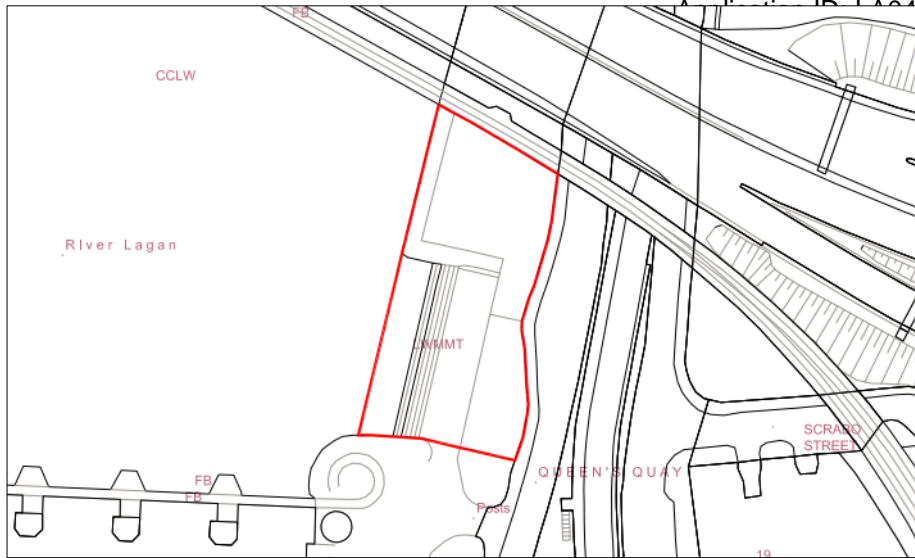


Development Management Officer Report Committee Application

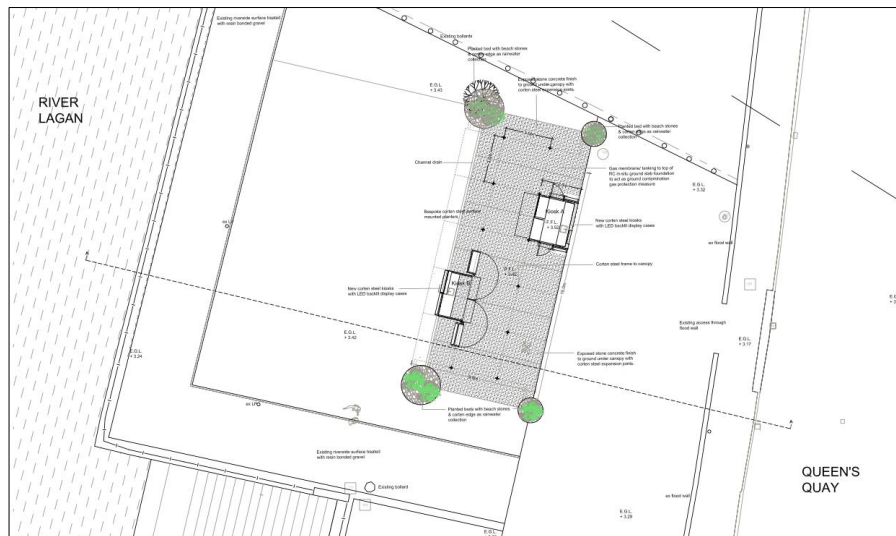
Summary	
Application ID: LA04/2024/0055/F	Committee Meeting Date: 16 th April 2024
Proposal: New mixed-use kiosks and associated canopy structure (5-year temporary permission).	Location: Existing open public space along river edge at Queens Quay
Referral Route: Belfast City Council is the applicant.	
Recommendation: Approval subject to conditions.	
Applicant Name and Address: Belfast City Council City Regeneration and Development 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Belfast City Council City Regeneration and Development 9-21 Adelaide Street Belfast BT2 8DJ
<p>Executive Summary: The application site is defined as 'existing open public space along river edge at Queens Quay', a 0.3 hectare site located east of Belfast City Centre. The application seeks full planning permission for two new mixed-use kiosks and associated canopy structure.</p> <p>The site comprises an area of open tarmac between the River Lagan and the Queen's Quay. The site is located within the development limits for Belfast. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay within draft BMAP 2015. It is located within the City Centre Boundary, Laganside North and Docks Character Area and City Fringe Area of Parking Restraint under draft BMAP. The site is zoned as white land within the BUAP 2001.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of Development • Design and Placemaking • Impact on Amenity • Health Impacts • Access and Transport • Climate Change • Environmental Protection • Landscape Impact • Flood Risk and Drainage • Impact on the Historic Environment <p>The application was neighbour notified and advertised in the local press. No third-party representations have been received. Environmental Health was consulted. They do not have any objections to the proposal subject to condition.</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, for a temporary five-year period.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Site Location Plan



2024/0055/F

Proposed Site Plan



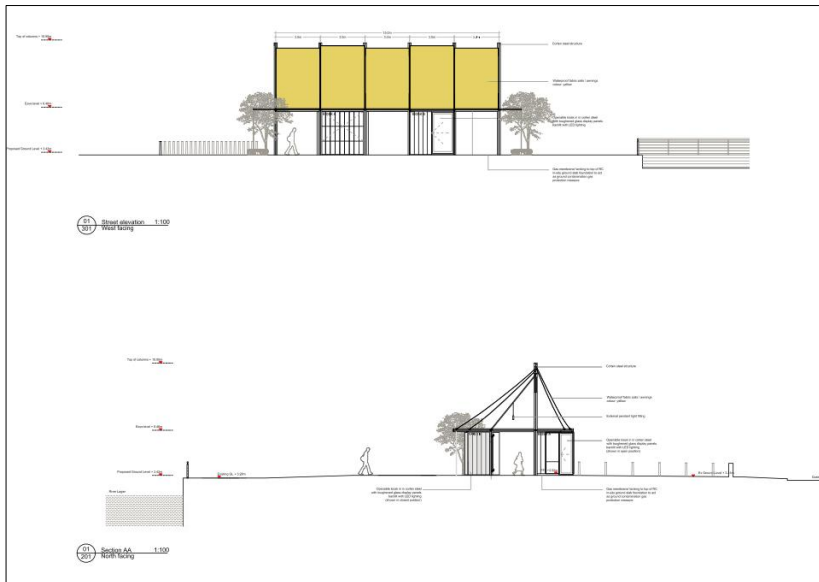
Proposed Roof Plan



Elevations



Section / Elevation



Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 The proposal seeks full planning permission for two new kiosks along the edge of the River Lagan at Queen’s Quay. The applicant intends that the structures will improve the pedestrian experience of this part of the river edge and city core streetscape, to help create a more people-centred public space in the city centre.
- 1.2 The proposed pair of kiosks are sought to be utilised for uses associated with the Maritime Mile such as coffee kiosk, information kiosk etc. The proposal seeks permission to install fully demountable and re-usable structures and associated works which require minimum construction and minimum ground disruption.

2.0	Description of Site and Area
2.1	The site comprises an existing open space between the River Lagan and the Queen's Quay.
2.2	The site is located within the development limits for Belfast. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay within draft BMAP 2015. It is located within the City Centre Boundary, Laganside North and Docks Character Area and City Fringe Area of Parking Restraint under draft BMAP. The site does not have any particular zoning within the BUAP 2001.
2.3	The site is bounded by black bollards to the north and east, the River Lagan runs along the western boundary and to the south is a black fence. The site is generally flat and there is no surrounding trees or vegetation. Approximately 80 metres southeast from the site is Quay Gate apartments and approximately 260 metres north is the SSE Arena. Within the application site, there are two Industrial Heritage Records IHR 10030:030:00 and IHR 10030:031:00 of archaeological importance.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	LA04/2023/2773/F - The erection of 6 No sculptural metal beacons, bicycle stands, wayfinding signage and localised areas of feature paving, pathway extension and resurfacing at the Maritime Mile, Belfast. Status: Approved. Decision Date: 19 October 2023.
4.0	Planning Policy
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035 Policy SP2 – Sustainable development. Policy SP3 – Improving health and wellbeing. Policy SP5 – Positive placemaking. Policy DES1 – Principles of urban design. Policy BH5 – Archaeology. Policy HC1 – Promoting healthy communities. Policy TRAN1 – Active travel – walking and cycling. Policy TRAN6 – Access to public roads. Policy TRAN8 – Car parking and servicing arrangements. Policy ENV1 – Environmental quality. Policy ENV2 – Mitigating environmental change. Policy ENV3 – Adapting to environmental change. Policy ENV4 – Flood Risk. Policy LC1 – Landscape.
4.2	<u>Supplementary Planning Guidance</u> Placemaking and Urban Design
4.3	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) (dBMAP v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) (dBMAP v2014)
4.4	Regional Planning Policy Regional Development Strategy 2035 (RDS)

4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS) Other Material Considerations Belfast Agenda (Community Plan) Creating Places (2000)
5.0	Statutory Consultees Responses
	No statutory consultation required.
6.0	Non-Statutory Consultees Responses
	Belfast City Council Environmental Health – No objection subject to conditions.
7.0	Representations
	The application has been neighbour notified and advertised in the local newspaper. No representations have been received.
8.0	Assessment
	Development Plan Context
8.1	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.
8.2	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.
8.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
8.4	<i>Operational Policies</i> The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in section 4.0 of the report.
8.5	<i>Proposals Maps</i> 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 most recent

	version of dBMAP 2015 (v2014) given its advanced stage in the adoption process, save for retail policies relating to Sprucefield which remain contentious.
8.6	The Belfast Urban Area Plan 2001 (BUAP) shows the site as white un-zoned land.
8.7	In the draft Belfast Metropolitan Area Plan (BMAP) 2004 version the site is located within the development limits for Belfast, the City Centre boundary, the Laganside North and Docks Character Area and the City Fringe Area of Parking Restraint. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay.
8.8	In the draft Belfast Metropolitan Area Plan (BMAP) 2014 version (previously adopted and subsequently quashed): the site is located within the development limits for Belfast, the City Centre boundary, the Laganside North and Docks Character Area and the City Fringe Area of Parking Restraint. The site is within zoning CC 085 development opportunity site: 1.03 hectares at Sydenham Road / Queen's Quay.
8.9	<p><u>Key Issues</u></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of Development • Design and Placemaking • Impact on Amenity • Health Impacts • Access and Transport • Climate Change • Environmental Protection • Landscape Impact • Flood Risk and Drainage • Impact on the Historic Environment
8.10	<p><u>Principle of Development</u></p> <p>The proposal seeks to construct two kiosks with an associated canopy structure along the existing open public space along the edge of the River Lagan at Queen's Quay. The applicant intends that the structures will improve the pedestrian experience of this part of the river edge and city core streetscape, to help create a more people-centred public space in the city centre.</p>
8.11	<p>The proposed pair of kiosks are sought to be utilised as utilised for uses associated with the Maritime Mile such as coffee kiosk, information kiosk etc. The proposal seeks permission to install fully demountable and re-usable structures and associated works which require minimum construction and minimum ground disruption. There would be no change to existing vehicular access or parking. As the structures are temporary and moveable it is considered a 5 year temporary permission would be appropriate especially given that the site is within a development opportunity site.</p>
8.12	<p><u>Design and Placemaking</u></p> <p>The proposal has been assessed against Policies SP5 and DES1 of the Plan Strategy, and the SPPS. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of development responding positively to local context addressing matters such as scale height, massing, proportions and materials.</p>
8.13	<p>The proposal is for two separate kiosks with an associated canopy laid out within the existing open public space along the edge of the River Lagan at Queen's Quay. The ground under the proposed kiosks will have an exposed stone concrete finish with Corten steel expansion joints. The two kiosks utilise the same materials, design and are the same scale. Each kiosk is 3.05m in height, 11.1m together measure approximately 15.0m in width. The canopy will cover both kiosks and will measure around 15m in total width. The scale and massing of the proposal is</p>

8.14	<p>deemed sympathetic to the location and immediate surrounding area. The kiosks utilise a flat roof membrane, the structure will be made up Corten steel with toughened glass display panels. The kiosks will also be made of Corten steel, and the sails / awnings will be a waterproof fabric in the colour yellow. At each corner of the structure, the kiosks will be complemented with planted beds for rainwater collection.</p> <p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list eleven criteria, a. to k, these have been assessed below,</p> <ul style="list-style-type: none"> • <i>Responding positively to local context and character through architecture and urban form that addresses matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape, materials and any impact on built and natural heritage;</i> <p>It is considered that the proposal responds positively to the local context. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>Positively reinforcing a sense of place by demonstrating that locally distinctive features have been identified, incorporated and enhanced where appropriate;</i> <p>There are no distinctive features within the site that are required to be incorporated and integrated in the overall design and layout. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>Providing adequate levels of enclosure and continuity to promote clear and understandable urban form which users can orientate themselves around and move through easily;</i> <p>It is considered that the design and layout of the kiosks have a clear and understandable urban form. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>Creating adaptable and well-connected public realm that supports welcoming pedestrian environments;</i> <p>The proposal does not interrupt the public walkway which provides linkages between the city centre and Titanic Quarter. The proposal overall creates an attractive scheme to an existing open public space, supporting welcoming pedestrian environments. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> • <i>Fostering inclusive design that promotes accessibility, supports safe communities and the natural surveillance of public spaces to reduce the opportunity for crime and anti-social behaviour;</i> <p>The proposal is of high-quality design which promotes the natural surveillance of the surrounding public space.</p> <ul style="list-style-type: none"> • <i>Promoting a diversity of land uses that provide active frontages and ensure vibrancy throughout the day</i> <p>This criteria is not applicable as the site is a public realm scheme.</p> <ul style="list-style-type: none"> • <i>Promoting the efficient use of land by the development of densities appropriate to site context;</i>
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	<p>The proposal is for an open space public scheme therefore does not promote higher densities. The development is considered appropriate to the site context.</p> <ul style="list-style-type: none"> <i>Promoting healthy environments and sustainable development that support and encourage walking, cycling and access to public transport that maximises connections to the city's network of green and blue infrastructure;</i> <p>The proposal is accessible by public transport links and the site is within a short distance from a pedestrian and cycling route (Designated Cycling Route) between the city centre and Titanic Quarter which promotes healthy environments and sustainable development.</p> <ul style="list-style-type: none"> <i>Maximising energy efficiencies in buildings through the integration of passive design and renewable energy solutions in their layout, orientation, siting and design, provided the technology is appropriate to the location in terms of any visual, amenity or other environmental impact it may have;</i> <p>The interior of the kiosk is unheated, will not require air conditioning and will have relatively low lighting requirements. As such the development will have low energy demands. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> <i>Ensuring no undue effect on the amenity of neighbouring properties or public spaces by minimising the impact of overshadowing and loss of daylight; and</i> <p>There is no undue impact on the amenity of existing or future properties. This criterion is considered to be satisfied.</p> <ul style="list-style-type: none"> <i>Ensuring that on-site vehicle parking provision and movement, where required, and any external bin storage areas do not have a negative impact at street level which would result in the creation of dead frontage or unnecessary clutter.</i> <p>There is no on-site vehicle parking provision nor external bin storage areas existing or proposed therefore the development will not have a greater impact at street level than the existing site.</p>
8.15	<p>In conclusion, the design and layout of the proposal is considered appropriate. It is considered that the proposal is acceptable having regard to Policies DES1 and relevant provisions of the SPPS.</p>
8.16	<p><u>Impact on Amenity</u> The application has been advertised in local press and relevant neighbours have been notified of the proposed works. There have been no comments received.</p>
8.17	<p>There is deemed to be no negative amenity aspects associated with this proposal. The site is largely unused and the apartments adjacent to the site at Quay Gate offer limited views toward the application site.</p>
8.18	<p>In respect of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations Belfast City Council Environmental Health Services have been consulted regarding this proposal and have been assessed under (8.28-8.32) Environmental Protection. Environmental Health Services offer no objection with the proposal subject to conditions to mitigate any potential adverse amenity issues.</p> <p>The public walkway is sufficiently removed from the proposed siting of the kiosks, therefore there will be no detrimental impact to its use by the public including pedestrians and cyclists.</p>

8.19	There is also no associated negative visual impact deemed to arise from this proposal.
8.20	<u>Health Impacts</u>
8.21	Policy SP3 states that the Council will support development that maximises opportunities to improve health and wellbeing. Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
8.22	The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within a short distance from a pedestrian and cycling route (Designated Cycling Route) between the city centre and Titanic Quarter. The design of the scheme considered to be good, which would contribute to the wellbeing of residents.
8.23	The proposal is considered to satisfy the requirements of Policies SP3 and HC1.
8.24	<u>Access and Transport</u>
	The existing public walkway for pedestrians and cyclists is not being interrupted as a result of the proposed development. The application site is within the City Fringe Area of Parking Restraint and no parking currently exists on site and none is proposed. Therefore, DfI Roads were not consulted. The Climate Change Statement submitted details that the kiosk is designed to encourage active travel along the Designated Cycling Route adjacent to the site and reduce car dependency. The proposal is considered acceptable, having regard to Policies TRAN1, TRAN6 and TRAN8.
8.25	<u>Climate Change</u>
	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.
8.26	The applicant has provided a Climate Change Statement which sets out the environmental sustainability approach for the kiosks and canopy structure including the incorporation of sustainable design features. These sustainable design features include rainwater attenuation; reuse and reducing construction waste with key approaches of design for demountability, material selection, standardisation of design and components, storage; and a wider sustainability strategy of active travel and energy use. There is no demolition proposed and so this aspect of Policy ENV2 does not apply.
8.27	The proposal is considered compliant with Policies ENV2 and ENV3.
	<u>Environmental Protection</u>
8.28	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.
	<i>Contaminated Land</i>

8.29 8.30 8.31 8.32 8.33 8.34 8.35	<p>Belfast City Council Environmental Health has advised that there is to be a gas membrane and/or tanking installed on top of the reinforced cast in situ ground slab to act as ground gas and contamination protection. A condition has been attached to their response in relation to the gas membrane shown in the Proposed Site Plan.</p> <p><i>Air Quality</i> EH has not raised any concerns with regards to air quality and in this regard the proposal is considered compliant with Policy ENV1.</p> <p><i>Noise</i> EH has not raised any concerns with regards to noise and the proposal is considered compliant with Policy ENV1.</p> <p><i>Light Pollution</i> EH has not raised any concerns with regards to light pollution and the proposal is considered compliant with Policy ENV1.</p> <p><u>Landscape Impact</u> Policy LC1 states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. The proposal is considered to comply with criteria a. to h. of Policy LC1 as the proposal responds appropriately to the key built, archaeological and natural heritage considerations within the wider site.</p> <p><u>Flood Risk and Drainage</u> The site is located within the floodplain but the Climate Change statement details that the proposal includes planting along the street, with rainwater collection and attenuation via a series of surface mounted pre-fabricated planters. This is designed to minimise load on local storm drainage, increasing lag time before discharge and reducing the amount of total discharge via evapotranspiration and natural irrigation of the planting scheme. Overall helping to reduce flood risks. The proposal is considered compliant with Policy ENV4 and relevant provisions of the SPPS.</p> <p><u>Impact on the Historic Environment</u> The SPPS and Policy BH5 apply, Policy BH5 pertains to considerations regarding archaeology. The site contains two Industrial Heritage Records IHR 10030:030:00 and IHR 10030:031:00. As the proposal is minor in nature it is considered that these Industrial Heritage Records will not be detrimentally impacted as a result of the proposal.</p>
9.0	<p>Conclusion and Recommendation:</p> <p>Having regard to the Development Plan and relevant material considerations, it is considered that the proposal is acceptable on a temporary basis. It is recommended that planning permission for 5 years is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that arise, provided that they are not substantive.</p>

10.0	<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none">1. The permission hereby granted shall be for a limited period of 5 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission. Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained permanently.2. All external facing materials shall be carried out as specified on the approved plans. Reason: In the interests of the character and appearance of the area.3. The gas membrane as shown in drawing from MMAS + OGU Architects, titled Proposed Site Plan, referenced DWG NO. MM2010-P-101 and dated 22.12.23, should be installed to the manufacturer's instructions by a competent installer, and any penetrations to the membrane in the footprint of the kiosk should be minimised and appropriately resealed. The hereby approved kiosks must be located as such that any fixings into the reinforced concrete plinth do not penetrate the gas membrane and/or compromise its functionality. Reason: Protection of Human Health <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none">1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.2. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.
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