

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 27 th June 2024	
Application ID: LA04/2024/0190/F and LA04/2024/0203/LBC	
<p>Proposal:</p> <p>LA04/2024/0190/F: Renewal of planning permission ref: LA04/2018/1991/F for the demolition of existing non listed buildings and redevelopment of site with 6-8 storey buildings 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.</p> <p>LA04/2024/0203/LBC: 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.</p>	<p>Location:</p> <p>Former Belfast Telegraph complex at 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN</p>
Referral Route: The Council has an estate in the land, is joint applicant and the application is for Major development.	
Recommendation:	Approval with conditions
<p>Applicant Name and Address: BeITel LLP c/o McAleer & Rushe 17-19 Dungannon Road Cookstown BT80 8LT</p>	<p>Agent Name and Address: Donna Lyle Turley Hamilton House 3 Joy Street Belfast BT2 8LE</p>
<p>Executive Summary:</p> <p>Planning permission was granted on 19th February 2019 (LA04/2018/1991/F) for demolition of non-listed buildings, refurbishment and retention of the listed Seaver building and the erection of a 6-8 storey mixed-use 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 bounding Royal Avenue, Little Donegall Street and Donegall Street. A copy of the Committee report to the original application is appended.</p>	

The current application is seeking the renewal of planning permission LA04/2018/1991/F and is accompanied by a new Listed Building Consent (LA04/2024/0203/LBC) as there is no legislative vehicle to renew Listed Building Consents.

When considering renewal applications, it is important that any material changes in circumstance that have occurred in the intervening period are fully considered. As such, the application has been accompanied where relevant by updated and additional documentation to reflect the new policies in the Belfast LDP Plan Strategy.

The site is located within the development limits of Belfast. The site is un-zoned "white land" within the BUAP 2001 and draft BMAP 2015. It also falls within the City Centre, the Scotch/Cathedral character area and the City Centre area of parking constraint in draft BMAP 2015. Part of the site comprises a Grade B2 Listed building within the same block.

The main issues to be considered are:

- Principle of the proposed uses
- Demolition of buildings
- Impact on the architectural and historic qualities of the Listed Building
- Impact on the character and appearance of the area
- Impact on traffic and travel
- Impact on residential amenity
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Climate Change
- Health Impacts
- Public Realm
- Landscaping
- Employability and Skills
- Pre-Community Consultation

DfI Roads, Environmental Health, Historic Environment Division, NI Water, NIEA Regulation Unit, Shared Environmental Services and DFI Rivers have no objections and their responses are detailed in the main body of the report. DAERA NIEA (NED) has been reconsulted with updated bat surveys. Whilst this remains outstanding, it is anticipated that they will return a response with no objections and delegated authority is sought to deal with any issues that arise from its consultation response, provided that they are not substantive.

No objections have been received from third parties.

Having regard to the development plan, and other material considerations, the proposal is considered acceptable. It is recommended that full planning permission and Listed Building Consent are granted subject to conditions.

Delegated authority is requested for the Director of Planning and Building Control to deal with any other matters that arise, including the further consultation from DAERA NIEA (NED), provided that they are not substantive.

Case Officer Report

Site location plan:



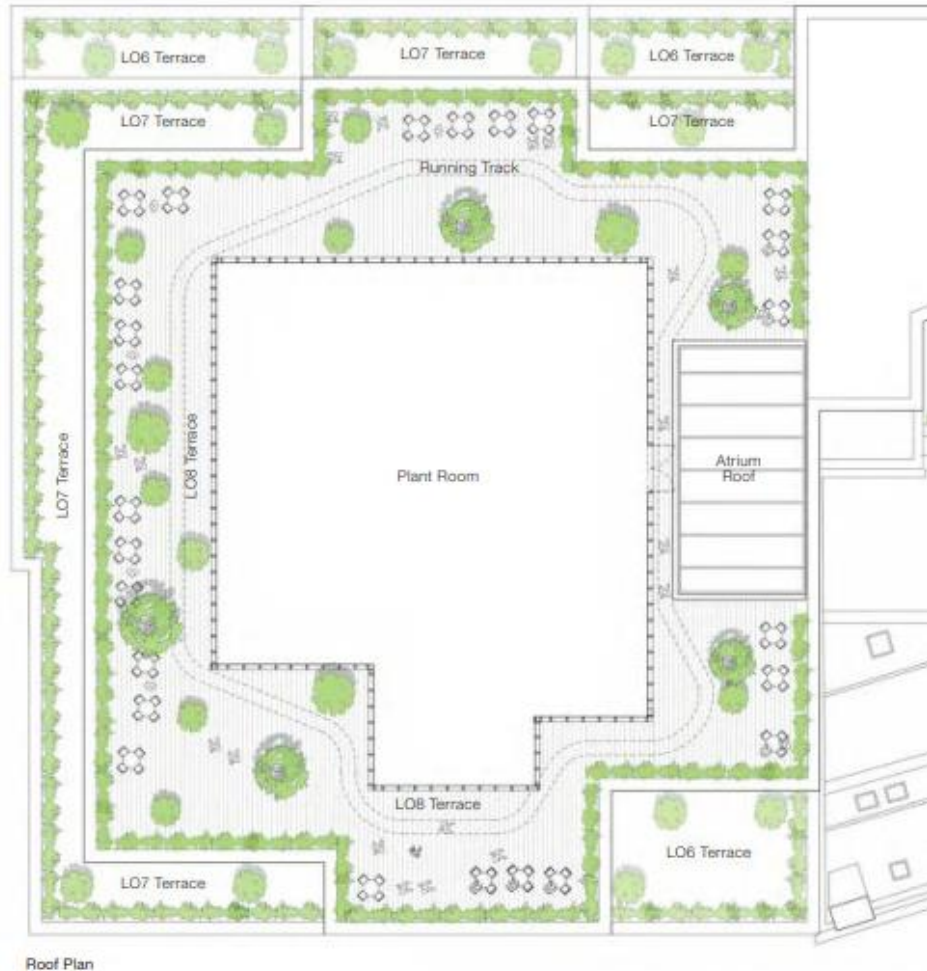
CGIs:







Roofscape and landscaping:



Roof Plan

Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 This report relates to renewal of the previous planning application and a new application for Listed Building Consent.
- 1.2 The renewal application seeks to renew planning permission LA04/2018/1991/F for demolition of existing non-listed buildings and redevelopment of the site to accommodate a 6-8 storey 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. The proposal includes 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.
- 1.3 The application for Listed Building Consent seeks 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.

2.0 Description of Site and Area

2.1

2.2	<p>The site is bounded by Royal Avenue, Donegall Street and Little Donegall Street and is adjacent to the Cathedral Conservation Area and proximate to the City Centre Conservation Area. The site comprises the Grade B2 Listed Seaver Building with its associated extensions as well as the more modern building on the corner of Royal Avenue and Donegall Street. The existing buildings vary from three to six storeys.</p> <p>The area is characterised by commercial, non-residential uses such as retail, office and the University of Ulster buildings. There are two notable Listed Buildings in the vicinity: the Frames Building and Central Library. There are a number of planning approvals in the vicinity including the University of Ulster Building and the Frames Building redevelopment.</p>
PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS	
3.0	<p>Recent/Relevant Planning History</p> <p>3.1 LA04/2024/0054/F - Former Print Hall, Ground Floor, 124-144 Royal Avenue - Change of use to conference centre facility with associated use as events/entertainment space – Permission Granted, 12.04.2024.</p> <p>3.2 LA04/2022/0155/F - Ground floor print hall, 122-144 Royal Avenue - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 18 months – Permission Granted, 30.08.2022</p> <p>3.3 LA04/2021/2825/A - Former Belfast Telegraph Printworks, 124-132 Royal Avenue - Retention of mesh banner signage (19.1m by 9.84m) for a temporary period of 24months. Permission Refused, 15.04.2022.</p> <p>3.4 LA04/2021/1586/A - Former Belfast Telegraph Printworks, 124-132 Royal Avenue - Proposed mesh banner signage (19.1m x 9.84m) for a temporary basis of 24months – Permission Refused, 10.11.2021.</p> <p>3.5 LA04/2020/0662/A - Former Belfast Telegraph Printworks, 124-132 Royal Avenue - Mesh banner signage (19.1m X 9.84m) (temporary for 1 year) – Permission Granted, 27.08.2020.</p> <p>3.6 LA04/2019/0878/F - Ground floor print hall, 122-144 Royal Avenue - Extension of time for temporary change of use of and alterations of former printing hall to event space for a period of 3 years - Permission Granted, 30.10.2019.</p> <p>3.7 LA04/2018/1991/F - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street - 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 facade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade [amended scheme] - Permission Granted, 22.02.2019</p> <p>3.8 LA04/2018/1968/LBC - Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street - Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, facade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade - Permission Granted, 22.02.2019.</p>
4.0	Policy Framework

4.1	Development Plan – operational policies
4.2	<p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity</p> <p>Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH5 – Archaeology</p> <p>Policy EC1 – Delivering inclusive economic growth Policy EC6 – Office development Policy RET1 – Establishing a centre hierarchy</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy TRAN9 – Parking standards within areas of parking restraint</p> <p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p>
4.3	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p>
4.4	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>

4.5	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.6	<p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
5.0	Consultations
5.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – no objection subject to conditions.</p> <p>DfC HED – no objection subject to conditions.</p> <p>DfI Rivers – no objection, the proposal is not within a flood plain.</p> <p>DAERA: Regulation Unit – no objection subject to conditions.</p> <p>DAERA NIEA: Natural Environment Division – outstanding at this time.</p> <p>NI Water – no objection subject to condition.</p>
5.2	<p><u>Non-Statutory Consultees</u></p> <p>Environmental Health – no objection subject to conditions.</p> <p>BCC Economic Development Unit – advises that a Construction Employability and Skills Plan are not required as the social value work is underpinned by the Council's programmes.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions.</p> <p>LDP Environment Division – no objection subject to condition.</p>
6.0	<u>Representations</u>
6.1	The applications have been advertised and neighbour notified. No third-party representations have been received.
7.0	<u>ASSESSMENT</u>
	Development Plan Context
7.1	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.
7.2	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.

7.3	<p>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 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
	<p><u>Operational Polices</u></p>
	<p>Relevant operational policies in the Plan Strategy are listed at paragraph 4.2.</p>
7.4	<p><u>Proposals Maps</u></p>
7.5	<p>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.</p>
7.6	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit and the City Centre.</p>
7.7	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the Development Limit and the City Centre. The site is located to the west of the Cathedral Conservation Area and is within the Scotch/Cathedral Character Area where development proposals shall take account of the height of adjoining buildings with heights of 3-5 storeys. It is also within the Belfast City Core Area of Parking Restraint.</p>
7.8	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the Development Limit and the City Centre. The site is located to the west of the Cathedral Conservation Area and is within the Scotch/Cathedral Character Area where development proposals shall take account of the height of adjoining buildings with heights of 3-5 storeys. It is also within the Belfast City Core Area of Parking Restraint.</p>
7.9	<p>According to the Department’s <i>Development Management Practice Note 4: Types of application</i>, as a general rule, applications to renew planning permission should be considered and only refused where:</p> <ul style="list-style-type: none"> a) there has been some material change in planning circumstances since the original permission was granted. In this case, the main change in circumstance is the adoption of the Belfast LDP Plan Strategy 2035 and application of its new policies. These are considered in detail in the main assessment; b) Continued failure to begin the development will contribute unacceptably to uncertainty about the future development in the area. In this case, the site is not of significant strategic importance and this is not considered to apply. c) The application is premature and still has reasonable time to run. This does not apply in this case with the application submitted just before expiry. <p>The main issues relevant to consideration of the application are.</p>

7.10	<ul style="list-style-type: none"> • Principle of the proposed uses • Demolition of buildings • Impact on the architectural and historic qualities of the Listed Building • Impact on the character and appearance of the area • Impact on traffic and travel • Impact on residential amenity • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Climate Change • Health Impacts • Public Realm • Landscaping • Employability and Skills • Pre-Community Consultation <p><u>Principle of the proposed uses</u></p> <p>The site is within the urban development limit in the BUAP 2001 and development limit in both versions of dBMAP 2015. It is within the City Centre in both versions of dBMAP 2015.</p>
7.11	<p><i>Office use:</i></p> <p>Policy EC6 states that planning permission will be granted for new office development within the City Centre. Policy EC1 supports business sectors with strong growth potential in Belfast including ICT. The proposal is consistent with these policies.</p>
7.12	<p>Office uses above ground floor are appropriate to the area and given the recent residential approvals nearby and the University development, the proposal would add a large office/daytime working element to the local land-use context that would support the vitality and viability of the City Centre.</p>
7.13	<p>This is a sustainable location for office development with excellent access to public transport, shops and services, providing opportunity to reduce the need to travel by the private car.</p>
7.14	<p><i>Retail/bar/restaurant uses:</i></p> <p>In terms of the proposed ground floor retail, bar/restaurant units, Policy RET1 directs such town centre uses to the City Centre first. The site is located within the City Centre where retail, food and drink are acceptable in principle. The proposed ground floor restaurant and bar units on to Royal Avenue, Donegall Street and Little Donegall Street would help activate the building at ground floor add to the vibrancy of the scheme and would enable local residents and workers to use the building after office hours.</p>
7.15	<p><i>Economic development:</i></p> <p>The proposed building is intended to deliver 21,600 sqm of Grade A office space in a single phase. The construction cost is estimated to be approximately £67m delivering around 400</p>

7.16	<p>construction jobs. The completed development would support an anticipated 1,800 jobs. It would increase footfall and spend in the City Centre. In these regards, the proposal would have a very positive economic impact.</p>
	<p>Having regard to the above factors, the proposed uses are welcomed in principle. The proposal accords with Policies EC1, EC6 and RET6 of the Plan Strategy, and relevant provisions of the SPPS.</p>
	<p><u>Demolition of buildings (excluding the Listed Seaver Building)</u></p>
7.17	<p>Demolition of the non-original extensions to the listed building as well as the modern building on the corner of Royal Avenue and Donegall Street remains acceptable as they make no material contribution to the character and appearance of the area. The Listed Seaver Building is the key asset on the site. However, demolition will only be acceptable on the proviso that the replacement scheme is appropriate to the site and sensitive to the setting of the Listed Building.</p>
7.18	<p>The replacement development is considered appropriate for the reasons set out in this report. DfC Historic Environment Division (HED) offers no objection to the proposal. The proposal is considered compliant with Policy BH1.</p>
7.19	<p><u>Impact on the architectural and historic qualities of the Listed Seaver Building and its setting</u></p>
7.19	<p>Policy BH1 details the criteria to be met when extending or altering a listed building, and when considering proposals that affect the setting of a Listed Building. The proposed building originally evolved through many design iterations and is considered to remain acceptable in terms of its impact on the Listed Building.</p>
7.20	<p>The concept of the scheme is for an integrated redevelopment whereby the Listed Seaver Building would be bolstered on both sides by new-build offices and the back of the listed building would be an integral feature of the proposed arcade.</p>
7.21	<p>The proposed use of restaurant/bar use on the ground floor and offices above are considered appropriate for the listed building and would bring the currently disused building back into use.</p>
7.22	<p>The proposal features three dormers on the Listed Building along Royal Avenue and four along Library Street with a single dormer on the chamfered corner which reflects the original number and pattern of dormers on the building. The materials are proposed to be bronze coloured PCC metal framed windows with PPS glazed caps. The proposed dormer windows are considered sympathetic and contextual appropriate to the Listed Building.</p>
7.23	<p>Materials on the adjoining new build portions of the development were negotiated to ensure they were high quality, appropriate and respectful to the listed building. Final details of the materials would be secured via condition to ensure samples can be examined on site.</p>
7.24	<p>Internally, the rear wall of the Listed Seaver Building which abuts the new atrium was redesigned to incorporate the historic mullions design feature. The proposed internal alterations are considered acceptable.</p>
7.25	<p>Policy BH1 also deals with development affecting the setting of a listed building and provides criteria against which proposals can be assessed. It is considered that the proposed new build elements, by reason of their scale, height, form and design, would respect the setting of the adjacent Listed Building and other Listed Buildings in the locality.</p>

7.26	<p>DfC HED offers no objection to the proposal, both in respect of the proposed works to the Listed Building and the impact of the new building elements on its setting. It advises conditions to ensure retention/protection of cast iron structures and piers and also that all detailing/alterations/interventions are agreed in advance by the Council in consultation with HED. In addition, method statements are required.</p>
7.27	<p>It is considered that the proposal would respect the architectural and historic qualities of the Listed Building and its setting, and is compliant with Policy BH1 and relevant provisions of the SPPS.</p> <p><u>Impact on the character and appearance of the area</u></p>
7.28	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1 and DES2 of the Plan Strategy. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development, including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.</p>
7.29	<p>The proposed height and massing have taken their lead from key neighbouring and listed buildings such as the existing extension on Little Donegall Street, the Seaver Building, Frames Building, the Central Library and the new University building. The design and layout of the new-build elements are crucial in creating an architecturally interesting scheme whilst enhancing the primacy of the listed building in its immediate context. It is considered that the outcome has created a dynamic layout and elevational treatment which has the opportunity to become a city-centre exemplar.</p> <p><u>Royal Avenue</u></p>
7.30	<p>The Royal Avenue elevation is a key elevation onto the main thoroughfare to the adjacent Conservation Area, and the source of primary visibility of the listed building. In addition, it is this elevation that most noticeably must achieve coherence between its modern new-build and existing listed elements and contains the longest views.</p>
7.31	<p>The proposed Royal Avenue elevation is considered to respect the scale and setting of the listed building while reflecting two distinctive plot widths: a lower (23m high / 12m wide / 2 bay) six storey section and a taller (31m high / 17m wide / 3 bay) eight storey section, which marks and turns the corner of Royal Avenue and Donegall Street. The total of five bays contained in both sections of the new façade is also a nod historically towards the five bay arrangement contained within the former Victorian building that once stood on this site.</p>
7.32	<p>HED states under their original response that the <i>'revised views supplied show the changed massing has mitigated the size of the new build beside the listed building'</i> as well as the impacts on the Central Library and Frames Building.</p> <p><u>Little Donegal Street/Library Street</u></p>
	<p>The Library Street/Little Donegall Street elevation also contains a meeting of old and new with the listed building abutting the new build element. Immediately adjacent to the listed</p>

7.33	<p>building on this frontage is the entrance to the arcade. The use of red brick spandrels along Library Street/Little Donegall Street is considered an appropriate alternative design intervention in lieu of a cornice detail along this elevation.</p>
7.34	<p>The existing, modern structures on the site are of considerable height and massing. Given the existing buildings on the site as well as the nearby University of Ulster buildings, the proposed height and massing are considered comparable and appropriate in the context.</p>
	<p><u>Donegall Street</u></p>
7.35	<p>The Donegall Street elevation is the only one of the three elevations which does not have an immediate context to the listed building. The design comprises of four distinct elements of varying heights but uniform horizontal cues and fenestration treatments. The bay widths are 4, 4, 6 and 6. The second element contains the corresponding arcade entrance to that of the Little Donegall Street entrance.</p>
7.36	<p>While the proposed shoulder heights along Donegall Avenue represent a marginal increase on existing, particularly at the junction with Royal Avenue, it is considered that the resultant elevation is a marked improvement over the existing arrangement and more reflective of historic plot widths in this area.</p>
7.37	<p>The increase in height at this busy junction is considered justified from an urban design viewpoint, given that historically streetscapes increased in height at corners with buildings forming corner marker statements. The proposed height is below that of the new University building on the opposite corner of Donegall Street and would provide a good quality backdrop building to Cathedral Gardens diagonally opposite.</p>
7.38	<p>The northern edge is fully setback from the front elevation of the building by around 16m (with some relocated to the basement area), which will assist in mitigating the visual impact at this level particularly in relation to public views from Cathedral Gardens diagonally opposite. A running track is also proposed around the full extent of the plant enclosure (circuit of around 130m), which is a welcomed.</p>
	<p><u>Impact on the setting of the adjacent Conservation Area</u></p>
7.39	<p>For the reasons stated, the design, scale and massing of the proposed building is considered appropriate. It is considered that the character and appearance of the adjacent Conservation Area would be preserved.</p>
7.40	<p>In summary, the proposal is considered to accord with Policies DES1, DES2, and BH2, and relevant provisions of the SPPS.</p>
	<p><u>Impact on traffic and travel:</u></p>
7.41	<p>A detailed Transport Statement was originally submitted which outlines the various transport options for end-users including rail and bus links, Belfast Bike hubs, nearby on-street car parking and pedestrian routes. A total of 28 no parking spaces and 128 no cycle parking spaces are proposed in the basement of the proposal. This level of parking is more than suffice given the central and sustainable location of the site which has good public transport links and access to existing city centre car parks. An acceptable travel plan has been provided to promote alternatives to car use.</p> <p>DFI Roads were consulted and have no objections, advising conditions.</p>
7.42	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.</p>

7.43	<p><u>Impact on residential amenity</u></p> <p>There would be no harmful overlooking, loss of outlook, daylight or sunlight to nearby properties. In these regards, the proposal is considered to satisfy Policies DES1 and DES2.</p>
7.44	<p><u>Environmental protection</u></p> <p>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. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and odour impacts.</p>
7.45	<p><u>Contaminated land</u></p> <p>Environmental Health is content subject to conditions regarding remediation and verification. DAERA NIEA: Regulation Unit are similarly content subject to condition. It is considered that the proposal accords with Policy ENV1.</p>
7.46	<p><u>Air quality</u></p> <p>The application is accompanied by an Air Quality Assessment, which concludes that the relevant thresholds would not be exceeded. Environmental Health notes further detail is required regarding boiler/heating specifications. Subject to a condition confirming the specification, it is considered that the proposal accords with Policy ENV1.</p>
7.47	<p><u>Noise and vibration</u></p> <p>In relation to construction noise, Environmental Health advises that a Construction Environmental Management Plan (CEMP) should be required by condition. A Noise Mitigation Strategy and Noise Verification Report area also required by condition. These conditions are recommended. It is considered that the proposal accords with Policy ENV1.</p>
7.48	<p><u>Odour</u></p> <p>Environmental Health is concerned that the proposed ground floor restaurant could have an adverse odour impact on existing and future sensitive receptors. Further details of kitchen extraction and odour abatement are therefore required, and these can be secured by condition. Subject to this condition, the proposal complies with Policy ENV1</p>
7.49	<p>The conditions advised by Environmental Health and DAERA NIEA are recommended. The proposal is considered to accord with Policy ENV1 and the SPPS.</p>
7.50	<p><u>Flood risk and drainage</u></p> <p>DfI Rivers advises that the site is not within a present day or climate change flood plain. Nor are there any watercourses within the site. It is satisfied with the proposed drainage proposals. Accordingly, it offers no objection and the proposal is considered to satisfy Policy ENV5.</p>
7.51	<p><u>Waste-water infrastructure</u></p>

7.52	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted and has no objections. Satisfactory waste-water infrastructure would be in place and the proposal is considered to satisfy Policy SP1a.</p>
	<p><u>Natural heritage</u></p>
7.53	<p>Policy NH1 relates to the protection of natural heritage resources.</p>
7.54	<p>Particular regard should be had to potential pollution of Belfast Lough – an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC) – should the site and lough be hydrologically linked.</p>
7.55	<p>Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough. Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
7.56	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NI Water to provide evidence of likely actual impacts, rather than hypothetical impacts. As the Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p>
7.57	<p>SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. SES advises that the conditions recommended by the DAERA NIEA Groundwater team are applied and these conditions are recommended.</p>
7.58	<p>DAERA: NED has requested updated bat emergence/re-entry surveys due to the time lapse between the previous surveying and present. It is not anticipated that there will be an objection and delegated authority is sought to resolve a final response, provided that any issues raised are not substantive. Were DAERA: NED to object to the application, it would have to be reported back to the Planning Committee before a decision was made.</p>
7.59	<p>Subject to a satisfactory further response from DAERA: NED, and the imposition of conditions, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.</p>
	<p><u>Climate change</u></p>
7.60	<p>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.</p>
7.61	<p>Policy ENV2 sets out a presumption that the existing building stock will be retained and re-used for sustainability reasons. As set out previously, the existing buildings proposed to be</p>

7.62	<p>demolished have no architectural merit and their removal and replacement with the proposed new build elements of the scheme would have a positive impact on the character and appearance of the area, economy and vitality and viability of the City Centre. Their demolition is therefore acceptable.</p> <p>The applicant has made a clear commitment to the reuse and recycling of waste materials where this is possible and this will be controlled by condition.</p>
7.63	<p>The proposal includes green/sustainable design measures to address climate change. Final details should be required by condition.</p>
7.64	<p>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. The scheme proposes the use of hard SUDs but does not provide details as the roof- scape will not be designed in full until an end user is identified. A final landscaping plan including SuDs will be required by condition. It is considered Policy ENV5 is met.</p>
7.65	<p><u>Health impacts</u></p> <p>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.</p>
7.66	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through excellent linkages with the city centre. Active travel will be further encouraged through the applicant's green travel plan. Good levels of open space/amenity space are proposed including outdoor terraces as well as a running track to promote exercise and wellbeing.</p>
7.67	<p>In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant working environment for employees and visitors, and well as enhancing the character and appearance of the area.</p>
7.68	<p>The proposal is considered to satisfy the requirements of Policy HC1.</p>
7.69	<p><u>Public Realm</u></p> <p>Public realm improvement works are proposed as part of this scheme, including enhancement of the footways bounding the site. This would help enhance the setting of the building and improve connectivity. The public realm enhancements proposed are welcomed, however, due to uncertainties at this time as to whether the works would receive the appropriate licenses from DfI Roads because of concerns about the cost of future maintenance, the requirement to complete these works is not subject to condition.</p>
7.70	<p><u>Landscaping</u></p> <p>A roof garden with running track is shown within the Design and Access Statement. A final roof plan with landscaping will be conditioned.</p> <p><u>Employability and Skills</u></p>

<p>7.71</p> <p>7.72</p> <p>7.73</p> <p>7.74</p> <p>7.74</p> <p>7.75</p>	<p>The Council's Economic Development Unit assesses applications for Major development to ascertain the requirement for Employability and Skills interventions to promote inclusive growth. The Council as joint application is already committed to this approach and this would be dealt with outside the planning process as it is not possible for the Council to enter into a Section 76 planning agreement with itself.</p> <p><u>Pre-Community Consultation</u></p> <p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p> <p>Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. As there is no change to the proposal as originally granted and the application is for a renewal, the original PAN remains applicable.</p> <p>The PAN (LA04/2018/0585/PAN) was submitted to the Council on 13th March 2018. Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p> <p>The Pre-Community Consultation Report was submitted in support of the original application. It outlined the consultations undertaken and detailed the 35 responses and how these were taken into account. Members of the public were in support of the redevelopment including restoration of the Listed Seaver Building. Finer details such as the number of dormer windows and level of roof plant were reduced in response to feedback.</p> <p>The Pre-Community Consultation Report demonstrated that the applicant had carried out their duty to consult the community in advance of submitting the application.</p>
<p>8.0</p> <p>8.1</p> <p>8.2</p>	<p>Summary of Recommendation:</p> <p>Having regard to the development plan, and other material considerations, the proposal is considered acceptable. It is recommended that full planning permission and Listed Building Consent are granted subject to conditions.</p> <p>Delegated authority is requested for the Director of Planning and Building Control to deal with any other matters that arise, including the further consultation from DAERA NIEA (NED), provided that they are not substantive.</p>
<p>9.0</p> <p>9.1</p>	<p>DRAFT CONDITIONS</p> <p>Full planning permission (LA04/2024/0190/F)</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. Notwithstanding the submitted details, no external brick facing shall be constructed or applied unless in accordance with a schedule of external materials, details and

sample panels, which shall have first been constructed on site and approved in writing by the Council.

The sample panels shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials.

The approved sample panels shall be retained on site and made available for inspection by the Council for the duration of the construction works.

The works must be implemented and permanently retained in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

3. Notwithstanding the details submitted, the following elements of the approved scheme 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:

1. Security grilles, gates or enclosures
2. Window louvres

The works shall be retained in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

4. No external facing, roofing or rainwater goods materials shall be applied unless in accordance with a) a written specification of the materials; and b) physical sample/s of the materials, details of which shall have been submitted to and approved in writing by the Council.

The works shall be retained in accordance with the details so approved and the approved samples shall be retained on site and made available for inspection by the Council for the duration of the construction works.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

5. Notwithstanding the submitted details, the development hereby permitted shall not be occupied unless details of soft landscaping for all open spaces and terraces have been submitted to and approved in writing by the Council. The submitted details shall include specifications for any and all enclosures, screens, balconies, balustrades and planting.

All works shall be carried out in accordance with the approved details thereafter.

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

6. The development hereby permitted shall not be occupied or become operational until the vehicular access across lowered kerbs, including visibility splays of 2.4 m x

43 m has been constructed. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway. Such splays shall be retained and kept clear thereafter at all times.

Reason: To ensure that adequate provision has been made for access.

DFI Roads

7. The development hereby permitted shall not become operational until the basement parking areas has been constructed in accordance with the approved layout Drawing No. (00) P099, PROPOSED BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking and servicing.

8. Prior to occupation of the development hereby approved, a minimum of 128 No. cycle parking spaces and stands shall be provided and permanently retained for use by residents, staff and visitors to the development in Drawing No. (00) P099, PROPOSED "BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018, The development hereby permitted shall operate in accordance with the approved ARUP Service Management Plan published by the Belfast City Council Planning Office on 09 August 2018.

Reason: In the Interests of road safety and the convenience of road users and to encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

9. The development hereby permitted shall operate in accordance with the approved Framework Travel Plan published by the Belfast City Council Planning Office on 09 August 2018. This shall include provision of the Translink Link Initiative and the Bike2Work Initiative or equivalent measures agreed by DFI Roads.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

Historic Environment Division

10. No development, works, site clearance, site preparation or demolition shall commence on site (other than that required to fulfil this conditions) unless the Implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Council. No development works, site clearance, site preparation or demolition shall be carried out unless in accordance with the approved details.

Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.

11. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities: Historic Environment Division to

observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

12. No works shall commence on site unless a full schedule and specification of surviving original cast iron structure to be preserved, restored and retained and a method statement detailing its cleaning, repairs and fire protection have been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

13. Notwithstanding the submitted details, the following internal 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:

- Junctions, internal and external, between the Listed Building and all new structures and fabric.
- All alterations and interventions relating to the Listed Building.

Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with the following:

- Piers are to be left where any and all original walls have been removed.

The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

14. No works shall commence on site unless a Detailed Method Statement for the following works or activities has been submitted to and agreed in writing by the Council for the:

- Demolition of surrounding Structures
- All alterations and interventions relating to the Listed Building including internal demolitions.

The works and activities shall not be carried out unless in accordance with the approved Detailed Method Statement.

Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings. Approval is required upfront to safeguard original features of the building.

Environmental Health

15. Prior to installation of glazing within each unit of the hereby approved development, the applicant must submit to the Council for review and approval in writing, a detailed noise mitigation strategy which includes the following information:

- A façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed to the facades of all ground floor commercial premises;
- A façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed in upper floors;
- The noise reduction specification of any proposed entrance doors to bars/restaurants on the ground floor;
- Measures to be incorporated to the ground floor units to minimise music noise breakout associated with access / egress points from sui generis ground floor uses;
- Confirmation of the location of any proposed ground floor external smoking and/or beer garden areas and physical and operational measures for managing noise in these external areas.

The noise mitigation strategy for each unit must demonstrate how the design, layout and structural insulation of the proposed ground floor uses will mitigate against noise breakout from patrons and music.

Reason: Protection of amenity against adverse noise impact.

16. Prior to occupation of the hereby permitted development, the applicant must submit to the Council, for review and approval in writing, a Noise Verification Report which demonstrates the following:

- Confirmation that structural façade and design mitigation measures as presented in the approved Noise Mitigation Strategies have been incorporated into the proposed development;
- That the rating level (dBLAr) from the combined operation of rooftop plant and any additional plant located in other external locations does not exceed the existing daytime and night- time background noise level of 50dBLA90 and 45dBLA90 respectively when measured or determined in accordance with BS4142:2014;
- That the rating level (dBLAr) from the operation of all combined basement and ground floor plant does exceed the existing daytime and night time background noise level of 50 dBLA90 and 45 dBLA90 when measured or determined in accordance with BS4142:2014.

Reason: Protection of amenity against adverse noise impact.

17. No installation, fit-out, or operation of the hereby permitted restaurant/café units shall be permitted until details of the kitchen extraction and odour abatement has been submitted to and approved in writing by the Council. The details shall include:

- Identification of sensitive receptors within the proposed mixed use development;
- Details of the types of food and cooking equipment to be used;
- Risk scoring in line with the current EMAQ+ guidance document titled:
- Control of Odour and Noise from Commercial Kitchen Exhaust Systems' to determine a suitable fit for purpose system at each unit;
- Full specification details of proposed kitchen extraction and odour abatement system (filters and other technology to remove grease, smoke and odour);

- A drawing showing the location and height of the proposed kitchen extract ducting and termination point of the extract flue.

Reason: Protection of surrounding amenity and/or amenity of proposed development.

18. The kitchen extraction and odour abatement systems for each of the hereby permitted café/restaurant units shall be installed in accordance with the approved details prior to commencement of use of the hereby permitted restaurants/café units and shall be operated at all times thereafter.

Reason: Protection of surrounding amenity and/or amenity of proposed development.

19. Prior to operation of the hereby approved development, the applicant must submit to the Council's Planning Service, for review and approval in writing, details of the heating system specification and confirmation that any combustion appliances meet a minimum emission standard of <40mg NOx/kWh as prescribed in the Envest July 2018 Air Quality Impact Assessment Report.

Reason: Prevention of adverse air quality impacts

20. Prior to commencement of demolition and / or construction works, the applicant must submit to the Council for review and approval in writing, a Construction Environmental Management Plan (CEMP). The CEMP should include a programme of works and must clearly demonstrate the mitigation measures to be put in place to ensure best practicable means (BPM) are followed which will minimise adverse impacts from vibration, noise and dust on nearby premises. The CEMP shall clearly identify good practice arrangements to be employed by the appointed Contractor regarding neighbour liaison and communication of various work phases.

All construction thereafter must be in accordance with the approved CEMP.

Reason: Prevention of adverse impacts on nearby premises.

21. Throughout the demolition and construction phase, the dust mitigation measures outlined in the September 2018 Envest Construction Dust Impact Assessment Report must be implemented.

Reason: Prevention of adverse impacts on nearby premises.

22. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition), until an updated Quantitative Risk Assessment, and, if required, an updated Remediation Strategy, have been submitted to and approved in writing by the Council. The updated Quantitative Risk Assessment should specifically consider the basement area and any areas available for access following fuel storage tank removal. The updated Quantitative Risk Assessment shall follow current Environment Agency and CIRIA guidance and British Standards and must incorporate:

- A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.
- A satisfactory assessment of the risks (including an updated Conceptual Site Model), conducted in line with current Environment Agency guidance. Risks

associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019.

Should the updated Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then an updated Remediation Strategy shall be submitted to and approved in writing by the Council. The updated Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

The development shall not be carried out unless in accordance with the approved Remediation Strategy.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

23. Prior to occupation or operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

24. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

25. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2 and GPP 27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 2 and 3 will apply.

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

26. If during the development works, new contamination or risks 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/landcontamination-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.

27. After completing the remediation works under Condition 26; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with 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, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

28. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: <http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>.

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

Drainage

29. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development, having regard to Policy ENV4 of the Belfast LDP Plan Strategy 2035. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

Listed Building Consent (LA04/2024/0203/LBC)

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No works shall commence on site unless a full schedule and specification of surviving original cast iron structure to be preserved, restored and retained and a method statement detailing its cleaning, repairs and fire protection have been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

3. Notwithstanding the submitted details, the following internal 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:

- Junctions, internal and external, between the Listed Building and all new structures and fabric.
- All alterations and interventions relating to the Listed Building.

Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with the following:

- Piers are to be left where any and all original walls have been removed.

The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

4. No works shall commence on site unless a Detailed Method Statement for the following works or activities has been submitted to and agreed in writing by the Council for the:

- Demolition of surrounding Structures
- All alterations and interventions relating to the Listed Building including internal demolitions.

The works and activities shall not be carried out unless in accordance with the approved Detailed Method Statement.

Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings. Approval is required upfront to safeguard original features of the building.

ANNEX A

Date Valid	5th February 2024
Date First Advertised	1st March 2024
Date Last Advertised	N/A
Date of Neighbour Notification(s)	20th March 2024
Number of Neighbour Notifications	36 letters issued – full details available on planning portal under LA04/2024/0190/F.
Date of EIA Determination	N/A
ES Requested	No

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 February 2019	
Application ID: LA04/2018/1991/F and LA04/2018/1968/LBC	
Proposal: 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.	Location: Belfast Telegraph Complex 122-144 Royal Avenue Belfast BT1 1DN
Referral Route: Belfast City Council has an interest in the land/is the Applicant	
Recommendation:	Approval
Applicant Name and Address: BeITel LLP C/O McAleer and Rushe 17-19 Dungannon Road Cookstown BT80 8LT	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>Planning permission is sought for demolition of non-listed buildings, refurbishment and retention of the listed Seaver building and the erection of a mix-use development bounding Royal Avenue, Little Donegall Street and Donegall Street at varying heights from 6-8 storeys. The predominant use on the ground floor will be commercial (cafes/bar/restaurant) including an arcade between Donegall and Little Donegall Streets. The floors above will be predominantly office use. The total floorspace created will be in the region of 31,500 square metres.</p> <p>The site is located within the development limits for Belfast. The site is unzoned whiteland within the draft BMAP 2015 and also falls within the City Centre limit, the Scotch/Cathedral character area and the city centre area of parking constraint under draft BMAP 2015. It includes a listed building which is the Belfast Telegraph building within the same block.</p> <p>The main issues to be considered are;</p> <ul style="list-style-type: none"> - The principle of demolition of the non-listed buildings, - The principle of the height and design of the proposed new building, - The principle of restoration of the listed building, - The principle of the use of the proposal, - The impact on traffic and parking, 	

- Impact on the amenity of the area,
- Impact on human health and safety;
- The consideration of economic benefits
- The consideration of site drainage, and
- Consideration of developer contributions

The proposal has been assessed against the draft development plan (dBMAP 2015) and relevant regional planning policies. The proposal is considered to be compatible with the zoning of the site and compliant with regional policy.

No representations from the public have been received. Transport NI, Environmental Health, Historic Environment Division, Water Service, NIEA, Shared Environmental Services, Rivers Agency and Belfast City Airport were consulted and their responses are detailed in the main body of the report.

Recommendation

Having had regard to the development plan and other material considerations it is recommended that the application and listed building consent are approved subject to conditions. Delegated authority is requested to finalise the wording of conditions.

Site Location Plan / Visuals







1.0	<p>Description of Proposed Development 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.</p>
2.0	<p>Description of Site and Area The site is bounded by Royal Avenue, Donegall Street and Little Donegall Street and is adjacent to the Cathedral Conservation Area and proximate to the City Centre Conservation Area. At present the site comprises the Grade B2 listed Seaver Building with its associated extensions as well as the more modern building on the corner of Royal Avenue and Donegall Street. The existing buildings vary from three to six floors.</p> <p>The area is characterised by commercial, non-residential uses such as retail, office and the University of Ulster buildings. There are two notable listed buildings in the vicinity, the Frames Building and Central Library. There are a number of planning approvals in the vicinity including the University of Ulster Building and the Frames Building redevelopment.</p>
<p>Planning Assessment of Policy and other Material Considerations</p>	
3.0	<p>Z/2004/0303/F - 124-144 Royal Avenue, Belfast - Adjustments to existing roof to facilitate the installation of a new printing press – PERMISSION GRANTED – 17.05.2004</p> <p>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. – TEMPORARY PERMISSION GRANTED – 29.11.2018</p>
4.0	<p>Policy Framework</p>
4.1	<p>Regional Development Strategy 2035;</p>
4.2	<p>Belfast Urban Area Plan 2001; Draft Belfast Metropolitan Area Plan 2004 (draft BMAP) Belfast Metropolitan Area Plan (BMAP) 2015 (purported to be adopted);</p>
4.3	<p>Strategic Planning Policy Statement for NI (SPPS); and Planning Policy Statement 3 – PPS 3 - Access, Movement and Parking Planning Policy Statement 4 – PPS 4 - Planning and Economic Development Planning Policy Statement 6 – PPS 6 - Planning, Archaeology and the Built Environment Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 – Planning and Flood Risk</p>
5.0	<p>Representations: None received.</p>

6.0	Assessment
6.1	<p>Consultations: The following bodies were consulted as part of the processing of this application:</p> <ul style="list-style-type: none"> • TransportNI • Belfast City Council's Environment and Health Services Dept. • Historic Environment Division • Water NI • Rivers Agency • NIEA • Shared Environmental Services
6.1.1	Many of these consultees had been consulted as part of the Pre-application Discussion that was undertaken prior to the submission of the proposals.
6.1.2	Transport NI were consulted and are content. They recommended conditions and informatives.
6.1.3	HED have stated that the recently amended scheme is compliant with policy and they have provided negative conditions.
6.1.4	Environmental Health requested clarification on matters such as noise and contamination. This information was prepared and submitted and they have since recommended conditions and informatives.
6.1.5	Water NI were consulted and referred to a pre-development enquiry received in May 2018 and the information contained in their response to same. The applicant is therefore aware of the infrastructure requirements in terms of water and waste management.
6.1.6	Rivers Agency were consulted and requested clarification from NI Water regarding a new storm sewer. Following receipt of this clarification, there are no objections.
6.1.7	NIEA were consulted and recommended conditions and informatives regarding contamination. NED required further information regarding bats which was provided. The report confirmed that there are no bats roosting in the structure.
6.1.8	Shared Environmental Services were consulted and recommended an informative regarding the Natural Habitats Regulations.
6.2	Development Plan
6.2.1	Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.
6.2.2	Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it

	<p>still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p>
6.2.3	<p>Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
6.2.4	<p>Draft Belfast Metropolitan Area Plan 2004 is also a material consideration.</p>
6.2.5	<p>The proposed development lies within the development limit for Belfast City Centre (CC001), within Scotch/Cathedral Character Area (CC010), and within the Belfast City Core Area of Parking Restraint (CC025).</p>
6.3	<p>Policy Context</p>
6.3.1	<p>Planning Policy Statement 3 – PPS 3 – Access, Movement and Parking outlines the requirements for developments. Transport NI were consulted and have no objection.</p>
6.3.2	<p>Planning Policy Statement 4 – PPS 4 – Planning and Economic Development contains a number of policies against which economic development proposals (including suis generis uses) can be assessed. Policy PED 9 outlines general criteria for economic development and Criteria (a), (b), (c), (e), (g), and (h) apply. Therefore the policy requires that it is compatible with surrounding land use, does not harm the amenity of nearby residents, does not adversely affect features of the natural or built heritage, and provides adequate and sustainable parking and access. There is no evidence that the proposal will contravene any of the criteria.</p>
6.3.3	<p>Planning Policy Statement 6 – PPS 6 – Planning, Archaeology and the Built Environment outlines policies relevant to protecting the built environment and as there is a listed building within the site, Policies BH8 and BH11 are relevant and are explored in the paragraphs below.</p>
6.3.4	<p>The core issues associated with the proposals were discussed in detail at Pre-Application Discussion (PAD) stage and are further outlined below.</p>
6.4	<p>Principle of the proposed uses and economic benefits:</p>
6.4.1	<p>Office uses above ground floor are appropriate to the context and given the recent residential approvals nearby and the University development, the proposal will add a large office/daytime working element to the local land-use context. Restaurants and bars in the ground floor are welcomed as they will ensure night-time vitality and will encourage local residents and workers to use the building after office hours.</p>
6.4.2	<p>Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. It further states that the environment is an asset for economic growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built heritage. In this case around 31,500 sq. m of office space (with some</p>

	<p>retail and restaurant uses) will contribute to job creation and economic vitality locally. The proposal would therefore have a positive impact on the economy and this is an important material consideration.</p>
6.5	Principle of demolition of buildings (excluding Seaver Building) on the site:
6.5.1	Demolition of the non-original extensions to the listed building as well as the modern building on the corner of Royal Avenue and Donegall Street were considered and it was agreed that as the Seaver Building is the key asset on the site, demolition would be acceptable on the proviso that the replacement scheme was appropriate to the site and sensitive to the listed building.
6.5.2	The proposed demolitions remove modern buildings of minimal architectural value which do not contribute to the character of the immediate area or the value of the listed building and there is therefore no objection to their loss.
6.5.3	This is further reflected in the consultation response from Historic Environment Division (HED) dated 4 th February 2019.
6.6	Restoration of the listed Seaver Building
6.6.1	Policy BH8 of PP6 details the criteria to be met when extending or altering a listed building. The proposed building has evolved through many design iterations. The amended scheme seeks to sit alongside the Seaver building as an integral redevelopment whereby the Seaver Building will be bolstered on both sides by new-build offices and the back of the listed building will be an integral feature of the proposed arcade.
6.6.2	The proposed use of restaurant/bar on the ground floor and offices above are considered appropriate for the listed building as it will bring the currently disused building back into use.
6.6.3	Externally, the dormers were subject to much discussion throughout the PAD and planning application stage. The final solution which was agreeable to all consultees culminated in three dormers along Royal Avenue and four along Library Street with a single dormer on the chamfered corner which reflects the original number and pattern of dormers on the building. The materials are proposed to be bronze coloured PCC metal framed windows with PPS glazed caps.
6.6.4	Materials on the adjacent new build portions of the development were negotiated to ensure they were high quality, appropriate and respectful to the listed building. Detailing of these will be secured via negative condition to ensure samples can be examined on site.
6.6.5	Internally, the rear wall of the Seaver Building which abutted the new atrium was redesigned on request to incorporate the historic mullions as design feature.
6.6.6	HED have asked that conditions are placed on any approval which would ensure retention/protection of cast iron structures and piers and also that all detailing/alterations/interventions are agreed first with BCC/HED. In addition, method statements are required.

6.6.7	Officers agree that the proposal meets the criteria of Policy BH8 in that the essential qualities of the building and its setting are retained, the works use appropriate and sympathetic materials and that the detailing of doors, gutters, windows etc match or are in keeping with the building. These conditions are recommended.
6.7	Height and design of the proposed new build:
6.7.1	Policy BH11 of PPS deals with development affecting the setting of a listed building and provides criteria against which proposals can be assessed. Of key importance are the requirement for traditional and sympathetic materials and techniques which respect those found on the building. It also requires the detailed design of any proposal to respect the listed building in terms of scale, height, massing and alignment. The design of the new-build elements has required a collaborative relationship between the applicant and their architects and agent, key input from Historic Environment Division and planning officers including the Urban Design Officer. Amendments have been submitted which have dealt with areas of initial concern.
6.7.2	The height and massing has taken its lead from key neighbouring and listed buildings such as the existing extension on Little Donegall Street, the Seaver Building, Frames Building, the Central Library and the new university building. The design and layout of the new-build elements are crucial in creating an exciting and vibrant scheme whilst enhancing the primacy of the listed building in its immediate context. The outcome has created a dynamic layout and elevational treatment which has the opportunity to become a city-centre exemplar. The development as a whole will have three main elevations and each will be discussed in turn.
6.7.3	<u>Royal Avenue</u> The Royal Avenue elevation is key to the success of the development as it is the main thoroughfare to the adjacent conservation area, and the source of primary visibility of the listed building. In addition it is this elevation that most noticeably must achieve coherence between its modern new-build and existing listed elements and contains the longest views.
6.7.4	Different design proposals were developed for this portion of the site with height, massing and materiality being the key considerations. BCC in conjunction with HED had concerns that the new building was overpowering the listed building and that the height and massing as proposed created a monolithic presence. It was suggested that the façade be broken up and a step down to the listed building. As a result, the design was revisited and the frontage broken into two design elements: one of 6 no storeys/4 bays with more muted materials, and one of 8 storeys/6 bays with more vibrant spandrel panels and a double height window feature on the 7 th and 8 th storeys. A Level 06 setback adjacent to the listed building allows the listed building to take primacy and the height of this section of the new building sits around 8.0m below the taller eight storey corner section of the building and only around 2.0m above the height of the new dormers proposed on the listed building.
6.7.5	The proposed Royal Avenue elevation now respects the scale and setting of the listed building while reflecting two distinctive plot widths, a lower (23m high / 12m wide / 2 bay) six storey section and a taller (31m high / 17m wide / 3 bay) eight storey section, which marks and turns the corner of Royal Avenue and Donegall Street. The total of five bays contained in both sections of the

	<p>new façade is also a nod historically towards the five bay arrangement contained within the former Victorian building that once stood on this site.</p>
6.7.6	<p>HED state that the “revised views supplied show the changed massing has mitigated the size of the new build beside the listed building” as well as the impacts on the Central Library and Frames Building.</p>
6.7.7	<p><u>Little Donegal Street/Library Street</u> The Library Street/Little Donegal Street elevation also contains a meeting of old and new with the listed building abutting the new build element. Immediately adjacent to the listed building on this frontage is the entrance to the arcade. HED and BCC initially expressed similar concerns to those regarding the Royal Avenue elevation in that the new build element was overpowering the listed building and floor to ceiling heights were not being reflected. Some changes were made to the visual horizontal cues, the height was reduced to 5 no storeys with setbacks on the 6th and 7th storeys. The use of red brick spandrels along Library Street/Little Donegal Street is considered an appropriate alternative design intervention in lieu of a cornice detail along this elevation.</p>
6.7.8	<p>The existing, modern structures on the site are of considerable height and massing. Given the existing buildings on the site as well as the nearby University of Ulster building, the proposed height and massing is considered comparable and appropriate in the context.</p>
6.7.9	<p><u>Donegall Street</u> The Donegall Street elevation is the only one of the three which does not have an immediate context to the listed building. The design comprises of four distinct elements of varying heights but uniform horizontal cues and fenestration treatments. The bay widths are 4, 4, 6 and 6. The second element contains the corresponding arcade entrance to that of the Little Donegall Street entrance. Design amendments addressed initial concerns regarding the number of planes on upper levels and has sought to rationalise the setbacks.</p>
6.7.10	<p>While the proposed shoulder heights along Donegall Avenue represent a marginal increase on existing, particularly at the junction with Royal Avenue, it is considered that the resultant elevation is a marked improvement over the existing arrangement and more reflective of historic plot widths in this area.</p>
6.7.11	<p>The increase in height at this busy junction is justified from an urban design viewpoint, given that historically streetscapes increased in height at corners with buildings forming corner marker statements. The proposed height is below that of the new University building on the opposite corner of Donegall Street and will provide a good quality backdrop building to Cathedral Gardens diagonally opposite.</p>
6.7.12	<p>Officers initially expressed concern with regards to the proposed L08 plant which was further reduced in response. The northern edge is now fully setback from the front elevation of the building by around 16m (with some relocated to the basement area), this will assist in mitigating the visual impact at this level particularly in relation to public views from Cathedral Gardens diagonally opposite. A running track is also proposed around the full extent of the plant enclosure (circuit of around 130m), which is a welcomed.</p>

6.7.13	The proposal meets the requirements of Policy BH11 in that the height and massing have been amended to take cognisance of the listed building and the requirement for it to retain primacy in its setting. The nature of the proposal respects the setting of the listed building and the nature of the use is appropriate.
6.8	Materials
6.8.1	The new build is to be primarily faced in brick. Multiple bonds of facing brick are proposed along alternative bays and also for setbacks. This approach is welcomed as it helps to accentuate the vertical break-up of the street elevations whilst retaining a uniform approach at ground floor. The various brick tones and bonds reflect the materials of the listed building and there are common design elements throughout.
6.8.2	The Urban Design Officer expressed some concern with the introduction of 700mm high bronze coloured PPC metal extract louvres below ground floor windows where previously full glazing was proposed. He suggests that these need to be examined in further detail to fully explore the impact of and need for these panels.
6.8.3	He further suggests that appropriate conditions be attached that seek approval of all materials, requiring sample panels of proposed facing brick, red glazed brick, bronze coloured PPC window framing, bronze PPC spandrel panels, buff coloured concrete spandrel panels, PPC steel handrails, PPC metal panels to plant enclosure, bronze coloured PPC metal gates, bronze coloured PPC horizontal metal extract louvres and weather steel clad on-wall dormers (including PPC glazing caps) should be submitted and assessed on site where appropriate. As these finer details are key to achieving the overall vision for the scheme as presented in the drawings, it is considered that conditioning these matters is essential.
6.9	Arcade
6.9.1	Throughout the formal planning application this design ethos around the arcade has diluted considerably and despite requests from officers and consultees, the applicant has expressed that while an arcade remained integral to the proposal, it is now of a more domestic scale, will be closed at night and will be more ancillary to the building rather than a feature in its own right.
6.9.2	HED in their response of 4 th February 2019 similarly state that the arcade has not been expressed as a new street and that the previous concerns regarding this issue had not been addressed. The reduced concept of the arcade is a missed opportunity but on balance it is considered to be acceptable.
6.9.3	Discussion regarding the design of the entrance elements to the arcade has centred on high quality signage, lighting and glazing as well as detailing of any security enclosures. It was advised on a number of occasions that PSNI have communicated to BCC that recessed entrances should be avoided as these cause security issues for both landowners and law enforcement. The applicant was encouraged to ensure than any such enclosures should be of appropriate material and should not create recessed enclosures.
6.9.4	The final submission has however submitted proposals for recessed enclosures on both elevations. The Urban Design Officer states: "While I would have no objection in principle to the proposed bronze coloured PPC

	<p>steel hinges security gates, I would have concerns regarding the 2.2m recesses along both elevations which may prove difficult to manage in relation to potential anti-social behaviour. This issue has been raised with the applicant on a number of occasions in an effort to design out such spaces from the offset so as to avoid any future 'defensive architecture' solutions being utilised as an afterthought."</p>
6.9.5	<p>The prevention of anti-social behaviour via design can be a material planning consideration and it is recommended that this design issue can be resolved by means of a planning condition to require submission of an alternative design solution.</p>
6.10 6.10.1	<p>Impact on traffic and travel: A detailed Transport Statement was submitted which outlines the various transport options for end-users including rail and bus links, Belfast Bike hubs, nearby on-street car parking and pedestrian routes. A total of 28 no parking spaces and 128 no cycle parking spaces are proposed in the basement of the proposal.</p>
	<p>It is vital that all new developments in the city accommodate minimal car parking spaces whilst promoting sustainable methods of transportation.</p>
6.10.2	<p>DFI Roads were consulted and have no objections, and have provided conditions and informatives.</p>
6.11 6.11.1	<p>Impact on residential amenity: In respect of potential noise, nuisance and disturbance from the intended use, following the submission of further reports regarding noise, the Environmental Health team are now content and advise conditions and informatives. These are recommended.</p>
6.12 6.12.1	<p>Impact on human health and safety: Additional information regarding contamination was required and submitted to the Environmental Health team and NIEA. Both have advised that the information is acceptable and have advised conditions and informatives. These are recommended.</p>
6.13 6.13.1	<p>Archaeology The application site is located within the Belfast Area of Archaeological Potential, designated to protect the above-ground and below-ground archaeological remains associated with early development of the settlement. Historic Environment Division: Historic Monuments Unit (HMU) have been consulted and considered the impacts of the proposal. HMU is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH4 of PPS 6. Conditions are recommended accordingly.</p>
6.14 6.14.1	<p>Site Drainage The proposal has been considered against Policy FLD 1 of the Revised PPS15 – 'Development in Fluvial (River) and Coastal Flood Plains'. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains Rivers Agency advises no objection to the proposed development. The proposal is therefore considered acceptable in terms of flood risk.</p>

6.15	Public realm and connectivity
6.15.1	Public realm improvement works are proposed as part of this scheme. This includes enhancement of the footways bounding the site. This will help enhance the setting of the building and improve connectivity. Whilst the plans show indicative information with regards to public realm, it is recommended that a negatively worded "Grampian" condition is placed on any approval to ensure the finer details are agreed prior to commencement.
6.16	Pre-Community Consultation
6.16.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application. Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2018/0585/PAN) was submitted to the Council on 13 th March 2018. Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.
6.16.2	A Pre Community Consultation Report has been submitted in support of this application. It outlined the consultations undertaken and detailed the 35 responses and how these were taken into account. Members of the public were in support of the redevelopment including restoration of the Seaver Building. Finer details such as the number of dormer windows and level of roof plant were reduced in response to feedback.
6.16.3	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
7.0	Summary of recommendation
7.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable. Delegated authority is sought for the Director of Planning and Building Control to grant planning permission and finalise the wording of the conditions.
8.0	Conditions (final wording to be delegated to the Director of Planning and Building Control)
	<ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development hereby approved shall not be occupied unless a detailed Noise Mitigation Strategy has been submitted to and approved in writing by the Council. The Noise Mitigation Strategy shall including the following information:

- Façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed to the facades of all ground floor commercial premises;
- Façade noise insulation specification including the noise reduction specification of glazing and alternative ventilation to be installed in upper floors;
- Noise reduction specification of any proposed entrance doors to bars/restaurants on the ground floor;
- Measures to be incorporated to the ground floor units to minimise music noise breakout from access / egress points;
- Confirmation of the location of any proposed ground floor external smoking areas and measures for managing noise in these external areas.

-The strategy must demonstrate how the design, layout and structural insulation of the proposed ground floor uses will mitigate against noise breakout from patrons and music.

The development shall not be occupied unless the measures identified in the approved Noise Mitigation Strategy have been implemented in full.

Reason: In the interest of human health and safety.

3. The development hereby approved shall not be occupied unless a Noise Verification Report which demonstrates the following has been submitted to and approved in writing by the Council:

- Confirmation that structural façade and design mitigation measures as presented in the Noise Mitigation Strategy have been incorporated into the proposed development;
- That the rating level (dBLAr) from the operation of all combined rooftop plant does not exceed the existing daytime and night- time background noise level of 50dBLA90 and 45dBLA90 respectively when measured or determined in accordance with BS4142:2014;
- That the rating level (dBLAr) from the operation of all combined basement and ground floor plant does exceed the existing daytime and night time background noise level of 50 dBLA90 and 45 dBLA90 when measured or determined in accordance with BS4142:2014.

Reason: In the interest of human health and amenity.

4. The development hereby approved shall not be commenced until details of the heating system specification and confirmation that any combustion appliances meet a minimum emission standard of <40mg NOx/kWh as prescribed in the Envest July 2018 Air Quality Impact Assessment Report has been submitted to and approved in writing by the Council:

Reason: Prevention of adverse air quality impacts

5. The development hereby approved shall not be commenced unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP shall include a programme of works and must clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from

vibration, noise and dust on nearby premises. All demolition and construction must thereafter be implemented in accordance with the approved CEMP.

Reason: Prevention of adverse impacts on nearby premises.

6. Throughout any demolition and construction phase, the dust mitigation measures outlined in the September 2018 Envest Construction Dust Impact Assessment Report must be implemented.

Reason: Prevention of adverse impacts on nearby premises

7. Following demolition of necessary structures and prior to construction commencing, the applicant must submit to the Council an updated Generic Quantitative Risk Assessment (GQRA) and if required, an updated Remediation Strategy, for review and approval in writing. The area available for access following demolition of the necessary structures and tank removal must be considered via an updated risk assessment within the updated GQRA. Should unacceptable human health pollutant linkages be identified within the updated GQRA, an updated Remedial Strategy will be required which must outline the measures to be undertaken to ensure that on-site land and water contamination does not pose a potential risk to human health and that all identified pollution linkages will be demonstrably broken. This updated GQRA (and Remediation Strategy if required) must be submitted to and agreed in writing by the Council prior to further construction commencing on site. The updated GQRA must:

- Be site and development-specific and be in accordance with the Model Procedures for the Management of Land Contamination (CLR11).
- Provide an updated risk assessment for the site based on the additional investigation undertaken following demolition of necessary structures.
- Detail any other relevant site-specific issues such as USTs, ASTs and potable water supplies.

If required, the updated Remediation Strategy must:

- Be site and development-specific and be in accordance with the Model Procedures for the Management of Land Contamination (CLR11).
- Detail all on and off-site human health pollutant linkages e.g. degraded soils, degraded perched groundwaters, ground-gas, etc.
- Detail how all remedial measures are to be verified and determined to be sufficient for the protection of human health.

All construction thereafter must be in accordance with the approved updated GQRA (and approved updated Remediation Strategy if required).

Reason: Protection of human health.

8. The development hereby approved shall not be occupied unless an Environmental Verification Report has been submitted to and approved in writing by the Council. This report must demonstrate that all remedial measures outlined within the final Remediation Strategy have been implemented and that the site is now fit for its proposed end-use (commercial). It must also demonstrate that the identified pollutant linkages have been broken. The Verification Report must be in

accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health.

9. The development hereby permitted shall not be occupied or become operational until the vehicular access across lowered kerbs, including visibility splays of 2.4 m x 43 m, has been constructed. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway. Such splays shall be retained and kept clear thereafter at all times.

Reason: To ensure that adequate provision has been made for access.

10. The development hereby permitted shall not become operational until the basement parking areas has been constructed in accordance with the approved layout Drawing No. (00)_P099, PROPOSED BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking and servicing.

11. Prior to occupation of the development hereby approved, a minimum of 128 No. cycle parking spaces and stands shall be provided and permanently retained for use by residents, staff and visitors to the development in accordance with Drawing No. (00)_P099, PROPOSED BASEMENT (B01) FLOOR PLAN published by the Belfast City Council Planning Office on 07 August 2018.

Reason: to encourage the use of alternative modes of transport for development users.

12. The development hereby permitted shall operate in accordance with the approved ARUP Service Management Plan uploaded by the Belfast City Council Planning Office on 09 August 2018.

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

13. The development hereby permitted shall operate in accordance with the approved Framework Travel Plan published by the Belfast City Council Planning Office on 09 August 2018. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

14. Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawing Number 11B

received on 24 January 2019 have been submitted to and approved in writing by the Council. The details shall include:

1. Surface materials; and
2. The design and provision of underground ducting.

The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area, the setting of the Listed Building, and to enhance connectivity to and from the development.

15. No development, works, site clearance, site preparation or demolition shall commence on site (other than that required to fulfil this conditions) unless the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the City Council. No development, works, site clearance, site preparation or demolition shall be carried out unless in accordance with the approved details.

Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.

16. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities: Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

17. The works to the Listed Building hereby approved shall not be commenced unless a Method Statement and accompanying detailing has been submitted to and approved in writing by the Council. The submission must include:

- detailing of all interventions and alterations related to the Listed Building
- detailing of junctions, internal and external, between the Listed Building and all new structures
- detailing of all new structures and fabric introduced to the Listed Building
- detailing of cleaning, repairs and fire protection to ensure all surviving original cast iron structure is preserved, restored and retained
- detailing of cleaning, repairs and fire protection to ensure all surviving piers are left where any and all original walls have been removed
- sample panels where required

The works shall not be carried out unless in accordance with the approved details.

Reason: To preserve the historic fabric, form and character of the Listed Building.

18. Notwithstanding the submitted details, no external brick facing shall be constructed or applied unless in accordance with a schedule of external materials, details and sample panels, which shall have first been constructed on site and approved in writing by the City Council.

The sample panels shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials.

The approved sample panels shall be retained on site and made available for inspection by the City Council for the duration of the construction works.

The works must be implemented and permanently retained in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

19. Notwithstanding the details submitted, the following elements of the approved scheme 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 City Council:

1. Design and position of security grilles, gates or enclosures
2. Window louvres

The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

20. No external facing, roofing or rainwater goods materials shall be applied unless in accordance with a) a written specification of the materials; and b) physical sample/s of the materials, details of which shall have been submitted to and approved in writing by the City Council.

The approved samples shall be retained on site and made available for inspection by the City Council for the duration of the construction works.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

ANNEX

Date Valid	30th July 2018
Date First Advertised	17th August 2018
Date Last Advertised	23rd November 2018

Details of Neighbour Notification (all addresses)

The Owner/Occupier,
10 Union Street,Belfast,Antrim,BT1 2JF,
The Owner/Occupier,
10a ,Union Street,Belfast,Antrim,BT1 2JF,
The Owner/Occupier,
12-14 ,Union Street,Belfast,Antrim,BT1 2JF,
The Owner/Occupier,
129 Royal Avenue,Belfast,Antrim,BT1 1FG,
The Owner/Occupier,
139-141 ,Royal Avenue,Belfast,Antrim,BT1 1FH,
The Owner/Occupier,
1st Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
The Owner/Occupier,
2-10 Metropol House,York Street,Belfast,Antrim,BT15 1AQ,
Martin McCullough
31a, Little Donegall Street, Belfast, Antrim, Northern Ireland, BT1 2JD
The Owner/Occupier,
35 Little Donegall Street,Belfast,Antrim,BT1 2JD,
The Owner/Occupier,
3rd Floor Left,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
The Owner/Occupier,
3rd Floor Right,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
The Owner/Occupier,
4 Union Street,Belfast,Antrim,BT1 2JF,
Matthew Reilly
51 Whitehall Parade Belfast Down
The Owner/Occupier,
6-8 ,Union Street,Belfast,Antrim,BT1 2JF,
The Owner/Occupier,
76-78 ,Donegall Street,Belfast,Antrim,BT1 2GU,
The Owner/Occupier,
96 Donegall Street,Belfast,Antrim,BT1 2GW,
The Owner/Occupier,
Belfast Central Library,Kent Street,Belfast,Antrim,BT1 2JA,
The Owner/Occupier,
Belfast Central Training Ltd,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW,
The Owner/Occupier,
Belfast Education & Library Board,Central Library,Royal Avenue,Belfast,Antrim,BT1 1EA,
The Owner/Occupier,
City Hibernian Club,31a ,Little Donegall Street,Belfast,Antrim,BT1 2JD,
The Owner/Occupier,
Datura Enterprises,Office 4th Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH,
The Owner/Occupier,
Dcg Marketing,2nd Floor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW,

The Owner/Occupier,
 Donegall Street,Belfast,Antrim,,
 The Owner/Occupier,
 Federation Of Small Business,Office 1st Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH,
 The Owner/Occupier,
 Frames Complex,Offices 1st And Part 2nd Floor,2-14 ,Little Donegall Street,Belfast,Antrim,BT1 2JD,
 The Owner/Occupier,
 Ground & 1st Floors,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH,
 The Owner/Occupier,
 John Neil Partnership,Ground Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
 The Owner/Occupier,
 Kremlin Associates,96 Donegall Street,Belfast,Antrim,BT1 2GW,
 The Owner/Occupier,
 L Stanley Ltd,33 Little Donegall Street,Belfast,Antrim,BT1 2JD,
 The Owner/Occupier,
 Mcconnell Martin,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH,
 The Owner/Occupier,
 Office 3rd Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH,
 The Owner/Occupier,
 P J Mcneill & Co,2nd Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG,
 The Owner/Occupier,
 Paschal J O'Hare Solicitors,1stfloor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW,
 The Owner/Occupier,
 Pipeworks,2-6 ,Union Street,Belfast,Antrim,BT1 2JF,
 The Owner/Occupier,
 Royal Mail,20 Donegall Quay,Belfast,Antrim,BT1 1AA,
 The Owner/Occupier,
 Stannifer Developments Ltd,95-97 ,Donegall Street,Belfast,Antrim,BT1 2FJ,
 The Owner/Occupier,
 University Of Ulster, 25-51 York Street, Belfast BT1 2NR

Date of Last Neighbour Notification	23rd November 2018
Date of EIA Determination	N/A
ES Requested	No

Planning History

Ref ID: Z/2012/0361/F
 Proposal: New university campus in Belfast City Centre. Development of 3 no. new buildings (Block A, Block B and Block C) with total floor area (gross external) of 85736 sqm. The maximum height of the buildings is 12 storeys at corner of Frederick Street and York Street. The development will be characterised by 2 no. lantern features at the corners of York Street and Donegall Street and York Street and Great Patrick Street. Public realm improvements to York Lane and in proximity to university buildings. Demolition of existing footbridge and development of new footbridge over York Street. Minor works to the existing Block 82 external facades. (Further Environmental Information received)
 Address: Metropole, Orpheus, Interpoint, York House, Playboard and Block 82, York Street / Frederick Street / Great Patrick Street, Belfast, BT15 1ED,
 Decision: PG Decision Date: 20.05.2013

Ref ID: LA04/2017/2209/F

Proposal: 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.

Address: Ground floor print hall, 122-144 Royal Avenue, Belfast, BT1 1DN,

Decision: PG Decision Date: 30.11.2017

Ref ID: LA04/2018/0585/PAN

Proposal: Demolition and re-development of the site. Including offices, restaurants, cafés, bars, basement parking and related access

Address: Former Belfast Telegraph complex, 124-144 Royal Avenue, and 1-29 Donegall Street, Belfast, BT1 1DN,

Decision: PANACC

Ref ID: LA04/2017/2802/A

Proposal: Proposed mesh banner signage (19.1M X 9.84m) - temporary for 2 years

Address: Former Belfast Telegraph Printworks, 124-132 Royal Avenue, Belfast, BT1 1DN,

Decision: CG Decision Date: 15.03.2018

Ref ID: LA04/2015/0184/F

Proposal: Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high quality natural stone paving, street furniture, trees, lighting and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens

Address: Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral G

Decision: PG Decision Date: 26.11.2015

Drawing No.s

01A, 11B, 12, 13B, 14A, 15A, 16A, 17A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A, 27A, 28A, 29A, 30A, 31A, 32A, 33, 34, 35, 36

Notification to Department (if relevant)

N/A