

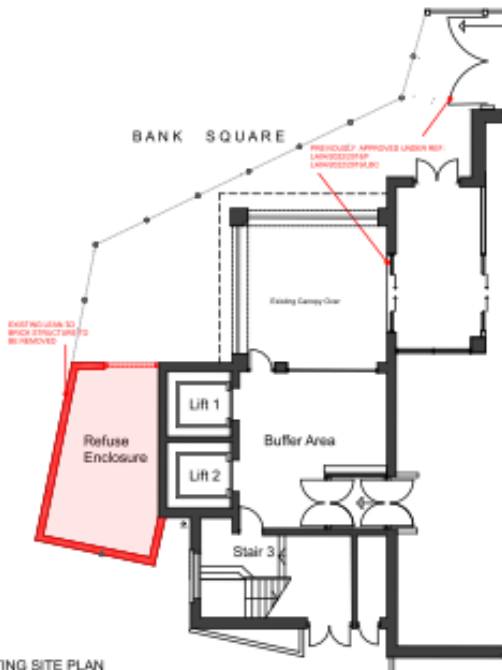
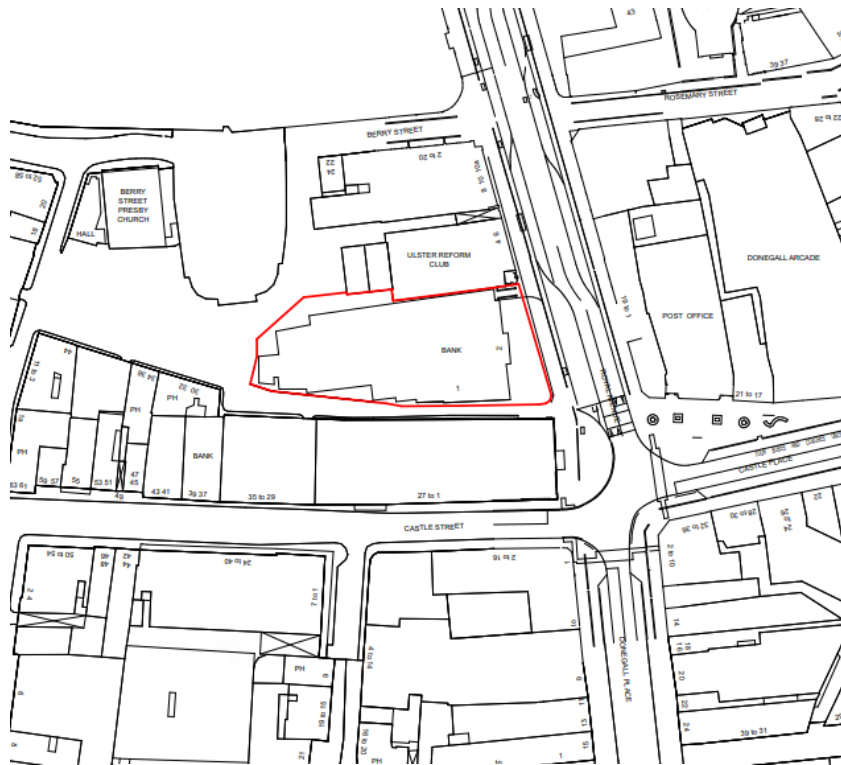
Committee Report

Development Management Report	
Application ID: LA04/2023/3787/LBC	Date of Committee: Tuesday 19 th September 2023
Proposal: Proposed demolition of lean-to external store	Location: 2 Royal Avenue Belfast BT1 1DA.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (c) of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Belfast City Council City Hall Belfast BT1 5GS	Agent Name and Address: 152 Albertbridge Road Belfast BT5 4GS
<p>Executive Summary: The application is for the proposed demolition of a lean-to external store at the rear of a listed building including provision of new raised planters, bench seating and a gas main enclosure. The building is a two-storey, high Victorian sandstone, B+ graded listed building (HB26/50/106). The building occupies a prominent position adjacent to the Primark building, facing onto Royal Avenue and has been extensively extended to the rear of the site facing onto Bank Street.</p> <p>Area Plan The site is located within the City Centre in BUAP and within the Retail Core, City Centre Conservation Area and Primary Retail Frontage within both versions of dBMAP. The application site is currently used as a community, recreational and cultural space to facilitate multi-disciplinary uses as approved on a temporary basis under the application LA04/2021/2580. A recent application for new structural openings, boundary treatments and minor internal renovations was approved under LA04/2022/2018/F. The surrounding area is commercial in nature with a mix of city centre uses, the building is surrounded by a number of listed buildings.</p> <p>The proposal is considered to comply with the SPPS, Policies BH1 and BH2 of the Belfast Local Development Plan Strategy 2035 and Section 91(2) of the Planning Act (Northern Ireland) 2011. The lean-to store is of a later fabric to the Listed Building and its removal will open up the rear of the building. The planters and bench seating will enhance the setting of the listed building as well as the conservation area.</p> <p>HED were consulted and are content subject to a condition requesting details of the landscaping works prior to installation.</p> <p>Internal BCC Conservation Advice was sought and no objection was raised to the proposal.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Due to a clerical error, the application was not advertised on 25th of August 2023 as scheduled. The application will now be advertised on 15th of September 2023. As the site is for community use and there are DfC funding deadlines, the application is being brought to Committee for</p>	

consideration ahead of the expiration of the advertisement and delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.

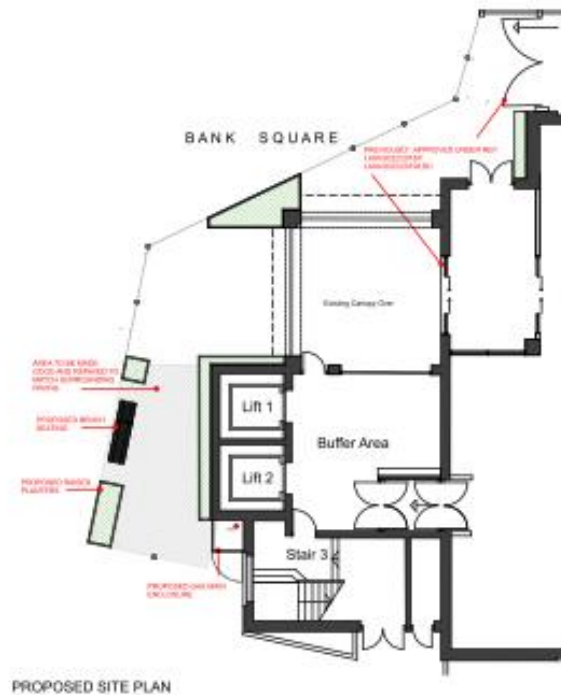
Case Officer Report

Site Location Plan and Existing Site Plan



EXISTING SITE PLAN
AS PREVIOUSLY APPROVED UNDER REF:
LA04/2022/2018/F, LA04/2022/2019/LBC

Proposed Site Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development
Proposed demolition of lean-to external store.

2.0 Description of Site
The site is located at 2 Royal Avenue. The building is a two-storey, high Victorian sandstone, B+ graded listed building (HB26/50/106). The building is in a prominent position facing onto Royal Avenue and has been extensively extended to the rear of the site facing onto Bank Street.

The application site is currently used as a community, recreational and cultural space to facilitate multi-disciplinary uses as approved on a temporary basis under application LA04/2021/2580. The surrounding area is commercial in nature with a mix of city centre uses, the building is surrounded by a number of listed buildings. The site is located within the City Centre in BUAP and within the Retail Core, City Centre Conservation Area and Primary Retail Frontage within both versions of dBMAP.

Planning Assessment of Policy and other Material Considerations

3.0 Site History
Application Number: LA04/2022/2018/F Decision: Permission Granted
Proposal: Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.
Decision Date: 08 March 2023

	<p>Application Number: LA04/2022/2019/LBC Decision: Consent Granted Proposal: Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations. Decision Date: 08 March 2023</p> <p>Application Number: LA04/2021/2580/F Decision: Permission Granted Proposal: Temporary (2 years) change of use of the ground floor at the former Tesco Metro store on Royal Avenue Belfast from use class A1 to a community, recreational and cultural space to facilitate multi-disciplinary uses under use classes D1 (community and cultural uses) and D2 (assembly and leisure). Decision Date: 04 January 2022</p>
4.0	Policy Framework
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035. Policies BH1 and BH2</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Belfast Local Development Plan, Plan Strategy 2035</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
5.0	<p>Statutory Consultees Responses HED were consulted and recommended a condition requesting details of the landscaping works prior to installation.</p>
6.0	<p>Non-Statutory Consultees Responses BCC Conservation and Heritage were consulted and had no objection to the proposal.</p>
7.0	<p>Publicity and Representations The application is due to be advertised on the 15th September 2023.</p> <p>No representations have been received thus far and delegated authority is sought to deal with any issues arising from any representations that may be received during the statutory advertisement period.</p>
8.0	<p>Other Material Considerations None</p>
8.1	<p>Any other supplementary guidance None</p>
9.0	Assessment
9.1	The proposal is considered to be in compliance with the Belfast Local Development Plan, Plan Strategy 2035.
9.2	Development Plan Context
9.2.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the

	determination must be made in accordance with the plan unless material considerations indicate otherwise.
9.2.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
9.2.3	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.
9.2.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
9.2.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
9.3	Key Issues
9.3.1	<p>Impact on Listed Building</p> <p>Section 91 (2) of the Planning Act (Northern Ireland) 2011 applies which states ‘the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’ Policy BH1 of the Plan Strategy provides policy for the extension or alteration of a listed building and four criteria to be met which are:</p> <p>f. The works preserve, restore and complement the building’s features of special architectural or historical importance to ensure the existing building remains intact and unimpaired;</p> <p>g. The design respects the essential character of the existing building and/or setting;</p> <p>h. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building and/or setting; and</p> <p>i. In the case of extensions, they shall be subservient to the existing building with regard to height, scale, massing, form and alignment;</p>
9.3.2	The proposal is deemed to comply with the SPPS and Policy BH1 of the Plan Strategy. The proposed works are to the rear lean-to of the building which was constructed during the 1990s. The essential character of the building will be retained. The proposal will open up the rear of the building by removing this lean to refuse area, this will improve the setting of the listed building. HED were consulted and considered the proposal shall not have any additional adverse impact on the listed building. HED recommended landscaping conditions (attached).

<p>9.3.3</p> <p>9.3.4</p> <p>9.5</p>	<p>Impact on Conservation Area</p> <p>Policy BH2 of the Plan Strategy states total or partial demolition of a building will only be permitted where:</p> <p>j. It makes either a negative or no material contribution to the character and appearance of the area; and</p> <p>k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.</p> <p>The proposal is deemed to comply with the SPPS and Policy BH2 of the Plan Strategy. The proposed works are to the rear lean to of the building which was constructed during the 1990s. The essential character of the building will be retained. The proposal will open up the rear of the building by removing this lean to refuse area, this will improve the setting of the listed building. HED were consulted and considered the proposal shall not have any additional adverse impact on the listed building. HED recommended landscaping conditions (attached).</p> <p>The lean-to is later fabric and makes a negative contribution to the character and appearance of the area. Its removal will enhance the setting of the existing building and the functionality of the square.</p>
<p>9.6</p> <p>9.7</p>	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise including representations which may occur during the statutory advertisement period.</p>
<p>10.0</p>	<p>Summary of Recommendation: Approval</p>
<p>11.0</p>	<p>Draft Conditions</p> <ol style="list-style-type: none"> 1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted. <ul style="list-style-type: none"> Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011. 2. Notwithstanding the submitted details, the following features shall not be installed, implemented, or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council. <ol style="list-style-type: none"> a. Bench seating – material & colour b. Raised planters –material & colour c. Gas main enclosure - material & colour <p>The landscaping works shall not be carried out unless in accordance with the details so approved.</p>

	<p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>Informatives</p> <p>1. This decision relates to the following approved drawing numbers: 01, 03</p>
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ANNEX	
Date Valid	22 nd August 2023
Date First Advertised	15 th September 2023
Date Last Advertised	
Date of Last Neighbour Notification	N/A
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01 1022-HBD-SL1 Site Location Map 03 1022-HBD_LBC01 Refuse Store Removal	