

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 15 th August 2017	
Application ID: LA04/2017/0461/F	
Proposal: Extensions / Alterations to Oyster House and Royston House comprising of extensions to the 7th floor and 1 additional floor above for offices, a 9 storey lift core extension within the courtyard, creation of roof terrace, alterations to existing elevations and reconfiguration of ground floor to form to 2 new retail units and new entrance lobby on Wellington Place	Location: Lands at 12 to 30 Wellington Place (Oyster House) and 42-46 Upper Queen Street (Royston House) Belfast BT1 6FX
Referral Route: Objection from consultee	
Recommendation:	Approval
Applicant Name and Address: Oakland (FRO) Ltd c/o Like Architects 34 Bedford Street Belfast BT2 7FF	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary: This application seeks full planning permission for an extension to the 7th floor and additional storey above, 9 storey lift core extension, creation of a roof terrace, alterations to existing elevations and reconfiguration of ground floor layout.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Acceptability of proposed use - Design, impact on character and appearance of City Centre Conservation Area and setting of Listed Buildings - Impact on area of archaeological potential - Impact on existing roads infrastructure/ acceptability of access arrangements/parking - Impact upon amenity of neighbouring properties - Contamination <p>The site is located within the development limits of Belfast City Centre. It also falls within Belfast City Centre Conservation Area and the Civic Precinct Character area as designated by Draft BMAP. The principle of the office use and retail unit is acceptable given the city centre location.</p> <p>The Council's Conservation Officer has objected to the proposed extensions as they consider that it will have a negative impact on the reading of the Conservation Area as a late Victorian / Edwardian commercial city centre.</p> <p>These concerns have been carefully considered by Officers'. However taking into account the context of the existing building and the heights and roof forms of adjoining buildings with the main views of 9 Donegall Square West (Grade A listed building) remaining uninterrupted along with the upgrade secured to the ground floor shop units, the impact on the conservation area is considered to be acceptable and not considered in this case to result in harm.</p>	

Transport NI, Belfast City Airport, HED and the Council's Independent Urban Design Officer were consulted and have offered no objections to the proposal subject to conditions.

Whilst Environmental Health and DAERA have advised that further information is required in the form of a Generic Contaminated Land Risk Assessment, it is considered that this technical matter can be appropriately addressed by conditions.

No objections have been received to date. If any representations are received they will be reported as an update to committee.

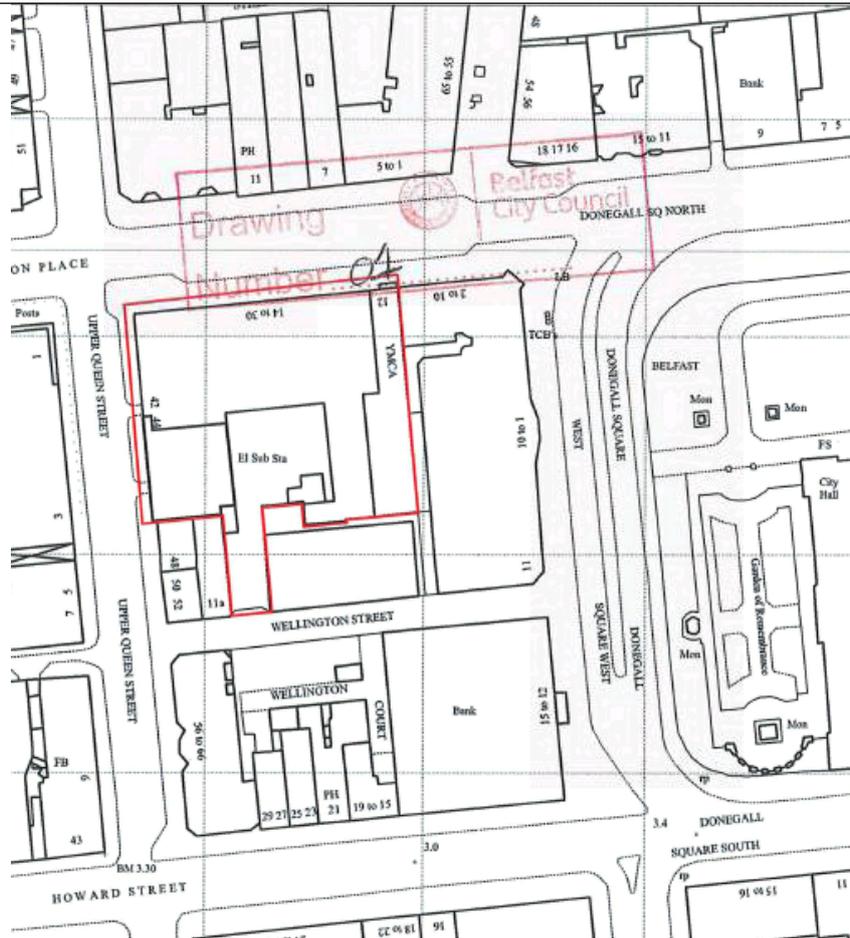
On balance and having regard to the development plan, relevant planning policies and other material considerations, the proposal would represent an overall enhancement to the existing building and surrounding area with the creation of Grade A office space and associated benefits to the local economy in line with the SPPS.

Recommendation

It is requested that committee delegate authority to the Director of Planning and Place to grant planning permission subject to the conditions listed in Section 10 of the report with the final wording of conditions to be agreed.

Case Officer Report

Site Location Plan



Wellington Place Street Elevation A-A

1.0 Description of Proposed Development

This application seeks planning permission for extensions to the 7th floor and the creation of new floor above for offices, a 9 storey lift core extension within the courtyard and creation of a roof terrace. Alterations are also proposed to the existing elevations including new cladding to the internal elevations within the courtyard, upgrade of shopfronts on the ground floor, reconfiguration of ground floor to form 2 new retail units and new entrance lobby on Wellington Place.

Amendments were secured during the processing of the application including:

- The removal of the 9th floor
- Set back of the proposed 8th floor from the boundary with Scottish Provident

	<ul style="list-style-type: none"> • Upgrade to shopfronts on the ground floor base
2.0	<p>Description of Site The site is an eight storey office building with retail/ commercial units at ground floor level. The building is of modern construction comprising of square concrete panels on the elevations fronting Wellington Place and Queens Street with a flat roof. The site sits adjacent to the listed building of the Scottish Providence Building which is separated by a glazed link which forms the main entrance to the office building.</p> <p>The surrounding area is of commercial nature with a mixture of retail units, restaurants and office, typical of its city centre location.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History LA04/2016/2045/F – Alterations to ground floor lobby of Oyster House, extension and alteration to floors one to seven to rear of Oyster House and Royston House (comprising 2115 square metres of new office floor space) and alterations to elevations on Upper Queen Street and Wellington Place (excluding shop fronts to existing occupied ground floor retail units and restaurants) – Granted 24.01.2017</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP) (Draft) Belfast Metropolitan Area Plan</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 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.</p>
4.2	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Environment</p>
5.0	<p>Statutory Consultees Historic Environment Division (HED) – No objection DAERA (Land, Soil, Air) – Not been provided with sufficient information to advise of environmental risks, a Generic Contaminated Land Risk Assessment is required Transport NI - No objection subject to conditions Belfast City Airport – No objection</p>
6.0	<p>Non-Statutory Consultees Environmental Health BCC – A Generic Contaminated Land Risk Assessment is required, further to this a Verification Report may be required. Conservation Officer BCC – Objection, considered that the proposal will have a negative impact on the reading of the Conservation Area as a late Victorian / Edwardian commercial city centre Independent Urban Design Consultant – Initially objected to the scheme over the built form, scale and detailing of the proposed extension in respect of the impact on the setting of the listed building, conservation area and Wellington Place. However following discussions it was agreed that these issues could be overcome by removal of the 9th floor</p>
7.0	<p>Representations None received. Re-consultation has been carried out. Any additional representations received after the date of this report, will be reported as an update to committee</p>
8.0	<p>Other Material Considerations 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"> - Acceptability of proposed use - Design, impact on character and appearance of City Centre Conservation Area and setting of Listed Buildings - Impact on area of archaeological potential - Impact on existing roads infrastructure/ acceptability of access arrangements/parking - Impact upon amenity of neighbouring properties - Contamination
9.2	<p><u>Acceptability of proposed use</u></p> <p>There is no major conflict between the BUAP, Draft BMAP and the SPPS in terms of office policy. The proposed office use is within a prime city centre location which is promoted as the primary place for office development through the RDS, SPPS, Draft BMAP and PPS 4. The proposal would create approximately 3170 m² of Grade A office space which would make a valuable contribution to the local economy and job creation.</p>
9.3	<p>In terms of the reconfiguration of the ground floor to form 2 new ground floor retail units, a similar level of retailing would be retained which would be in keeping with the main principles of Draft BMAP and the SPPS for the city centre first retailing approach.</p>
9.4	<p><u>Design, impact on character and appearance of the City Centre Conservation Area and setting of Listed Buildings</u></p>
9.4	<p>The site is within the Civic Precinct Character Area as designated in Draft BMAP which sets out a number of urban design criteria. The general approach to this designated character area was accepted by the Planning Appeals Commission at examination in light of objections received and as such it is considered that these policies are still afforded considerable weight in the determination of the application.</p>
9.5	<p>These criteria require new development to take account of the height of adjoining buildings and to respect the established building line. In terms of the site specific criteria there is a requirement for part of the development that fronts onto Wellington Place to be a minimum of 5 storeys and a maximum of 7 storeys.</p>
9.6	<p>The site is located within Belfast City Centre Conservation Area. Policy BH 12 advises that development will normally be permitted for alterations and extensions where they are sensitive to the existing building and in keeping with the character and appearance of the Conservation Area. It is important to note that Conservation Areas are continually evolving and changing, which is indeed the case here with a mixture of modern infills sitting alongside the traditional buildings. The City Centre Conservation Area guidelines further advise the City centre must continue to provide a vibrant commercial image that encompasses the need for change and new development.</p>
9.7	<p>The principle of a double height entrance has already been established under planning permission LA04/2016/2045/F. This proposal would relocate the entrance to a central position on the Wellington Place elevation providing a focal entrance point and a balance to the symmetry of the building. The Conservation Officer has no objection to this aspect.</p>
9.8	<p>The installation of the curtain wall glazing on the elevations of the courtyard was approved under planning application LA04/2016/2045/F. The proposed lift core extension would be in keeping with this design with any public views limited to Wellington Street. This proposal also involves the cladding of the eastern elevation, however this elevation tightly borders adjoining buildings leaving it free from public view, thus having no impact on the character and appearance of the conservation area. In the context of the conservation area, these</p>

	elements are therefore considered acceptable.
9.9	Improvements to the ground floor base of the building facing Wellington Place and Queen Street are proposed, including new shopfronts with bronze affect panels surrounding curtain wall glazing in keeping with the design of the new entrance to the building. These alterations would create a more coherent and stronger ground floor base enhancement the character and appearance of the building and the surrounding conservation area.
9.10	The Conservation Officer considers that the proposed extension through its excessive height and design would be unsympathetic to the characteristic built form of the conservation area. The existing building already exceeds the height guidelines for the Civic Precinct Character Area by a storey. This proposal would result in an additional storey which would increase the height of the building by a further 3 metres. However the existing shoulder height would be maintained with the 7 th floor set back approx. 1.7 metres and the 8 th floor set back approx. 2.7 metres from the building edge and clad in curtain wall glazing which would reduce the perceived scale and massing of the extension. Furthermore the existing building is already of substantial solid massing, the upper glazed floors would provide a relief to this and would appear as a subservient element to the main building.
9.11	It is acknowledged that the corners of Donegall Square are important historic nodal points that form part of the civic setting of the Square with 9 Donegall Square West representing one of these points. From street level the increase in height would not be visually apparent. The proposed amendments with the removal of the 9 th floor and set back of the 8 th floor away from the boundary of 9 Donegal Square West and the simplistic nature of the proposed extensions would ensure that Oyster House would not compete or detract from the historic nodal point with the main views remaining uninterrupted.
9.12	It is accepted that the proposed curtain walling extension would not be a traditional feature associated with Conservation Areas. However in the context of the existing building with the extension in keeping with the horizontal elements of the building and the surrounding area with fully glazed roof forms found on adjoining buildings, it is considered that it would be unreasonable to refuse the application on this basis.
9.13	On balance, it is considered that the proposed alterations would rejuvenate a somewhat tired building and would represent an overall enhancement to the character and appearance of Conservation Area in conjunction with the upgrade secured to the ground floor shop units. The proposal is therefore considered to comply with PPS6 and the SPPS.
9.14	The application site adjoins the Grade A listed building of 9 Donegall Square West. The set back of the 8 th floor away from the boundary and the removal of the 9 th floor ensures that the historic setting of the tower and the ornate roofline of 9 Donegall Square West are not obscured. The important views along Wellington Street and Donegall Square would be protected. The site is also in the vicinity of the listed buildings of 7-11 Wellington Place, Linen Hall Library and Danske Bank, however the proposed extensions are suitably removed as to not have an adverse impact upon their setting. HED were consulted and offered no objection. In light of this, it is considered that the proposed would not cause demonstrable negative harm on the setting of the listed buildings in accordance with Policy BH11 of PSS6 and the SPPS.
9.15	<u>Impact on area of archaeological potential</u> The site is located within an area of archaeological potential. The proposed ground works are limited to a relatively small area which would have undergone significant disturbance in the construction of the existing building. Subsequently there are no archaeological concerns associated with the scheme. HED were consulted and had no objection. As such

<p>9.16</p> <p>9.17</p> <p>9.18</p>	<p>the proposal is considered to accord with Policy BH4 of PPS6 and the SPPS.</p> <p><u>Impact on existing roads, infrastructure/ acceptability of access arrangements</u> A Transport Assessment Form and Framework Travel Plan have been submitted in support of the application. The site is located within an area of parking restraint as designated in Draft BMAP, it is considered that Policy TRAN 1 can be afforded significant weight given the minor amendments proposed to the policy following its examination. The site presently has access to 26 on-site parking spaces, with no additional spaces proposed as part of this application. However, given the highly sustainable location of the site with access to all forms of public transport/ local amenities and the operation of a Travel Plan, the reduced level of parking is considered acceptable. On site covered cycle parking will also be provided. Transport NI were consulted and offered no objection subject to conditions. The proposal is therefore considered to comply with PPS3 and the SPPS.</p> <p><u>Impact on amenity</u> The surrounding area consists of commercial buildings which are not afforded the same degree of amenity as residential buildings given the nature of the way they are occupied and utilised. As a result of the proposed extensions, the resultant building would be taller than the adjoining buildings and as such there is a potential for loss of sunlight/ daylight. However, given the stepped and glazed design of the extensions, the commercial nature of the buildings and the city centre location, it is not considered that any loss of light would be so significant to adversely impact upon their amenity in accordance with the SPPS.</p> <p><u>Contamination</u> The application is supported by a Preliminary Risk Assessment. Environmental Health and DAERA have both advised that a Generic Quantitative Risk Assessment is required. However, owing to the minor scale of works proposed in terms of ground disturbance and the associated level of risk being moderate / low and the operational nature of the building, it is considered appropriate for these further investigation works to be negatively conditioned prior to commencement of development.</p>
<p>10.0</p>	<p>Conditions:</p> <ol style="list-style-type: none"> 1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: Time Limit. 2. Prior to the first occupation of the development hereby permitted, the upgrade works to the ground floor shopfronts as identified on the approved plans shall be completed in full in accordance with the approved details. Reason: To ensure that the benefits to Conservation Area are appropriately secured. 3. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details. Reason: To protect the visual amenities of the area including the conservation area.

4. The development hereby permitted shall not become operational until a Travel Plan has been prepared in general accordance with the framework Travel Plan, stamped received 24th May 2017.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

5. The development hereby permitted shall not become operational until cycle parking has been provided in accordance with approved drawing number 09B bearing date stamp 19th July 2017. The cycle parking shall be permanently retained thereafter.

Reason: To ensure adequate provision has been made for cycle parking and to encourage and promote alternative modes of transport.

6. Prior to commencement of the development, a Generic Quantitative Risk Assessment (GQRA) shall be submitted to Belfast City Council for approval.

The Risk Assessment shall follow the methodology outlined in Model Procedures for the Management of Land Contamination (CLR11). This report must incorporate:

A detailed site investigation in line with British Standards BS10175:2011+A1:2013.

Ground gas investigations conducted in line with BS8485:2015 and BS8576:2013. A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in CIRIA C665 along with ground water and other environmental receptors;

Reason: Protection of human health and ensure that the site is suitable for use.

7. In the event that a Contaminated Land Remediation Strategy is required and prior to the commencement of development, the applicant must submit to Belfast City Council, for approval, a detailed Remediation Strategy outlining the measures to be undertaken to ensure that the identified pollutant linkages are demonstrably broken and no longer pose a potential risk to human health.

Reason: Protection of human health and ensure that the site is suitable for use.

8. In the event that a Contaminated Land Remediation Strategy is required and prior to the operation of the development, the applicant shall provide to Belfast City Council, for approval, a Contaminated Land Verification Report. This report must demonstrate that the remediation measures outlined in the contaminated land Remediation Strategy have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for the proposed end-use. It must demonstrate that any identified significant pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health and ensure that the site is suitable for use.

	<p>9. 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 Planning Service for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.</p> <p>Reason: Protection of human health and ensure that the site is suitable for use.</p>
Neighbour Notification Checked	Yes

ANNEX	
Date Valid	7th March 2017
Date First Advertised	24th March 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1, 10 - Donegall Square West, Town Parks, Belfast, Antrim, BT1 6JA, 1 - 8 Wellington Street, Belfast, BT1 6HT 1-38, Wellington Place, Town Parks, Belfast, Antrim, BT1 6GA, 27-29, Howard Street, Town Parks, Belfast, Antrim, BT1 6NB, 28-30, Wellington Place, Town Parks, Belfast, Antrim, BT1 6GE, 46 - 54 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FD, 5-7 Eagle Star House, Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FB, 50-56 Johnson House, Wellington Place, Town Parks, Belfast, Antrim, BT1 6GF, 56-66 Queens Court, Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FD, 6 Wellington Court, Town Parks, Belfast, Antrim, BT1 6HW, 9 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FB, Bradley House, 23 Howard Street, Town Parks, Belfast, Antrim, BT1 6NB, Capital House, 3 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FB, Fisherwick Building, 9 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FB, Floor 6, Capital House, 3 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FB, Jefferson House, 42 Queen Lesley House, 25 Wellington Place, Belfast, BT1 6GD Royston House, 34 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FA, Scottish Providence Buildings, 7 Donegall Square West, Town Parks, Belfast, Antrim, BT1 Unit 10 -12 46 Upper Queen Street, Town Parks, Belfast, Antrim, BT1 6FD, Unit 6, Ferguson/royston House, Wellington Place, Town Parks, Belfast, Antrim, BT1 6GE,	
Date of Last Neighbour Notification	24th July 2017
Date of EIA Determination	N/A
ES Requested	No

Drawing Numbers and Title

- 01 – Site Location Plan
- 03 – Proposed Site Block Plan
- 09B – Proposed Ground Floor Plan
- 10A – Proposed First Floor Plan
- 11A – Proposed 2nd/3rd Floor Plan
- 12A – Proposed 4th/6th Floor Plan
- 13A – Proposed 7th Floor Plan
- 14B – Proposed 8th / 9th Floor Plan
- 15B – Proposed Elevations
- 16B – Proposed Elevations
- 17B – Proposed Elevations
- 18A – Proposed Context Elevation

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: