

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	16 th August 2022
Application ID:	LA04/2022/0155/F
Proposal: Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 3 years.	Location: Ground floor print hall, 122-144 Royal Avenue, Belfast, BT1 1DN
Referral Route: Belfast City Council has an interest in the land.	
Recommendation:	Approval – 18 months
Applicant Name and Address: The Limelight Belfast Ltd 17 Clarendon Road Belfast BT1 3BG	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
<p>Executive Summary:</p> <p>Temporary Planning permission is sought for the extension of time for temporary change of use and alterations of former printing hall event space for a period of 3 years.</p> <p>The site is located within the development limits for Belfast. The site does not have any particular zoning within draft BMAP and also falls within the City Centre limit, the Scotch/Cathedral character area and city centre area of parking constraint under draft BMAP. The site adjoins a listed building which was the Belfast Telegraph Building.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development and use; • Impact on amenity; • Impact on the listed building; • Provision of parking and access. <p>The application was neighbour notified and advertised in the local press. No third-party representations have been received.</p> <p>DFI Roads, Environmental Health, and Historic Environment Division have all been consulted. Historic Environment Division and DFI Roads both had no objection to the proposal. Environmental Health were of the opinion that an extension of 1 year was more suitable.</p> <p>On balance considering the temporary planning permissions granted to date, the extant permission for the redevelopment of the site due to expire in February 2023 and Environmental Health's response, it is recommended that a temporary permission of no more than 18 months is granted to ensure the Council can consider the development in the light of circumstances then prevailing and to ensure future development is not hindered by extended temporary use as event space.</p>	

Recommendation:

Having regard to the policy context and other material considerations, it is recommended that the application is approved for a temporary period of 18 months, subject to conditions.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Hydebank	Content
Statutory	Historic Environment Division (HED)	Content
Non Statutory	Env Health Belfast City Council	Consultation reminder letter
Non Statutory	Env Health Belfast City Council	Content
Non Statutory	Env Health Belfast City Council	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for full planning permission for an extension of time for a temporary change of use of and alterations of former printing hall to event space for a period of 3 years.
2.0	Description of Site
2.1	The site comprises part of the ground floor of the Belfast Telegraph Building at 122-144 Royal Avenue, Belfast. The building is four storeys in height and is finished in a mixture of red brick, render and cladding. The ground floor of the property was previously a printing hall for Belfast Telegraph and is currently in use as an event space.
2.2	The surrounding area is defined by mixed use, with a large student accommodation block currently under construction adjacent to the site. Belfast Central Library and a number of commercial units including a hair salon are located in the surrounding area.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2021/2825/A - Retention of mesh banner signage (19.1m by 9.84m) for a temporary period of 24months – Refused 15 th April 2022.
3.2	LA04/2021/1586/A - Proposed mesh banner signage (19.1m x 9.84m) for a temporary basis of 24months – Refused 11 th November 2021.
3.3	LA04/2020/0662/A - Mesh banner signage (19.1m X 9.84m) (temporary for 1 year) – Granted for 1 year – 27 th August 2020 for 1 year only.
3.4	LA04/2019/0878/F - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 3 years – Granted on 16 th October 2019 for 2 years – Expired 16 th October 2021.
3.5	LA04/2018/1991/F - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN - Demolition of existing non listed buildings and redevelopment of site to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade [amended scheme] – Granted – 19 th February 2019 – Expires 21 st February 2024.
3.6	LA04/2018/1968/LBC - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN., Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, façade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade – Consent Granted – 19 th February 2019 – Expires 20 th February 2024.

3.7	LA04/2017/2209/F - Temporary change of use of former printing hall to event space for a period of 2 years including internal alterations and creation of two emergency exits onto Donegall Street - Granted on 29 th November 2017 for a period of 1 year – Expired 28 th November 2018.
3.8	Z/2004/0303/F 124-144 Royal Avenue, Belfast Adjustments to existing roof to facilitate the installation of a new printing press – Granted.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (2004 Version)
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 4: Planning and Economic Development 4.4.4 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
5.0	Statutory Consultees Responses
5.1	Historic Environments Division – No objection subject to conditions.
5.2	DFI Roads – No objection subject to conditions.
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection to the principle of the development, however recommended a time period of 1 year of the extension to the temporary change of use.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 shows the site as white un-zoned land.
8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2004 version: The site is located within the city centre boundary and the Scotch and Cathedral quarter character area.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2015 version (previously adopted and subsequently quashed): The site is located within the city centre boundary and the Scotch and Cathedral quarter character area.
8.5	Development Control Advice Notice (DCAN) 15: Vehicular Access Standards

9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Impact on amenity; • Impact on the listed building; • Provision of parking and access.
9.2	<p><u>Development Plan context / SPPS:</u></p> <p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.</p> <p>9.3 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) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p> <p>9.4 As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.</p> <p>9.5 Under the adopted BUAP 2001 the site is un-zoned white land. The site is located within the city centre limit and the Scotch and Cathedral quarters for Belfast as designated by both iterations of Draft Belfast Metropolitan Area Plan 2015, the 2004 and 2015 versions.</p> <p>9.6 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.</p> <p>9.7 Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance</p> <p><u>Principle of development and use</u></p> <p>9.8 The previous temporary planning permission expired on the 16th October 2021. Whilst the applicant was unable to make full use of the time frame due to Covid, nevertheless the applicant has continued to operate unlawfully. The current application was received on the 16th December 2021, two months after the previous permission had expired. Since the 16th December 2021 to date there will have been 30 events at the site, without the benefit of planning permission. Events are planned up until 30th March 2023. Dates of past and upcoming events are listed below.</p> <p>9.9 <u>Events posts expiry of planning permission</u></p>

9.10	<ol style="list-style-type: none"> 1. 16th October 2021 – Bingo Loco XXL 2. 31st October 2021 – Joel Corry 3. 5th November 2021 – Taboo Pride Party 4. 6th November 2021 – Kneecap 5. 12th November 2021 – Bicep 6. 13th November 2021 – Bicep 7. 20th November 2021 – Kettama presents G Town 8. 26th November 2021 – Shine 9. 27th November 2021 – Sulta Selects: Denis Sulta 10. 3rd December 2021 – Kearnage Belfast 11. 10th December 2021 – Lane 8 – Brightest Lights – POSTPONED 12. 11th December 2021 – Shine 13. 17th December 2021 – Fat Boy Slim 14. 26th December 2021 – Shine 15. 26th February 2022– Nina Kraviz 16. 14th March 2022 – slowthai 17. 17th March 2022 – Shine – St Patricks Day 18. 18th March 2022 – Shine – St Patricks Part 2 19. 1st April 2022 – Shine 20. 9th April 2022 – Clubland 21. 16th April 2022 – Shine Easter Saturday 22. 18th March 2022 – Shine Easter Monday 23. 13th May 2022 – Bad Boy Chiller Crew 24. 14th May 2022 – Bad Boy Chiller Crew 25. 25th May 2022 – alt-J 26. 27th May 2022 – General Banter 27. 3rd June 2022 – BTN Presents 28. 18th June 2022 – Belsonic and Calvin Harris after party 29. 25th June 2022 – Belsonic and Scooter after party – Big Bill 30. 30th July 2022 – Taboo’s Pride Party
9.11	<p><u>Upcoming Events - 2022</u></p>
9.12	<ol style="list-style-type: none"> 31. 21st August 2022 – The Wombats 32. 24th August 2022 – The Gaslight Anthem 33. 1st September 2022 – Wolf Alice 34. 17th September 2022 – Hannah Wants 35. 23rd September 2022 – Above and Beyond 36. 20th October 2022 – Kasabian 37. 10th November 2022 – Belle and Sebastian 38. 12th November 2022 – Festival of the Dead 39. 16th November 2022 – Jamie Webster 40. 5th December 2022 - Blossoms
9.13	<p><u>Upcoming Events – 2023</u></p>
9.14	<ol style="list-style-type: none"> 41. 13th January 2023 – Dropkick Murphys 42. 29th March 2023 – Blackberry Smoke 43. 30th March 2023 – EELS – Lockdown Hurricane 2022
9.15	<p>The principle of the proposed temporary use has been established under temporary planning permissions LA04/2017/2209/F and LA04/2019/0878/F. The agent has at question 9 on the P1 form ticked yes for a temporary permission and requested that this be for a period of 3 years. The cover letter states that the redevelopment of the site will be in conjunction with Belfast City Council Regeneration Team. The agent has advised that the application to</p>

	<p>extend the temporary planning permission is to keep this in line with the Council's licence in the interim. It has not been stated whether this is for an entertainment licence or liquor licence but as entertainment licences are required to be renewed annually it is assumed that this refers to the liquor licence. Environmental Health's most recent response confirmed that the venue benefits from a 7 day annual entertainment licence which will expire on the 31st October 2022. Whilst the agent has stated that the permission time extension is to tie in with BCC Regeneration plans and the time frame of the licence, no evidence of this has been provided to support this statement.</p>
9.16	<p>However as per Section 132 of the Planning Act (NI) 2011 after a period of 5 years no enforcement may be taken after a period of 5 years beginning with the date of the breach and therefore would be immune from enforcement action. Therefore, any temporary permission would be required to be less than 5 years.</p>
9.17	<p>Previous planning permissions LA04/2017/2209/F and LA04/2019/0878/F granted the event space facility with a combined temporary permission for 3 years. Albeit, it is acknowledged that this time frame was impacted upon due to Covid and benefit from the permission was not utilised. However as noted above events have been continuing on site without the benefit of planning permission. Extant planning permission under LA04/2018/1991/F for a mixed-use redevelopment on the site was granted in 2019 and expires on the 21st February 2024.</p>
9.18	<p>Considering the temporary permissions already granted totalling 3 years and that 18 months remains on the extant planning permission until February 2024, it is considered that a temporary permission of a maximum of 18 months is granted, to ensure that the extant mixed-use redevelopment proposal is not hindered by the granting of a temporary permission exceeding the time frame required for the commencement of development of LA04/2018/1991/F.</p>
	<p><u>Impact on Amenity</u></p>
9.19	<p>In respect of noise, nuisance and disturbance from the proposed use, Environmental Health have been consulted and offer no objection to the proposed use. However, they are of the view that a temporary period of 1 year was more acceptable rather the proposed 3 years. An extension of a 1 year period was recommended due to the impact on potential future development, specifically at the nearby site, 2-14 Little Donegal Street. These comments were based on an historic approval for a mixed use development including 18 apartments under reference Z/2007/2120/F at 2-14 Little Donegall Street. It is however noted that this permission expired on 8th September 2016. An application to renew under ref. LA04/2016/1915/F was refused on 12th December 2018. There has been no further planning history on 2-14 Little Donegall Street therefore it is not considered likely that residential units will be developed on this site in the near future (i.e. during the time period of the proposed use).</p>
9.20	<p>Environmental Health advised that as per their previous responses dated 16th August 2019, in relation to the earlier planning application LA04/2019/0878/F (and a response issued in 2017 for a previous planning application LA04/2017/2209/F), the submitted noise assessment had not contained all of the appropriate information required to determine potential impact, most notably a lack of representative background noise measurements at sensitive later times at night reflective of the time the proposed events would operate to.</p>
9.21	<p>Environmental Health also noted that their records showed no receipt of noise complaints, although it was acknowledged that due to Covid, no events were held for an extended period of time. As per para 9.10, events have taken place post Lockdown and no noise complaints have been received.</p>
9.22	<p>Environmental Health confirmed that the venue benefits from a 7 day annual entertainment licence which will expire on the 31st October 2022. Under the licence, condition 6 states 'The</p>

	<p><i>Licensee is required to submit an appropriate Noise Management Plan for each and every event, no later than one month in advance of the event'</i> and various other conditions are placed on the current entertainment licence with respect to noise management at the venue. This is outside the remit of planning legislation and is managed under the entertainment licencing legislation.</p>
9.23	In summary, Environmental Health have no objection to the proposal in principle, subject to informative.
9.24	<p><u>Impact on the Listed Building</u></p> <p>HED were consulted and considered the effects of the proposal on the adjacent listed building known as Frames Snooker Hall, 2-14 Little Donegall Street (Grade B1) (Ref. HB26/50/280). HED offered no objection to the minor alterations, advising that the proposal complies with policy BH11 of PPS 6 and paragraph 6.12 of the SPPS.</p>
9.25	<p><u>Parking Provision and Access</u></p> <p>The application site is in a sustainable location due to its city centre location, provision of cycle parking, access to public transport and convenient walking distance to other parts of the city centre. Consideration of the nature of the proposal as an events and music venue and a tourist attraction, it is acknowledged that visitors to the city and the proposal will most likely not have a vehicle requiring parking.</p>
9.26	DFI Roads were consulted and have no objection to the proposal subject to conditions.
9.27	<p><u>Proposed Temporary Permission Time Period</u></p> <p>The 18 month time period is considered appropriate in light of Environmental Health's response to ensure that any future nearby sensitive development would not be subject to late night noise disturbance and to ensure that potential development is not precluded as a result of the temporary event space.</p>
9.28	It is recommended that a maximum time period of 18 months temporary permission be granted to enable the planning of works for the future re-development of the site in accordance with previous approvals. Furthermore, the 18 month time period will enable the Council to consider the development in light of circumstances then prevailing.
10.0	Summary of Recommendation: Approval
10.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and a temporary period of 18 months planning permission is recommended. Delegated authority is sought for the final wording of conditions from the Director of Planning and Building Control.
11.0	Conditions
11.1	<p>The permission hereby granted shall be for a limited period of 18 months only and shall expire on (TBC).</p> <p>Reason: To enable The Council to consider the development in the light of circumstances then prevailing.</p>
11.2	The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved plan to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

<p>11.3</p> <p>11.4</p> <p>11.5</p> <p>11.6</p>	<p>Reason: To ensure that adequate provision has been made for access.</p> <p>A minimum of 12 No. cycle parking spaces and stands shall be provided and permanently retained within the development for use by staff and visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <p>The development hereby permitted shall operate in accordance with the approved Event Management Plan.</p> <p>Reason: in the interests of road safety and the convenience of road users.</p> <p>The development hereby permitted shall operate in accordance with the approved Travel Plan, including the Service Management Plan. The Site Operator will offer 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> <p><u>Informatives</u></p> <p>The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number.</p>
<p>Notification to Department (if relevant)</p> <p>N/A</p>	
<p>Representations from Elected members:</p> <p>None</p>	

ANNEX	
Date Valid	16th December 2021
Date First Advertised	11th February 2022
Date Last Advertised	11th February 2022
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1-21 ,Little Donegall Street,Belfast,Antrim,BT1 2JD</p> <p>The Owner/Occupier, 103-111 Charles House,Donegall Street,Belfast,Antrim,BT1 2FJ</p> <p>The Owner/Occupier, 103-111 Charles House,Donegall Street,Belfast,Antrim,BT1 2FJ</p> <p>The Owner/Occupier, 124-144 ,Royal Avenue,Belfast,Antrim,BT1 1DN</p> <p>The Owner/Occupier, 129 Royal Avenue,Belfast,Antrim,BT1 1DN</p> <p>The Owner/Occupier, 1st & 2nd Floor,103-111 Charles House,Donegall Street,Belfast,Antrim,BT1 2FJ</p> <p>The Owner/Occupier, 1stfloor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW</p> <p>The Owner/Occupier, 2-10 Metropol House,York Street,Belfast,Antrim,BT15 1AQ</p> <p>The Owner/Occupier, 23-29 ,Little Donegall Street,Belfast,Antrim,BT1 2GU</p> <p>The Owner/Occupier, 2nd Floor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW</p> <p>The Owner/Occupier, 31a ,Little Donegall Street,Belfast,Antrim,BT1 2JD</p> <p>The Owner/Occupier, 33 Little Donegall Street,Belfast,Antrim,BT1 2JD</p> <p>The Owner/Occupier, 76-78 ,Donegall Street,Belfast,Antrim,BT1 2GU</p> <p>The Owner/Occupier, 95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH</p> <p>The Owner/Occupier, 95-97 ,Donegall Street,Belfast,Antrim,BT1 2FJ</p> <p>The Owner/Occupier, 96 Donegall Street,Belfast,Antrim,BT1 2GW</p> <p>The Owner/Occupier, 96 Donegall Street,Belfast,Antrim,BT1 2GW</p> <p>The Owner/Occupier, 98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW</p> <p>The Owner/Occupier, Belfast Central Library,Kent Street,Belfast,Antrim,BT1 2JA</p> <p>The Owner/Occupier,</p>	

Central Library,Royal Avenue,Belfast,Antrim,BT1 1EA
 The Owner/Occupier,
 Donegall Street Congregational Church,Donegall Street,Belfast,Antrim,BT1 2FJ
 The Owner/Occupier,
 Donegall Street Congregational Church,Donegall Street,Belfast,Antrim,BT1 2FJ
 The Owner/Occupier,
 Donegall Street,Belfast,Antrim,
 The Owner/Occupier,
 Ground & 1st Floors,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH
 The Owner/Occupier,
 Ground Floor & Third Floor,103-111 Charles House,Donegall Street,Belfast,Antrim,BT1 2FJ
 The Owner/Occupier,
 Offices 1st And Part 2nd Floor,2-14 ,Little Donegall Street,Belfast,Antrim,BT1 2JD

Date of Last Neighbour Notification	22nd April 2022
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01, 02, 03, 04 and 05 all published on the planning portal on the 21 st January 2022.	