

**Development Management Officer Report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date:</b> 17 May 2016	
<b>Application ID:</b> LA04/2015/0800/F	
<b>Proposal:</b> Demolition of the existing building and construction of a new 9 storey office and retail building with roof level plant area	<b>Location:</b> Brunswick House 5-7 Brunswick Street Belfast BT2 7GE
<b>Referral Route:</b> Major Development	
<b>Recommendation:</b>	Approval subject to Section 76
<b>Applicant Name and Address:</b> Killultagh Estates Ltd Alfred House 19-21 Alfred Street Belfast BT2 8ED	<b>Agent Name and Address:</b> RPP Architects Ltd 155-157 Donegall Pass Belfast BT7 1DT
<p><b>Executive Summary:</b> The application seeks full planning permission for demolition of the existing building and construction of a new 9 storey office and retail building with roof level plant area.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The acceptability of proposed office use at this location</li> <li>• The acceptability of the proposed retail use at ground floor</li> <li>• Demolition within the City Centre Conservation Area</li> <li>• Impact upon character and appearance of Linen Conservation Area</li> <li>• Impact upon setting of nearby listed buildings</li> <li>• The impact on existing roads infrastructure</li> </ul> <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within the Belfast City Centre Conservation Area and borders the Linen Conservation Area and is within the Commercial District Character Area (Designation CC0007). The principle of the office use and retail unit is acceptable given the city centre location.</p> <p>The demolition of the existing building has been assessed against Policy BH14 of PPS6. It is considered that the building makes no material contribution to the character or appearance of the area. Demolition is therefore acceptable, subject to an adequate replacement. Demolition of the existing 8 storey building on the site is sought under accompanying application LA04/2015/0796/DCA.</p> <p>NIEA Heritage Development &amp; Change Branch has considered the impacts of the proposal on the listed Fisherwick Buildings and has offered no objection.</p> <p>The proposal has been assessed against the following Policies – Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: Access Movement and Parking, Planning Policy Statement 6: Planning, Archaeology and Planning Policy Statement 15 (Revised) – Planning and Flood Risk.</p>	

Transport NI, NI Water, NIEA Historic Monuments Unit, NIEA Heritage Development & Change Branch and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

Committee is requested to delegate the consideration of the final wording of the conditions to the Director of Planning and Place.

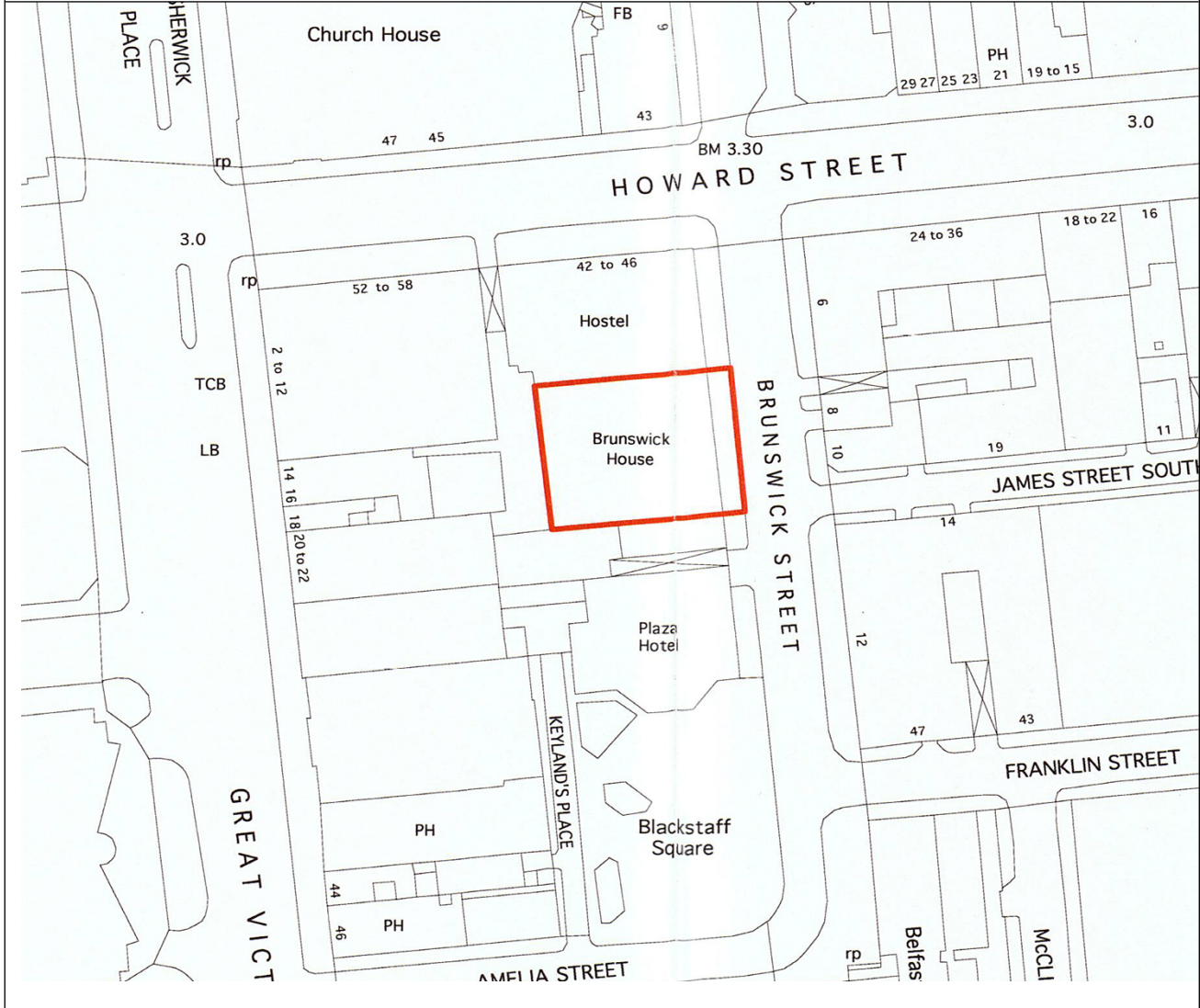
**Recommendation**

Approve subject to conditions set out in the case officer report and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions.

If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Place, on behalf of the Council in consultation with Legal Services, to agree the terms and enter into the Section 76 agreement.

Case Officer Report

Site Location Plan



<p>1.0</p>	<p><b>Description of Proposed Development</b>                  9 storey office/ retail building with top two floors set back by approximately 2.5m from the building line. The retail use is proposed at ground floor with 440 sq. metres of retail floorspace proposed and a total of 4035 sq. metres of office space proposed over the remaining 8 floors. The building has a total height of approximately 34.5m and a shoulder height of approximately 27m.</p>
<p>2.0</p>	<p><b>Description of Site</b>                  Derelict 8 storey office building on the site at present, dating from 1966.</p> <p>The building reflects its era of construction in terms of materials and form – exposed / expressed frame in concrete, with precast spandrels. Narrow metal framed, horizontal windows to each bay ascribe a distinctly horizontal emphasis to the elevation. The first floor is taller possibly the only historic reference – i.e. a hint to the piano nobile.</p> <p>The entrance is to the left hand side of the ground floor (with beige polished granite pilasters) below a projecting, flat canopy – faced in aluminium.</p>

	<p>The building is of a similar height as the other buildings in the block.</p> <p>The application site is located within the Belfast City Centre Conservation area and also borders the Linen Conservation area.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2005/0773/F - Renewal of permission ref: Z/1998/2942/F, for a ten-storey development comprising ground floor retail with offices on upper floors. Approved 18 <sup>th</sup> Jan 2006
3.2	Z/2000/1904/F - Amendment to previously approved scheme Z/98/2942, increased height to penthouse. Approved 21 <sup>st</sup> Feb 2001
3.3	Z/1998/2942/F- Ten storey development comprising ground floor retail with offices on upper floors. Approved 18 <sup>th</sup> April 2000
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	<p>SPPS</p> <p>Regional Development Strategy</p> <p>Strategic Planning Policy Statement for Northern Ireland</p> <p>Planning Policy Statement 3 - Access, Movement and Parking</p> <p>Planning policy statement 5 – Retailing and Town Centres</p> <p>Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage</p>
5.0	<p>Statutory Consultees</p> <p>Transport NI – Await comment</p> <p>NIEA Historic Buildings Unit – No objection</p> <p>NIEA Historic Monuments Unit – No objection</p> <p>NIEA Water Management Unit – No objection</p>
6.0	<p>Non-Statutory Consultees</p> <p>Environmental Health BCC – No objection</p> <p>Independent Design Consultant</p> <p>Conservation Area Officer</p>
7.0	<p>Representations</p> <p>None received</p>
8.0	<p>Other Material Considerations</p> <p>City Centre Conservation Area guidance document</p>
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- The acceptability of proposed office use at this location</li> <li>- The acceptability of the proposed retail use at ground floor</li> <li>- Demolition within the City Centre Conservation Area</li> <li>- Impact upon character and appearance of Linen Conservation Area</li> <li>- Impact upon setting of adjacent listed buildings</li> <li>- The impact on existing roads infrastructure</li> </ul>
9.2	<p><b>Principle of Redeveloping the Site &amp; Height, Scale and Mass</b></p> <p>The site is located within the development limits of the Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below.</p> <p>The site is located within the commercial district (CC007) and within the City Centre Conservation Area as designated in BMAP.</p>

9.3	The proposal is a 9 storey building on the site of an existing 8 storey building. A significant material consideration in this instance is the planning history on the site, which includes a 10 storey office building, approved on 18 <sup>th</sup> January 2006, although this permission has since lapsed.
9.4	The site is located within the commercial district as designated in the Belfast Metropolitan Area Plan. This sets out a number of urban design criteria for the area. Although there are no criteria specific to this area (Brunswick Street), there are criteria requiring new development to take account of the height of adjoining buildings and respecting the established building line. In terms of the adjoining buildings, the building to the immediate south is something of an anomaly in the row with a height of approximately 25m, with the building to the south of this approximately 32m high and the building to the immediate north of the site approximately 28m high.
9.5	The proposed building has a height of approximately 38m approximately with a tower element sitting at 40.5m, however the top two floors are set back and the shoulder height sits at approximately 30m. This is slightly lower than the shoulder height of the previous approval on the site and respects the shoulder heights of the dominant buildings in the row. In terms of the proposed building line the front of the proposed building footprint is very similar to that of Brunswick Street. Another key design criterion is that outside areas specified under designation CC007 building heights shall be a minimum of 6 storeys and a maximum of 9 storeys. At 9 storeys the proposal therefore complies with this criterion.
9.6	The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The design is contemporary with a modern take on the typical vertical proportions of buildings of a similar scale in the City Centre. The design shall be considered in more detail below. The proposal has also been assessed against paragraphs 4.12 and 4.13 of the SPPS; in terms of potential impact on amenity of adjacent properties the proposed building is set within a high density, high-rise inner urban context. Although the footprint of the proposed building is greater than that of the existing building in this high density inner urban context where high rise buildings sit cheek by jowl a level of overshadowing is to be expected within the enclosed area to the rear of the adjacent properties. Any impact should not be unduly significant.
9.7	<p><b>Acceptability of the Retail Unit</b></p> <p>Retail policy considerations are set out in the SPPS and BMAP. The site is located within the city centre but outside the primary retail core. The retail unit is 146 square metres.</p> <p>As the site is located within the City Centre boundary in BMAP and the retail unit is located on the ground floor there is no objection in principle to this use. Unrestricted retailing is appropriate within this City Centre location.</p>
9.8	<p><b>Acceptability of Office Use</b></p> <p>In terms of the proposed office use, the site is within a prime city centre location. The proposal has been assessed against Policy OF1 of the Plan Strategy and Framework (Pat1-3 Volume 1) of the Belfast Metropolitan Area Plan. The Policy States that Planning permission will be granted for office development in the designated Belfast City Centre. The proposal therefore complies with this Policy given the site's city centre location.</p>
9.9	<p><b>Impact on amenity</b></p> <p>The proposal has been assessed against paragraphs 4.11 and 4.12 of the SPPS. Environmental Services Department have offered no objections to the proposal and have advised that the applicant ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration or odours to nearby sensitive premises.</p>

9.10	<p><b>Traffic and Parking</b></p> <p>The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. Transport NI (TNI) had requested that a Transport assessment form and a Travel Plan is submitted, these were received on Friday 6<sup>th</sup> May 2016. TransportNI initially pointed to inadequacies in cycle and car parking arrangements. Having reviewed the submitted drawing bearing Planning Authority Drawing No.06C and date stamp 28<sup>th</sup> April 2016, together with the Transport Assessment Form dated May 2016 and Travel Plan &amp; Service Management Plan dated May 2016, TransportNI now offers no objections to this proposal subject to conditions detailed below (11.4 and 11.5).</p>
9.11	<p><b>Listed Buildings and Historic Monuments</b></p> <p>The proposal has been assessed against Policy BH4 of PPS6. The application site located within the Belfast Area of Archaeological Potential (AAP), as identified by the Belfast Metropolitan Area Plan (BMAP) 2015. It is also in close proximity to a number of industrial heritage sites, and a number of archaeological monuments that are of local importance and are protected by PPS 6 Policy BH2.</p> <p>Historic Environment Division: Historic Monuments Unit (HMU) has considered the impacts of the proposal and 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 BH 4 of PPS 6. The conditions are detailed below (11.2 and 11.3).</p>
9.12	<p>The proposal has been assessed against policy BH11 of PPS6. The application relates to 5-7 Brunswick Street which is within the setting of several listed buildings including Church House and Assembly Hall (grade B+). This listed building is of special architectural and historic importance, listed under Section 80 of the Planning Act (NI) 2011. HBU initially reviewed the proposal and considered it detrimental to the character and setting of this listed building. Further to the concerns raised by NIEA the agent stepped back the high level northern elevation by approximately 2.7m, with 3D visuals showing that the top of the proposed building will only be partially visible from the distant approach on Upper Queen Street and at the junction of Howard Street it would be completely screened by the Presbyterian War Memorial Building. Further to the amendments and additional supporting information NIEA Historic Buildings Unit have offered no further objections. The proposal has been reduced by a further floor since NIEA's latest comments, thus further reducing any potential impact on the setting of nearby listed buildings.</p>
9.13	<p><b>Demolition and development within City Centre Conservation Area</b></p> <p>The proposal has been assessed against Policy BH14 of PPS6. The existing building falls outside the essential character of the area makes no material contribution to the character or appearance of the area. Demolition is therefore acceptable, subject to an adequate replacement.</p>
9.14	<p>The proposal has been assessed against Policy BH12 of PPS6. The site is located within the City Centre Conservation Area as designated in the Belfast metropolitan Area Plan. . The initial proposal, dominated by a high level of glazing, was found to be inappropriate. The design was subsequently amended. The proposed buildings shoulder height sits sympathetically with adjacent buildings in the area and is similar to the shoulder height of the previously approved building on the site. The set-back on the upper two floors should ensure that the overall massing is reduced from a streetscape point of view, with the upper floor set back being partially obscured when viewed from the street below. The massing of the two upper floors is subservient to the main part of the building and is of a light weight construction and provides to a clear, base, middle and top to the overall</p>

	<p>composition. The cornicing at second floor level on the adjacent building to the north is followed through with a horizontal brick line at second floor level on the proposed building. A vertical emphasis has been created with the proposed curtain walling on the front elevation with a hierarchy introduced in the solid: void ratio with a reduction in the verticality on the upper floor. Heed is paid to the neoclassical / horizontal paradigm of subdivision of facades into base, middle and attic.</p> <p><b><u>Developer Contributions</u></b></p>
9.15	<p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council to provide contributions to local environmental improvements.</p>
9.16	<p>In this case it is considered that this should primarily take the form of public realm improvements to the streetscape around the building. The sum of monies / works to be undertaken are to be agreed with the developer / landowner and the developer has expressed a willingness and commitment to provide satisfactory contributions.</p>
10.0	<p>Summary of Recommendation:</p>
10.1	<p>Office proposal in a highly accessible city centre location is considered acceptable. History of planning approvals on the site including an approval for a 10 storey office building. The existing building does not make a positive contribution to the character of the conservation area and thus its demolition is acceptable. The proposal has been amended to address concerns in terms of height, scale and design, and is now considered to be more sympathetic to the character of the City Centre Conservation Area.</p>
10.2	<p>Statutory and non-statutory consultees have offered no objections to the proposal, whilst a TA Form and Travel Plan have been submitted to address issues raised by TransportNI.</p>
11.0	<p>Conditions</p>
11.1	<p>As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit.</p>
11.2	<p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
11.3	<p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation</p>

	and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.
11.4	<p>The development hereby permitted shall operate in accordance with the Travel Plan dated May 2016.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p>
11.5	<p>The development hereby permitted shall operate in accordance with the Service Management Plan dated May 2016.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p><b>Informatives</b>  The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration or odours to nearby sensitive premises.</p> <p>In the event that contamination not previously considered is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Belfast City Council for approval. This investigation and risk assessment must be undertaken in accordance with current best practice. In the event of unacceptable risks being identified, a remediation strategy shall be agreed, and subsequently implemented and verified to the Councils satisfaction.</p>
12.0	Notification to Department (if relevant) N/A
13.0	<p>Representations from elected members:</p> <p>None</p>
Neighbour Notification Checked	
	Yes



<b>ANNEX</b>	
<b>Date Valid</b>	30th June 2015
<b>Date First Advertised</b>	28th August 2015
<b>Date Last Advertised</b>	28th August 2015
<b>Details of Neighbour Notification (all addresses)</b> 1-3 Howard House Brunswick Street Town Parks 10 Brunswick Street Town Parks Belfast 10 Great Victoria Street Town Parks Belfast 12 Great Victoria Street Town Parks Belfast 14-16 Great Victoria Street Town Parks Arthur Cox 16-18 Northern Court, Gloucester Street, Belfast, Antrim, Northern Ireland, BT1 4LS 18 Great Victoria Street, Town Parks, Belfast, Antrim, BT2 7BA 2-4 Grand Opera House Great Victoria Street Town Parks 20 Great Victoria Street Town Parks Belfast 42 Howard Street Town Parks Belfast 44 Howard Street Town Parks Belfast 46 Howard Street Town Parks Belfast 52 Howard Street Town Parks Belfast 54 Howard Street Town Parks Belfast 56 Howard Street, Town Parks, Belfast, Antrim, BT1 6PG, 6 Brunswick Street, Town Parks, Belfast, Antrim, BT2 7GE, 6-8 Great Victoria Street Town Parks 8 Brunswick Street Town Parks Belfast 9-11 Frances House Brunswick Street Town Parks Chamber Of Commerce House 22 Great Victoria Street Town Parks Franklin House 12 Brunswick Street Town Parks Merrion Business Centre 58 Howard Street Town Parks	
<b>Date of Last Neighbour Notification</b>	29th April 2016
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01/A, 05, 06/C, 07/C, 08/A	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	