbours notified. One objection has been received which raised the following issues:-</p> <ul style="list-style-type: none"> • Proposal does not reflect the historic nature or vernacular of the conservation area in this critical location. This is particularly the case with the proposed cladding. It does not reflect the City Centre Conservation area guidance which highlights important vernacular buildings in the area from which development should take its cue. • The development could also have incorporated some residential units (e.g. as is the case with St Anne's Square).
4.4.2	<p>The issues raised in the objection are considered in the assessment below.</p>
4.5	<p>Planning Assessment</p>
4.5.1	<p>Key Issues</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • Acceptability of the proposed uses at this location • Regeneration Benefits • The acceptability of the design • Impact on the Conservation Area

	<ul style="list-style-type: none"> • Demolition in the Conservation Area • Impact on Listed Buildings • Access, parking and traffic management • Environmental Considerations - Drainage, Contamination, Noise
4.6	Background
4.6.1	The proposed development was the subject of a Pre-Application Discussion which involved the Urban Design and Conservation Officers, HED, DFI Roads and Environmental Health.
4.7	Development Plan Context
4.7.1	Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.7.2	The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) provides the statutory plan context for the area.
4.7.3	Draft BMAP 2015 (dBMAP 2014), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).
4.7.4	In dBMAP (v2004) the site is within the city centre, the primary retail core, the primary retail frontage, the main office area and within Belfast City Centre Conservation Area and the Old City Character Area. In dBMAP (v2014) the site is also within the city centre, the primary retail core, the primary retail frontage and within Belfast City Centre Conservation Area and the Old City Character Area. Within the BUAP the site is within the city centre, the main shopping area, the main office area and the City Centre Conservation Area.
4.7.5	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.8	Principle of Proposed Uses
4.8.1	Policy SFG3 of the RDS seeks to enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities.
4.8.2	The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS

	states at paragraph 1.13 (page 7) that a number of policy statements, including PPS3 and PPS 6, remain applicable under 'transitional arrangements.
4.8.3	Retail policy in the SPPS is set out at pages 101 – 105 under 'town centres and retailing', replacing previous provisions within Planning Policy Statement 5. Paragraph 6.270 states that <i>'the aim of the SPPS is to support and sustain vibrant town centres across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions, consistent with the RDS.'</i>
4.8.4	<p>Draft BMAP (v 2014) Retail Policy</p> <p>BMAP strategic retail policy for Belfast is set out at pages 54-58 Part 3 volume 1 and page 28 part 4 volume 2. The BMA retail strategy seeks to:</p> <ul style="list-style-type: none"> • promote Belfast City Centre as the leading shopping centre in the Plan Area and Northern Ireland; • Outside City and Town Centres the nature and scale of retail development is to be controlled in order to protect the vitality and viability of the city and town centres and retail development to be focused on designated District Centres, Shopping / Commercial Areas and Designated Commercial Nodes on designated Arterial Routes and designated Local Centres.
4.8.5	Two other elements are cited, however these relate to areas outside of Belfast and are therefore not applicable.
4.8.6	<p>Policy R1 'Retailing in City and Town Centres' states that:-</p> <p><i>Planning permission will be granted for retail development in all town and city centres.</i></p> <p><i>Non-retail development will be restricted in designated Primary Retail Cores (and Primary Retail Frontages) so that no more than 25% of the frontage of the shopping street(s) to which it relates is in non-retail use and no more than three adjacent units are in non-retail use.</i></p> <p><i>The Primary Retail Cores will be the preferred location for new comparison and mixed retail development.....</i></p>
4.8.7	<p>The supplementary text further states that <i>'The Plan Proposals seek to support the vitality and viability of city and town centres by ensuring that they are the main focus for all retail developments, including convenience, non-bulky comparison and bulky comparison retailing.</i></p> <p><i>Primary Retail Frontages are designated within the Primary Retail Cores of Belfast and Lisburn City Centres and Bangor Town Centre and comprise those parts of city and town centres which should predominately be retained in retail use. Details of the designations are contained on the relevant city and town centre maps in the District Proposals. Proposals for non-retail uses at ground floor level within the primary retail cores (and primary retail frontages) will be limited in order to retain the focus of retail uses and ensure the maintenance of a compact shopping environment. Non-retail uses will be permitted on upper floors.</i></p> <p><i>Retail services and leisure uses will be expected to locate within the designated city and town centre boundaries. Bars, cafes and restaurants complement the primary shopping function of city and town centres by contributing to the range and choice of facilities available to residents and visitors. They also contribute to the evening economy, 24 hour city living and support tourism. While such uses will be acceptable outside primary retail cores, they may also be permitted within primary retail cores subject to the 25% limit on non-retail uses.'</i></p>

4.8.8	Page 28 part 4 volume 2 of dBMAP (V 2014) refers to retailing in the city centre and designates the Primary Retail Core and Primary Retail Frontage under CC05 and CC06. The application site is located within this designated Primary Retail Core and Castle Lane and Cornmarket are located within the designated Primary Retail frontage.
4.8.9	Three large retail units and 1 small kiosk (retail) are proposed on the ground floor. A small core to the upper floor leisure unit is proposed on the ground floor from Castle Arcade. The primary use on the ground and first floors will be retail, retaining the existing established retail function on the site and therefore the proposal complies with Policy R1 and the SPPS.
4.8.10	A mixed use of Assembly and Leisure (class D2) and a sui-generis multifaceted leisure use combined with the sale of food and drink for the consumption on the premises is proposed on the second and third floors. Policy R1 recognises that leisure uses and bars, cafes restaurants have a role to play in complementing the primary retail function of the city centre and it is noted in the justification text of Policy R1 that non-retail uses will be permitted on upper floors. The proposed uses on the second and third floors of the scheme are therefore considered acceptable in principle and comply with Policy R1 and the SPPS. The leisure uses will also have an important function in strengthening the evening/night-time economy and bolstering the vitality of the city centre and supporting tourism.
4.8.11	An objection considered that residential development should have been proposed as part of the development. The Council can only deal with the proposal as submitted which does not include residential development nor is there a policy requirement for residential development to be included in such schemes.
4.9	Regeneration Benefits
4.9.1	The proposed scheme represents an investment of £5 million pounds in Belfast City Centre. The investment provides a unique opportunity to repurpose a key building in a sustainable fashion within the city centre and revitalise the area at a time when the recovery of the city centre post Covid is a key objective of the Council following what has been a challenging number of years as a result of the Covid pandemic which has had a significant negative impact on the city centre and local economy. This proposed development will contribute significantly to achieving this objective whilst also having significant potential to act as a catalyst for further regeneration and development in the city centre.
4.9.2	The building has lain vacant since 2016 following the closure of the BHS department store and this redevelopment opportunity will not only result in the repurposing of an existing building but will also provide significant investment in the local economy and the creation of a substantial amount of jobs which will contribute to bolstering the local economy whilst bringing a vacant building in the city centre back into use. The proposed uses will strengthen the retail offer and vitality of the city centre and increase vibrancy through the day-time and evening uses proposed.
4.9.3	The sustainable repurposing of this existing building is considered an effective use of the site and will improve the current streetscape and environment. The removal of the bridge link over Castle Arcade along with proposed landscaping, lighting, public realm improvements and active uses fronting Castle Arcade provides the opportunity to significantly enhance the Castle Arcade environment and improve connectivity within the city centre which is to be welcomed.
4.9.4	The proposed uses will require approximately 50 construction workers at any one time during the duration of construction (estimated 10 month period) and approximately 200

	retail jobs and 75 hospitality/leisure jobs (both full-time and part-time) are envisaged to be created to support the development.
4.9.5	BCC City Regeneration and Development Team (CRD) advise that the proposed development has the potential to contribute to the delivery of policies and core principles within the Belfast City Centre Regeneration and Investment Strategy; particularly in terms of managing the retail offer and maximising the tourism opportunity.
4.9.6	CRD welcome the regeneration opportunity that this development proposal presents for Castle Arcade and advise that the ground floor kiosk opening up onto Castle Arcade is particularly welcome as it presents an opportunity for active frontage and managed 'spill out' of social activity that will activate the Entry and contribute to the vitality of the area. CRD advise that the applicant has worked collaboratively with the Council on the recent Belfast Entries revitalisation project to ensure improvements have been successfully delivered. CRD recognises that issues relating to anti-social behaviour are still occurring within Castle Arcade and that a longer term solution must be found to introduce active frontage within the Arcade. The current proposal will include active frontage along Castle Arcade and the proposed environmental improvements will contribute to addressing the existing anti-social issues. CRD also support the location of the leisure unit entrance at Castle Arcade as it will contribute to increased footfall in the Arcade which will have positive benefits.
4.9.7	CRD supports the proposed regeneration opportunity given the strategic significance of the proposal's scale and location within the City Centre, the mix of uses proposed, and the activation of several prominent ground floor frontages, including the commitment to the regeneration of Castle Arcade.
4.9.8	<p>Significant weight is given to the substantial physical and economic regeneration benefits that would accrue from this proposed development as set out below:-</p> <ul style="list-style-type: none"> - physical regeneration of this vacant site and significant enhancement in the visual amenity of the Conservation Area; - supporting the vitality and viability of the wider City Centre; - the creation of 50 jobs on site during construction at any one time and 275 jobs on site during operation in retail and hospitality; - the creation of commercially viable fit for purpose retail/hospitality accommodation; - enhancement and public realm improvements to Castle Arcade.
4.10	The acceptability of the design
4.10.1	The Design and Access Statement states that ' <i>A key influence in developing the design was the site's central location within the medieval town that grew out around High Street and Castle Place....Irregular and angular street patterns emerged as the medieval town grew.</i> '
4.10.2	The D&AS statement further states that ' <i>Prior to construction of BHS, the site was formerly the home of the Classic Cinema which opened on 24th December 1923. The building featured a classical fenestration between each vertical member. A more active frontage existed along Castle Arcade, on to which the social spaces fronted on multiple levels. The Classic was renamed the Gaumont Theatre from 3rd July 1950 and was closed by the Rank Organisation on 30th September 1961. The building was demolished in 1962 to make way for the construction of the BHS department store.</i> '
4.10.3	The existing building was erected with a steel frame and was clad in steel framed curtain walling and precast concrete cladding panels as shown in the photo below. It is noted that above ground floor level the facades include large areas of blank concrete panels.

The D&AS states that the existing building fails to deliver the life and interest needed to sustain retail activity.



Image: Google Maps 2017

4.10.4

Since the closure of BHS, planning permission was granted (Ref: LA04/2017/2681/F) on 07.06.2018 for the refurbishment and reconfiguration of the building which included the installation of new external fabric comprising new window openings at upper levels along Castle Lane and Castle Arcade, and new shopfronts. External finishes included aluminium panelling (light and brown coloured), fins at upper levels and aluminium cladding/framing (around entrances), white and grey rendered piers, black brick plinth and piers (see CGI image below). This approval represents a fall-back position for applicant which could be implemented.



CGI of approved scheme (Ref: LA04/2017/2681/F)

4.10.5

The CGI and photos below show the proposed development alongside the former Gaumont cinema and former Victorian building on Cornmarket from which design cues have been drawn such as a strong corner/entrance feature at the junction of Castle Lane/Castle Arcade, rhythm of vertical piers and projecting frames along Castle Lane and a clear hierarchy in terms of windows sizes and proportions reducing in size from ground floor upward on the Cornmarket elevation.



Former Gaumont Cinema



Original building at 3-9 Cornmarket

4.10.6

The development proposes to strip back the existing concrete panel façade on Castle Lane and Castle Arcade and the Cornmarket façade and retain the existing structure

	which will be overclad with a lightweight aluminium framed, highly glazed façade. Additional floorspace is proposed at second and third floor level with a cantilevered second and third floor corner feature at the junction of Castle Lane and Castle Arcade proposed. A covered and an uncovered roof terraces are also proposed on the third floor which will support a vibrant daytime and evening economy.
4.10.7	The proposed façade treatment has drawn key architectural references from the Former Gaumont Cinema including the corner and entrance feature at the junction of Castle Lane and Castle Arcade, the rhythm of expressed piers along Castle Lane and a taller, middle storey. The proposal also seeks to reinforce the historic role of the site's location as an important meeting point by accentuating the corner feature and providing a new entrance at the junction of Castle Lane and Castle Arcade.
4.10.8	The scheme proposes a reinterpretation of the 'Belfast' corner in a contemporary manner with a faceted facade and a series of stacked and folded surfaces drawing inspiration from the original internal configuration of the Castle Arcade shopping arcade which had sharply faceted shopfronts. Additional massing is proposed on the top floors to reinforce the corner feature and the height of the proposed building at the junction of Castle Lane and Castle Arcade increases by c. 4.3m as a result. However, this increase in height is limited to a short section of the building. The D&AS highlights that the <i>'corner' plays a prominent role in encouraging footfall along Castle Arcade</i> . The Urban Design Officer and HED have no concerns regarding the increased height at the corner.
4.10.9	The Conservation officer considers that the corner feature represents a dominant corner marker feature which will draw the eye in the vista along Castle Lane and has sought a more muted corner however the applicant has purposely sought to create a dynamic identity in order to attract investors to the site and supporting information states that <i>'Given the importance of the bold design in attracting significant inward investment without which the proposal will not proceed'</i> . HED and the Urban Design Officer have no objections to the corner feature. The Urban Design Officer considers that the corner feature resonates historically with the embellished curved corner treatment of the Former Gaumont Cinema and that <i>'the design detailing that has been applied at this pivotal junction does in my view allot an appropriate degree of hierarchy to the building. This not only relates to the enhanced hierarchical role the building needs to play at this key pedestrian junction but will also evoke a sense of exploration and draw the eye along the adjacent Castle Arcade, a busy pedestrian route which has experienced challenges over recent years in terms of environmental quality and perceived levels of safety.'</i>
4.10.10	The Planning Report accompanying the application states that <i>'Where this proposal is a significant improvement over the extant permission is in its capacity to attract significant inward investment from outside Northern Ireland in the form of occupiers not only from outside Northern Ireland but also from outside the UK and Ireland. These potential occupiers are most drawn to the corner hinge feature that creates the dynamism in the design.'</i>
4.10.11	The D&AS advises that the proposals emphasise a vertical rhythm across the Castle Lane façade as an interpretation of the piers of the former Gaumont Cinema and that expressed display windows/ projecting frames introduce an informality to the rhythm as a contemporary interpretation of the projecting canopy and signage that previously existing on the cinema façade as shown in the image below.
4.10.12	Officers recommended that further emphasis be placed on vertical elements along the Castle Lane and Cornmarket elevations and suggested that this could be achieved for example through the use of deeper fins. The applicant in response considered that the <i>'design as submitted is a better response to the specific historic context of the site and produces a higher quality design than would result from the suggested amendments'</i>

	and has not amended the proposed scheme. Furthermore, the Planning Rebuttal submitted states that <i>'Where consideration has been given to incorporating a more subtle subdivision through the double mullions expressed between bays, this has been balanced so as to avoid disrupting the horizontal emphasis.'</i>
4.10.13	HED advises that the vertical fenestration provides rhythm along the horizontal form of Castle Lane façade and considers the façade design and articulation appropriate, as it does not compete with or dominate the setting of listed buildings.
4.10.14	<p>The Urban Design officer acknowledges that the aluminium framing/curtain walling places emphasis on a vertical rhythm of bays which nods subtly at the expression of bays/piers within the former Gaumont Cinema and considers that it relates sympathetically to the plot widths and grain of neighbouring buildings. It is considered that the proposed articulation of the Castle Lane façade will serve to break up its long frontage along this Castle Lane. An existing loading bay along Castle Lane will be replaced with a shopfront providing active uses along the entire Castle Lane frontage which is welcomed. Servicing will take place from adjoining streets.</p> <div data-bbox="331 766 1449 1610" data-label="Image"> </div> <p>View of former Gaumont Cinema</p>
4.10.15	Two roof terraces are proposed along Castel Lane, one covered and one uncovered. The Urban Design Officer acknowledges that rooftop terraces will add value to the overall scheme through the provision of attractive and unique outdoor space and add to the growing appetite for such spaces across the city as highlighted more recently during the Covid 19 pandemic.
4.10.16	Along Castle Arcade a new glazed entrance to the upper floors/leisure uses is proposed and new display windows on part of the western facade will serve to provide active frontage along its length and animate Castle Arcade which is welcomed. Removal of the bridge link across Castle Arcade provides an opportunity to allow further daylight into the Castle Arcade and significantly enhance the connection between Donegall Place and High Street. The treatment of the Castle Lane façade i.e. emphasis on a vertical rhythm of bays has also been applied to the Castle Arcade façade. The combination of active

	frontages, new facades and entrances and environmental improvements will serve to significantly enhance and reinvigorate Castle Arcade as a connection and destination within the city centre.
4.10.17	The proposed Cornmarket façade will retain the hierarchy of windows sizes and proportions reducing in size from ground floor upward drawing references to the previous Victorian building which occupied the site at 3-9 Cornmarket (see image above). The Conservation Officer considers that further amendments including sub-division of openings at first floor levels, replacing glazed panels with solid panels, use of stall risers, change to materials and amendments to the entrance feature would have created a unified solid to void and vertical emphasis on this elevation. The Urban Design Officer welcomes the contextual cues that have been taken from the former Victorian façade in relation to the hierarchy of window openings, the stepped profile of window surrounds and a contemporary interpretation of the deep stone parapet cap which helps to screen roof plant behind and considers the proposed elevation an enhancement to the existing post-modernist façade. Proposed amendments to the Cornmarket façade will include a continuation of the glazed and cladding treatment proposed for Castle Lane and Castle Arcade. On balance, officers consider the proposals acceptable and an improvement when compared to the existing façade treatment.
4.11	Materials
4.11.1	The proposed palette of materials include curtain glazing and red coloured aluminium cladding along all facades. The applicant has intentionally limited the proposed external materials to glazing and a single red coloured cladding in order to create a strong identity for the building. The objection received raised concerns that the proposal does not reflect the historic nature or vernacular of the conservation area in this critical location. The proposed red tone aluminium cladding is a nod to traditional materials historically used in Belfast's built fabric such as the red brick found in the locality e.g. listed building (formerly Frasers) at 1-5 Castle Lane and 23-29 Cornmarket. There are many other such examples throughout the city centre. The continuity of a simple material palette throughout the development will bring coherence and unify the development.
4.11.2	The Conservation officer considers that the Castle Lane elevation would be actively harmful through contrast, diminishing the reading of the area as historic and undermining the current dominance of the Listed Masonic Building at Arthur Square in the long vista. However, this is not a concern raised by HED who consider that materials appropriate and advise that the Castle Lane façade does not compete or dominate the setting of listed buildings and that the proposal enhances the vista along Calendar Street.
4.11.3	In terms of materiality the Urban Design Officer notes a mix of cladding materials can be found along Castle Lane ranging from the more traditional red brick and stone cladding primarily associated with buildings fronting onto Cornmarket to the extensive use of glass and painted masonry within adjacent buildings along Castle Lane.
4.11.4	The proposed materials are considered appropriate and compatible with the surrounding context.
4.12	Impact on setting of Listed Buildings
4.12.2	Although the building is not listed the site is located in the vicinity of a number of listed buildings which are identified on the map below and include:-



Location of Neighbouring Listed Structures

1. 1-5 Castle Lane & 23-29 Cornmarket, Belfast (Grade B2 – Ref: HB26 50 304)
2. Masonic Building, 13-14 Arthur Square, Belfast (Grade B+ - Ref: HB26 50 039)
3. 1-5 High Street & 2-10 Cornmarket, Belfast (Grade B2 – Ref: HB26 50 232)

4.12.3 Policy BH 11 of PPS 6 [Development affecting the setting of a listed building] states that, *'The Department will not normally permit development which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where all the following criteria are met:*

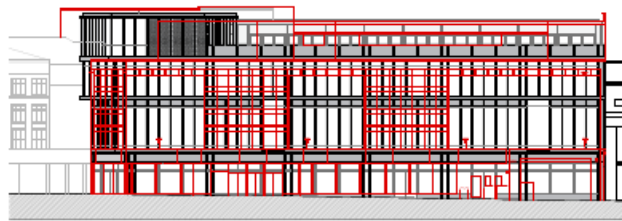
- (a) the detailed design respects the listed building in terms of scale, height, massing and alignment;*
- (b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and*
- (c) the nature of the use proposed respects the character of the setting of the building.*

4.12.4 With regard to criterion (a) HED welcomes the detailed Design and Access statement which outlines the historic development of the area including historic photos and analysis of the Gaumont cinema which was previously located on the site before being demolished in 1962. HED accepts the justification for the increased mass of the proposal at the corner of Castle Lane and Castle Arcade and considers it as a modern interpretation of the original rounded corner and proposed rotunda of the Gaumont Cinema. HED considers the proposal respects the listed buildings in terms of scale, height, massing and alignment.

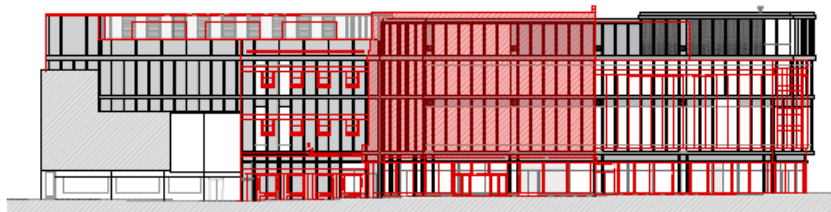
4.12.5 Para. 6.30 of PPS 6 states that *'The design of new buildings planned to stand alongside historic buildings is particularly critical. Such buildings must be designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment and use appropriate materials. This does not mean however that new buildings have to copy their older neighbours in detail. Some of the most interesting streets in our towns and villages include a variety of building styles, materials and forms of construction of several different periods, which together form a visually harmonious group.'*

4.12.6 In respect of Criterion (b) HED consider that the proposed use of a matt red/ warm tone aluminium cladding system to be appropriate as it complements the red clay brick of HB26 50 304 (1-5 Castle Lane & 23-29 Cornmarket) and numerous listed red brick buildings within Belfast City Centre. HED further considers that the vertical fenestration provides rhythm along the horizontal form of Castle Lane façade.

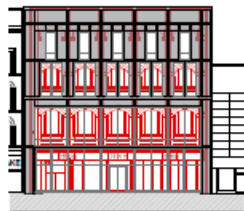
4.12.7	<p>HED consider the façade design and articulation appropriate, as it does not compete with or dominate the setting of listed buildings and are of view that the proposal enhances the vista along Calendar Street between the red sandstone building (HB26 50015, Former Water Office, 1 Donegall Square Belfast) and the red brick building (HB26 50 157, Former Bradford and Bingley Building, 2 Chichester Street, Belfast) at the junction of Chichester Street and Donegall Square East.</p>
4.12.8	<p>HED Historic Buildings has considered the effects of the proposal on the listed buildings and are content that the proposal satisfies the policy requirements of paragraph 6.12 of the SPPS and BH11 PPS6, subject to conditions relating to materials. The proposed development is considered to comply with Policy BH 11 of PPS 6 and paragraph 6.12 of the SPPS.</p>
4.13	<p>Impact on Belfast City Centre Conservation Area</p>
4.13.1	<p>PPS6 sets out a number of policies against which proposals for the demolition/partial demolition of non-listed buildings are assessed. These include:</p> <ul style="list-style-type: none"> • Policy BH 14 – Demolition in a Conservation Area • Policy BH 12 – New Development in a Conservation Area • Paragraph 6.25 of Policy BH 10 (Demolition of a Listed Building) of PPS 6 is also applicable where it is considered that a non-listed building proposed to be demolished makes a positive contribution to the conservation area.
4.13.2	<p>The SPPS also sets out policy considerations for proposals in a Conservation Area at paragraphs 6.18 – 6.20.</p> <p>The application site falls within Belfast City Centre Conservation Area.</p> <p>Proposed Demolition</p>
4.13.3	<p>The drawings below illustrates proposed demolition (highlighted in red) relating to the elevations along Castle Lane, Castle Arcade and Cornmarket.</p>



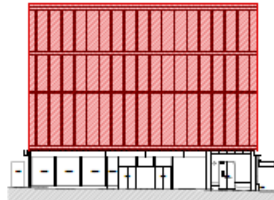
PROPOSED DEMOLITION ELEVATION ON CASTLE LANE, BELFAST



PROPOSED DEMOLITION ELEVATION ON CASTLE ARCADE, BELFAST



PROPOSED DEMOLITION ELEVATION ON CORN MARKET, BELFAST



PROPOSED DEMOLITION ELEVATION A



PROPOSED DEMOLITION ELEVATION B



PROPOSED DEMOLITION ELEVATION C

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- 4.13.4 The Conservation Officer acknowledges that the proposal involves demolition of internal elements of the building, and the existing façade on Castle Lane of aggregate panels and strip windows between spandrels and that the façades are poor aesthetically and the building does not contribute to legibility, the reading of the place as a Victorian / Edwardian commercial city centre Conservation Area. The Conservation Officer considers that the proposed demolition can take place without harm to the Conservation Area, subject to adequate replacement.
- 4.13.5 With regard to Cornmarket the Conservation Officer notes that the existing façade dates from 1985 and considers this façade, through its materials, rhythm of bays, hierarchical window treatment represents an early exercise in contextual architecture and is therefore of architectural / historic interest in terms of the architectural evolution of the city. The Conservation Officer considers that it is of a muted nature visually and does not detract from listed buildings and does not raise any objection to its demolition subject to a satisfactory replacement.
- 4.13.5 The existing facades/building is considered to make no material contribution to the character or appearance of the conservation area and is considered to satisfy Policy BH 14 subject to satisfactory redevelopment proposals which are assessed below.
- Redevelopment Proposals**
- 4.13.6 Section 104 of the Planning (NI) Act 2011 places a statutory duty on the Council in relation to the consideration of proposals affecting Conservation Areas. Special regard must be had to the desirability of preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;

	and enhancing the character or appearance of that area in cases where an opportunity to do so does arise.
4.13.7	In addition, Policy BH 12 [New Development in a Conservation Area] requires that development proposals for new buildings, alteration, extension and changes of use in a conservation area are required to meet 7 criteria. The proposed scheme is assessed against each of the criteria below.
4.13.8	Paragraph 7.8 of Policy BH 12 of PPS 6 states that <i>'Proposals for the alteration or extension of properties in a conservation area will normally be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the particular area and will not prejudice the amenities of adjacent properties. Extensions should be subsidiary to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property. Very careful consideration will be required for alterations and extensions affecting the roof of a property as these may be particularly detrimental to the character and appearance of a conservation area.'</i> The development proposes alterations and an extension at upper levels which is further assessed below
4.13.9	Paragraph 7.9. of Policy BH 12 of PPS 6 states that <i>'In assessing applications for the change of use of a property within a conservation area consideration will be given to both the general land use policies of the Department and the impact of the proposed use on the character and appearance of the conservation area. New uses will normally only be acceptable where any associated external alterations, for example new shopfronts, are sympathetic to their setting and relate in scale, proportions and materials to the remainder of the building and the local street scene.'</i> The proposed change of use to upper floors seeks additional floorspace in the form of a canted corner feature at 2 nd and 3 rd floor levels and terraces (both covered and uncovered) at third floor level. The impact of this change of use/new development is assessed below. <i>Criteria (a) of Policy BH 12 requires that the development preserves or enhances the character and appearance of the area.</i>
4.13.10	The scheme has been founded upon a heritage led approach as set out in the Design and Access Statement. The proposed development draws historic references to the former Gaumont Cinema and the former Victorian building on Cornmarket both of which previously occupied the site. Historic references seek to be achieved in the composition of the facades without detriment to the character and appearance of the wider area.
4.13.11	The Conservation Officer advises that the existing facades are poor aesthetically. Officers' consider that they are of no architectural value/historic interest and the site does not currently display the best characteristics of a conservation area. Whilst the Conservation Officer considers that the proposed development is harmful to the character and appearance of the Conservation Area it is the view of officers' that for the reasons set out in the assessment of the design above the removal of the link element on Castle Arcade which does not make a positive contribution to the Conservation Area and the proposed alterations, extension and architectural treatment of the existing building will individually and cumulatively serve to regenerate the area and significantly enhance its appearance. It is considered that the proposed development will on balance result in an enhancement to the conservation area. The proposal is considered to meet criterion (a). <i>Criterion (b) of BH 12 requires that the development is in sympathy with the characteristic built form of the area.</i>
4.13.12	The development proposes the reuse of the existing building with modest increase in height and floorspace at second and third floor levels and will not result in a significant

	<p>change to the existing built form in the area. The proposal is considered to meet criterion (b).</p> <p><i>Criterion (c) of BH 12 requires that the scale, form, materials and detailing of the development respects the characteristic of adjoining buildings in the area.</i></p>
4.13.13	<p>The Conservation officer has indicated that the height of the corner represents a dominant corner marker. However, in terms of scale and form the development proposes to reuse the existing building with the addition of a feature corner and covered roof terraces resulting in additional floorspace at second and third floor levels. The additional height is considered modest. Materials complement the traditional red brick found in the local area and detailing of the facades is considered to reference the historic buildings previously located on the site in a contemporary manner. The scale, proportions and materials of the proposed alterations relate to the local context and respect the characteristics of adjoining buildings in the area. The proposal is considered to meet criterion (c).</p> <p><i>Criterion (d) of Policy BH 12 requires that the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area.</i></p>
4.13.14	<p>Environmental Health (EH) has requested further noise information which is being addressed by the applicant. It is envisaged that an updated noise impact assessment and amended roof plan making changes to the extent of the roof terrace will enable EH to confirm that the proposed development would not give rise to environmental problems such as noise, nuisance or disturbance which would be detrimental to the character of the area. It is considered that the proposals satisfy criterion (d).</p> <p><i>Criterion (e) of Policy BH 12 requires that important views within, into and out of the area are protected.</i></p>
4.13.15	<p>Important views of the site are short range obtained from Donegall Place, Castle Lane, Arthur Square, Calendar Street, Corn Market, Castle Street, High Street and Donegall Square. It is considered that these views into, within and out of the area within which the site is located will be maintained and protected and will not be harmed. HED consider that the vista from Calendar Street from its junction with Donegall Square will be enhanced. It is considered that the proposals satisfy criterion (e).</p> <p><i>Criterion (f) of Policy BH 12 requires that trees and other landscape features contributing to the character or appearance of the area are protected.</i></p>
4.13.16	<p>Landscape proposals seek to ensure the retention and improvement to existing public realm along Castle Lane, Castle Arcade and Cornmarket which have been the subject of improvements as part of the Belfast Streets Ahead scheme and more recently the Belfast Entries Project.</p>
4.13.17	<p>Improvements to the public realm along Castle Arcade to tie in with existing public realm are proposed and will serve to enhance and protect the character and appearance of the Conservation Area. These will be secured through a planning condition. The removal of the bridge link element over Castle Arcade along with associated public realm improvements provides the opportunity to significantly enhance connections within the Conservation Area. It is considered that the proposed scheme satisfies criterion (f).</p> <p><i>Criterion (g) of Policy BH 12 requires that the development conforms to the guidance set out in the conservation area documents.</i></p>
4.13.18	<p>The site falls within the Belfast City Centre Conservation Area and the sub area of Cornmarket/Arthur Street. The Belfast City Centre Conservation Area Guide seeks to protect important buildings which contribute to the Area's character. The existing building</p>

	is of no architectural merit. The proposed materials are considered compatible with the surrounding area and are supported by HED and the Urban Design Officer. The scale and massing of the proposed development is not significantly different from that existing and is sympathetic to the rhythm of the street scene. The public realm improvements are a welcome inclusion and will enhance the immediate environment and improve connectivity within the wider area.
4.13.19	The Belfast City Centre Conservation Area Guide Enhancement strategy aims to encourage the bringing back into use of derelict or under-used land or buildings; improve the quality of life for people living, working and visiting the Area; help create a distinctive image attractive to visitors, based on the Area's existing heritage and attractive landscape and encourage a variety of land uses including offices, retailing, cultural, recreational and residential. The proposed development does not conflict with the Enhancement Strategy objectives.
4.13.20	The BCC Conservation Area Guide acknowledges that responsiveness to change and adaptability are important characteristics of cities which prosper. The proposed development seeks to change and adapt an existing building to provide an identity capable of attracting inward investment.
4.13.21	The proposed development is considered to comply with the BCC Conservation Area Guide. In assessing the proposal against Criteria (a) – (g) set out in Policy BH 14 of PPS 6 the proposed redevelopment scheme is considered to comply.
4.13.22	In accordance with Section 104 (11) of the Planning Act (Northern Ireland) and paragraph 6.18 of the SPPS, officers have assessed proposals for the demolition and redevelopment and are of the opinion that the proposed scheme provides a good quality development, including public realm improvements, improved connectivity in the area with the environmental improvements proposed on Castle Arcade. The significant benefits that would accrue from the scheme (set out at para 4.9.8 above) are grounded in the public interest and are considered to outweigh the Conservation Officer's concerns regarding the design and elevation treatment. Notwithstanding, it is the view of officers that overall, the proposed scheme is of a better architectural quality compared with the existing building or extant scheme in terms of its design approach. Officers' consider that the proposed scheme provides the opportunity to significantly enhance the the character and appearance of the Belfast City Centre Conservation Area.
4.13.23	The proposal does not conflict with the guiding principle set out in the SPPS and Section 104 (11) of the Planning Act to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists.
4.14	Impact on Archaeology
4.14.1	HED (Historic Monuments) advises that due to the limited nature of ground disturbance and the results of previous archaeological investigations in this vicinity, they are content that the proposal is satisfactory and complies with SPPS and PPS 6 archaeological policy requirements.
4.15	Public Realm Proposals
4.15.1	Castle Arcade has been subject to environmental improvements including the Streets Ahead project and its surface currently comprises a mix of granite and Caithness stone pavers. There is however a small portion that has currently a resin bound surface and the applicant proposes to replace this surface with Caithness stone to tie in with the existing surface material. In addition, the Castle Arcade signs will be re-laid at the entrance from Castle Lane and Cornmarket.

4.15.2	<p>Whilst the link element on the Castle Arcade will be demolished its steel support structure which will be left in place and provides the opportunity for a hanging garden within Castle Arcade. This system comprises a stainless steel net system affixed to support beams between buildings to support climbers and the Urban Design Officer considers that it will help inject further colour and animation to the arcade. BCC LPDT are fully supportive of the proposals to enhance the Castle Arcade pedestrian corridor between Castle Lane and Corn Market using high-quality, natural stone paving and overhead planting systems. LPDT advise that in its present condition Castle Arcade is dark and uninviting and continues to suffer from issues associated with anti-social behaviour and acknowledge that the proposed removal of the existing pedestrian bridge and replacement with a number of high-level planting systems will increase levels of natural light within the space, help green the city centre and greatly improve perceptions of safety.</p>
4.15.3	<p>BCC LPDT note the reference to overhead lighting in the Design & Access Statement and are fully supportive of the inclusion of an innovative lighting system within the hanging gardens feature that will provide appropriate and even lux levels throughout the Castle Arcade route. A proposed lighting scheme will also support the Lighting Strategy for Belfast Initiative. The Urban Design Officer advises that consideration could be given to a degree of external down/lighting within the composition of panelling along Castle Arcade to enhance safety levels at night. A condition is recommended requiring a Lighting Strategy to be submitted and agreed in advance of operation of the development.</p>
4.15.4	<p>BCC CRD welcome the removal of the bridge link stating that it will open up the Arcade, introduce further natural light and enhance perceptions of safety. Furthermore, CRD advise that the applicant's proposal to upgrade the paving materials at Castle Arcade is particularly welcome and it is noted that reference has been made to the Department for Communities Public Realm Palette of Materials Guidance. CRD supports the proposed unified approach to the public realm at Castle Arcade, which will create visual continuity through the space by the choice of paving materials and arrangement. CRD welcome the incorporation of the existing entry signage and Castle Arcade paving name feature into the landscape design.</p>
4.15.5	<p>CRD also support the opportunity to create green streets within the city centre, through the inclusion of the proposed 'hanging garden'. The integrated accent lighting will also enhance the character of the area and provide night-time interest. This aligns with the aims of the Bolder Vision, Blue & Green Infrastructure Plan and Belfast Lighting Strategy.</p>
4.15.6	<p>BCC LPDT confirm that the landscape management plan for proposed works is acceptable.</p>
4.16	<p>Access, Parking and Servicing</p>
4.16.1	<p>Pedestrian access to the building will be provided by individual accesses to the three ground/first floor retail units from Castle Lane and Cornmarket and access to the upper floor leisure uses and small ground floor retail kiosk from Castle Arcade. The D&AS confirms that the vehicular access and servicing arrangements previously in place to serve the former BHS will be maintained within the current proposals.</p>
4.16.2	<p>No incurtilage parking is currently provided on site and no parking is proposed. Given the sustainable city centre location, which is well served by public transport and easily accessible for pedestrians and cyclists the zero parking level is considered acceptable. The Travel Plan proposes the implementation of a Travel Co-Ordinator to promote sustainable transport modes for employees. DFI Roads consider the Travel Plan acceptable.</p>

4.16.3	Servicing of the site is proposed from adjacent streets and a service yard/access is located off Cornmarket. The Service Management Plan states that the Building Management Team will be responsible for agreeing the delivery times of vehicles to the development and all deliveries will be undertaken during off – peak periods on the adjacent road network and delivery slots will be co-ordinated and confirmed to ensure that there is no impact on the public road network and with other deliveries.
4.16.4	It is proposed that waste will be stored in dedicated bin areas in a service corridor off Cornmarket and that the Building Management Team will move the bins will be moved from the storage area out onto Cornmarket on bin collection day and returned to the bin storage area immediately after being emptied.
4.16.5	DFI Roads has no objections to the proposed development subject to conditions which are set out below. The development complies with the SPPS and PPS 3.
4.16.6	BCC Waste Management Team consider that there is sufficient space available to comply with waste management requirements, subject to bins being carefully managed and frequent collections. This will be tested more robustly at the Building Control stage under Building Regulation requirements.
4.17	Environmental Considerations
	Drainage
4.17.1	The application is supported by a Flood Risk Assessment. The proposal has been considered against policies FLD 1-5 of Revised PPS15. DFI Rivers have raised no objections under Policies FLD 1, 2, 3, 4 and 5.
4.17.2	NI Water has no objection to the proposed development and advises that there is available capacity at the Waste Water Treatment Works to serve the development; that existing premises/site may already be connected to public wastewater network and there is a public water main within 20m of the proposed development boundary which can adequately service these proposals.
4.17.3	The drainage arrangements for the proposed development have already been established through the previous use on the site and are considered acceptable.
	Contamination
4.17.4	The application is supported by a Land Contamination Assessment which has been considered by both DAERA, NIEA and Environmental Health. Neither have raised objections and both have provided conditions/informatives if permission is granted.
	Noise
4.17.5	Environmental Health has sought further information in respect of noise impacts which the applicant is addressing. Following discussions between the applicant's team and Environmental Health a revised third floor plan has been submitted removing an area of proposed terrace along with an amended Noise Impact Assessment which are under review by Environmental Health. This application has been brought to the Committee in advance of resolution of this matter due to time pressures for delivery of the scheme by the applicant. Delegated authority is therefore requested to resolve this matter. Updates will be set out in the late items report.
4.17.6	Air Quality Environmental Health has reviewed the proposal and recommends a condition requiring and Air Quality Impact Assessment to be submitted and agreed in the event that centralised combustion sources are proposed to serve the building as set out below.
4.18	Pre-Application Community Consultation

4.18.1	In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 9th July 2021 (LA04/2021/1648/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable. An online information event via a dedicated website was proposed between Monday 16 th August 2021 and Monday 20 th September 2021.
4.18.2	A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements. The report has confirmed advertising for the public event and that the public event took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that 90 businesses and residents within a 200m radius of the centre of the site received a pack containing information leaflets, comment cards and self-addressed envelopes and that the online digital consultation took place. The report states that one comment was left via the digital comment card which supported the proposed development.
4.18.3	The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.
Neighbour Notification Checked Yes	
Summary of Recommendation: <p>Having regard to the development plan, relevant policy context and other material considerations, including the objection the proposal is on balance considered acceptable and approval is recommended subject to conditions for application LA04/2022/0535/F and Conservation Area Consent is recommended for application LA04/2022/0468/DCA.</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of the conditions and resolve the issues raised by Environmental Health in respect of noise subject to no new substantive planning issues being raised.</p>	
Draft Conditions:- LA04/2022/0535/F:- <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. No external finishes shall applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external finishes.</p>	

Reason: In the interests of the character and appearance of Belfast City Centre Conservation Area and to respect the character of the setting of the building and ensure the proposal is compliant with Policy BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

3. Materials shall be:

- Curtain walling, frames, mullions, cladding: Aluminium coloured similar as identified in CGI's in Design and Access Statement.

Reason: To respect the character of the setting of the building and ensure the proposal is compliant with Policy BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.

4. Prior to operation of any of the units hereby approved a lighting plan shall be submitted and agreed in writing by the Council. The Lighting plan shall be implemented prior to operation of the development and retained thereafter in accordance with the agreed details

Reason: In the interests of visual amenity and the character and appearance of the area.

5. All hard and soft landscaping works shall be carried out in accordance with the approved details as set out in Drawing No. 17 – Landscape Plan and the Landscape Concept Design Booklet published by the Council on 01/04/22. The works shall be carried out prior to the operation of any part of the development and retained thereafter unless otherwise agreed in writing by the Council. Any proposed trees or plants indicated on the approved plans which die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the Landscape Management and Maintenance Plan published by the Council on 01/04/22.

Reason: In the interests of the character and appearance of the area.

6. No operations shall commence at the hereby permitted development until the kitchen extraction and odour abatement system recommended within the submitted Layde Consulting report entitled '13-25 Castle Lane Noise & Odour Impact Assessment', dated February 2022, referenced P540/1 and as detailed on the drawing completed by AECOM, entitled Project: Proposed Redevelopment at No 13-25 Castle Lane, Belfast (no reference) unless otherwise agreed in writing by the Planning Authority, has been installed by a competent ventilation engineer. The approved system must be maintained and retained thereafter.

Reason: Protection of amenity of neighbouring properties.

7. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an Air Quality Impact Assessment shall be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of amenity of neighbouring properties.

8. If during the development works, new contamination or risks to the water environment 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 Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. 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.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9. After completing all remediation works under Condition 8 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

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.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. The development hereby approved shall operate in accordance with the Service Management Plan published by the Council on 16/03/22.

Reason: In the interests of road safety and the convenience of road users.

11. The development hereby approved shall operate in accordance with the Travel Plan published by the Council on 05/05/22.

Reason: To encourage alternative modes of transport to the private car.

LA04/2022/0468/DCA:-

1. The demolition hereby granted must be begun within five years from the date of this consent.

Reason: As required by Section 105 of the Planning Act (Northern Ireland) 2011.

2. This consent relates only to the walls / structures coloured red on Drawing Nos. 05, 06 and 07 published by the Council on 09.03.22 and to no other part of the building on the site.

Reason: In the interests of the preservation of the Belfast City Centre Conservation Area.

Notification to Department (if relevant)

Date of Notification to Department: Not Required

Response of Department:

Representations from Elected Members: - None

ANNEX

Date Valid	10th March 2022
Date First Advertised	25th March 2022

Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Corn Market,Belfast,Antrim,BT1 4DA The Owner/Occupier, 11 Corn Market,Belfast,Antrim,BT1 4DA The Owner/Occupier, 12-14 ,Castle Lane,Belfast,Antrim,BT1 5DA The Owner/Occupier, 13 Corn Market,Belfast,Antrim,BT1 4DA The Owner/Occupier, 15-17 ,Corn Market,Belfast,Antrim,BT1 4DA The Owner/Occupier, 16 Castle Lane, Belfast, BT1 5DA The Owner/Occupier, 16 Castle Lane,Belfast,Antrim,BT1 5DA The Owner/Occupier, 17 Castle Arcade,Belfast,Antrim,BT1 5DG The Owner/Occupier, 18 Castle Lane, Belfast, BT1 5DA The Owner/Occupier, 18-20 Castle Lane, Belfast, BT1 5DA The Owner/Occupier, 2 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 26 Castle Lane,Belfast,Antrim,BT1 5DB The Owner/Occupier, 27-29 ,Castle Lane,Belfast,Antrim,BT1 5DB The Owner/Occupier, 28-30 ,Castle Lane,Belfast,Antrim,BT1 5DB The Owner/Occupier, 32 Castle Lane,Belfast,Antrim,BT1 5DB The Owner/Occupier, 39 Castle Lane,Belfast,Antrim,BT1 5DB The Owner/Occupier, 4 Castle Lane,Belfast,Antrim,BT1 5DA The Owner/Occupier, 7 Castle Lane, Belfast, BT1 5DA The Owner/Occupier, 8 Castle Lane, Belfast, BT1 5DA The Owner/Occupier, 9 Castle Lane, Belfast, BT1 5DA David Flinn Chairperson,Belfast Civic Trust The Owner/Occupier, Office (2nd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF The Owner/Occupier, Office (3rd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF The Owner/Occupier, Suite A,12-14 ,Castle Lane,Belfast,Antrim,BT1 5DA The Owner/Occupier, Suite C,12-14 ,Castle Lane,Belfast,Antrim,BT1 5DA The Owner/Occupier, Suite D,12-14 ,Castle Lane,Belfast,Antrim,BT1 5DA	
Date of Last Neighbour Notification	21st March 2022
Date of EIA Determination	N/A
ES Requested	No

Drawing Numbers and Title

- 01 – Site Location Plan – published 16/03/22
- 05 – Demolition First and Second floor - published 16/03/22
- 06 – Demolition Second and Third Floor - published 16/03/22
- 07 – Demolition Elevations - published 16/03/22
- 08 – Proposed Block Roof Plan - published 16/03/22
- 09 – Proposed Ground and First Floor Plan - published 16/03/22
- 10a – Proposed Second and Third Floor Plan - published 17/06/22
- 11 – Proposed Site Plan - published 16/03/22
- 12 – Existing and Proposed Elevation A, B & C - published 16/03/22
- 13a – Existing & Proposed Elevation on Castle Lane Rev A – published 01/04/22
- 14a – Existing & Proposed Elevation on Castle Lane Rev A – published 01/04/22
- 15a – Existing & Proposed Elevation on Corn Market Rev A – published 01/04/22
- 16 – Kitchen Ventilation Drawing – published 16/03/22
- 17 – Landscape Plan – published 01/04/22