

## Development Management Officer Report Committee Application

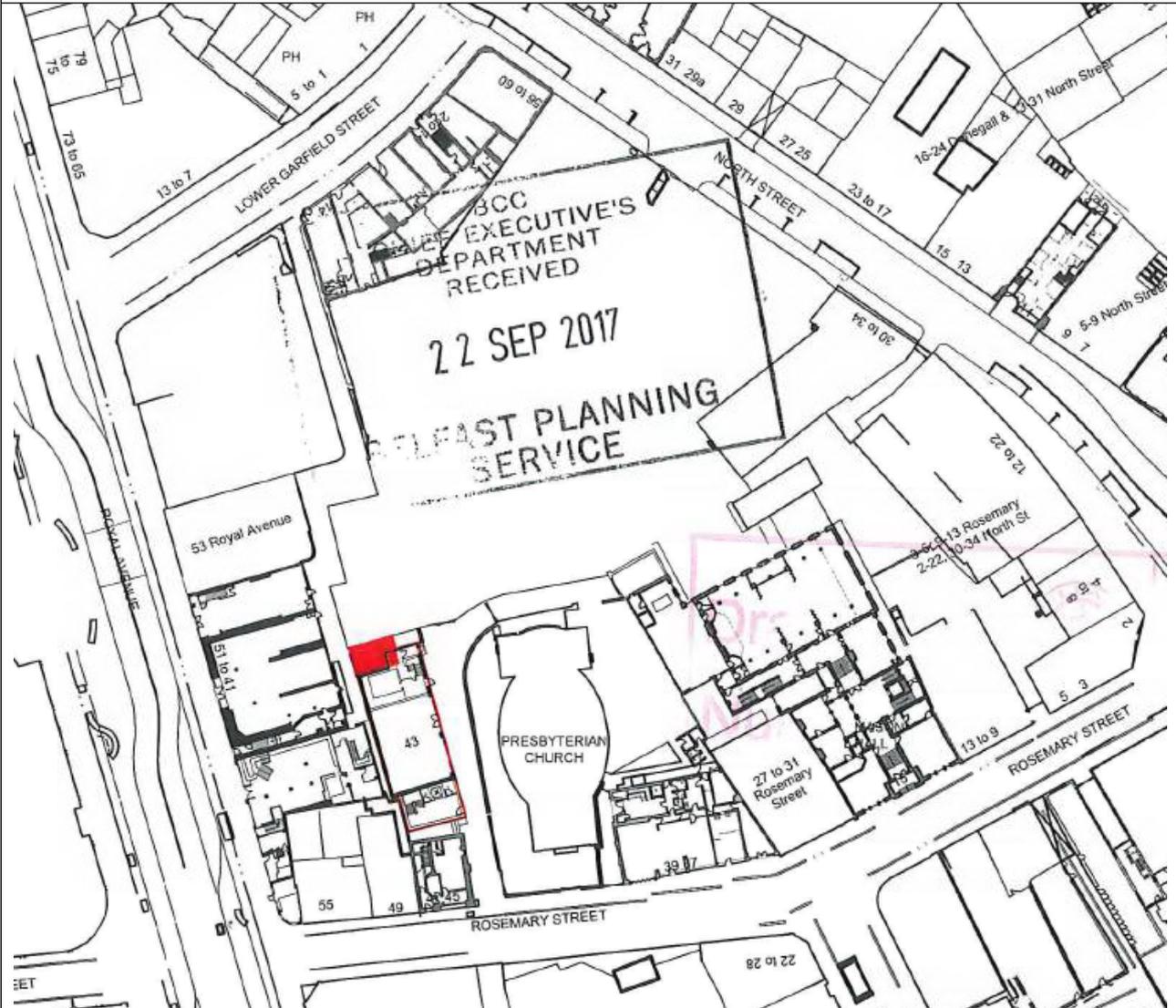
<b>Summary</b>	
<b>Committee Meeting Date: 15<sup>th</sup> February 2018</b>	
<b>Application ID:</b> LA04/2017/2196/DCA	
<b>Proposal:</b> Demolition of rear extension and partial demolition of eastern and southern elevations	<b>Location:</b> 43 Rosemary Street Belfast BT1 1QB
<b>Referral Route: Associated with major planning application LA04/2017/2126/F (Former Royal Exchange Scheme Phase 1B).</b>	
<b>Recommendation:</b>	<b>Grant consent subject to condition</b>
<b>Applicant Name and Address:</b> PG Ltd. 49 Berkeley Square London W1J5AZ	<b>Agent Name and Address:</b> Savills Embassy House Queens Avenue Bristol BS8 1SB
<p><b>Executive Summary:</b> Planning permission is sought for the demolition of the rear extension and partial demolition of eastern and southern elevations of the building at No. 43 Rosemary Street.</p> <p>The site is located within Belfast City Centre Primary Retail Core. It falls within Belfast City Centre Conservation Area and is adjacent to the listed First Presbyterian Church, 41 Rosemary Street.</p> <p>Two objections have been received from the Ulster Architectural Heritage Society (UAHS). Issues raised are set out as follows:</p> <ul style="list-style-type: none"> <li>• Proposal contrary to SPPS and PPS 6.</li> <li>• The proposal for Phase 1B will have an adverse and cumulative impact on important listed buildings.</li> <li>• The proposals would not serve to enhance and would significantly harm the character of the conservation area.</li> <li>• The amended drawings to not appear to address concerns raised</li> </ul> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• The principle of demolition</li> <li>• Impact on the Conservation Area</li> <li>• Impact on the setting of listed buildings</li> </ul> <p>Planning permission was previously granted for a comprehensive development scheme which included this site and permitted the demolition of the entire building.</p> <p>The proposal has been assessed against relevant planning policy and complies with the policy.</p> <p><u>Recommendation</u> Having regard to the policy context and other material considerations, the proposal is considered acceptable. It is recommended that consent be granted subject to condition and that the consent be linked to the proposals for Phase 1B (Ref: LA04/2017/2126/F) through a Section 76 Agreement</p>	

It is requested that authority is delegated to the Interim Director of Planning and Place, on behalf of the Council in consultation with Legal Services, to agree the terms of the Agreement and the final wording of conditions.

If members are minded to approve the application, the Council will be required to notify DFI given under Sections 105(6) of the Planning Act (Northern Ireland) 2011.

## Case Officer Report

### Site Location Plan



**Representations:**

Letters of Support	None Received
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

**Characteristics of the Site and Area**

1.0	<p><b>Description of Proposed Development</b></p> <p>The proposal is for the demolition of rear extension and partial demolition of eastern and southern elevations.</p>
2.0	<p><b>Description of Site</b></p> <p>The site, identified as No. 43 Rosemary Street, Belfast, is linked to planning application reference LA04/2017/2126/F. It comprises a three-storey property located to the rear of Nos. 45-47 Rosemary Street and opposite the western (side) elevation of Rosemary</p>

	<p>Presbyterian Church. The property is finished in grey render with a small element of the ground floor front elevation composed of brick that has been painted white. There is a single storey extension to the southern side, painted with a leaf design and adjoining the rear of Nos. 45-47 Rosemary Street, which provides a self-contained unit currently in use as an art gallery. To the northern side is a three storey extension finished in red brick which provides a lift shaft serving the application property. The lift shaft is adjoined by an external staircase which has an advertising shroud attached to it.</p> <p>The site is located within Belfast City Centre Primary Retail Core. It falls within Belfast City Centre Conservation Area and is adjacent to the listed Masonic Hall.</p>
<p><b>Planning Assessment of Policy and other Material Considerations</b></p>	
<p>3.0</p>	<p><b>Planning History</b></p> <p><b>Z/2010/1532/F</b> - Demolition, redevelopment and part change of use of existing buildings to create mixed use development comprising retail, offices, café/bar use, 2no. retail pavilions, 205 apartments including 6 no. live/work units, with associated energy centre, service areas and above ground car parking, cultural/arts centre, hotel, 2-level basement car park and associated access and circulation, creation of new streets and public spaces, reconfiguration of Writers Square, public realm works, landscaping and associated site and road works. Application also comprises works to restore, alter and extend listed buildings and facades and partial demolition of North Street Arcade retaining its facades, partial reconstruction of end blocks and reconstruction of rotunda on original location. Proposed development at lands bounded by nos. 31-101 Royal Avenue, Church Street, William Street, Writers Square Nos 40 to 16 Donegall Street, No.2 Waring Street, 1-21 Bridge Street, Nos 2-18 High Street, Nos 1-27 Lombard Street, Nos 33 to 55 Rosemary Street and including North Street and Nos 2-14 Lower Garfield Street. Permission granted 11 October 2012.</p> <p><b>Z/2010/1485/DCA</b> - Demolition of Buildings, Nos. 43A-43B and 49-55 Rosemary Street, Belfast, BT1 1QB. Consent granted 11 October 2012.</p> <p><b>LA04/2016/2327/F</b> - Application to Vary conditions 2-4 (demolition and construction), 6, 8-13 (traffic and parking), 14-18 (contaminated land), 21-22, 25, 27, 29 (landscaping), 30-31 (archaeology) and 33 (environmental designations) of planning permission Z/2010/1532/F for the demolition, redevelopment and part change of use of existing buildings to create mixed use development known as Royal Exchange, comprising retail, offices, café/bar use, apartments, car parking, cultural/arts centre, hotel and associated access and circulation and public realm works, including restoration, alteration and extension of listed buildings. Lands bounded by Nos. 31-101 Royal Avenue, Church Street, William Street, Writers Square, Nos. 40 to 16 Donegall Street, No. 2 Waring Street, 1-21 Bridge Street, Nos. 2-18 High Street, Nos 1-27 Lombard Street and Nos. 2-14 Lower Garfield Street, Belfast. Permission granted 23 Jan 2017.</p> <p><b>LA04/2016/1621/DCA</b> - Variation of condition 1 (contract for carrying out works approved under planning application ref. Z/2010/1532/F) of demolition within a conservation area consent Z/2010/1485/DCA for the demolition of buildings, Nos 43a-43b and 49-55 Rosemary Street, Belfast, BT1 1 QB. Permission granted 23 Jan 2017.</p> <p><b>LA04/2017/2126/F</b> - Redevelopment including the construction of a new six storey building on the existing surface level car park and part change of use to create a mixed use development comprising retail units, restaurants and cafes, residential units, offices, church and related community floor space, new streets and public realm works. Demolition of 53 Royal Avenue and 27-31 Rosemary Street and restoration of Central Halls (37-39 Rosemary Street), Masonic Hall (15 Rosemary Street), 43/43a Rosemary</p>

	<p>Street and retention of 30-34 North Street (Amended plans and further information received). Decision Pending.</p> <p><b>LA04/2017/2341/O</b> - Application for outline planning permission for demolition, redevelopment to create a mixed use development comprising retail, offices, café/restaurant uses, residential apartments, including private rented sector units, hotel use, community uses, car parking, associated access, servicing and circulation arrangements, an energy centre, the creation of new streets, the reconfiguration of Writers Square, public realm works, landscaping and associated site and road works. The application also proposes works to alter listed buildings, restoration of retained listed buildings and facades, and partial demolition of North Street Arcade, retaining its facades. Details of proposed access arrangements are also provided, Land Bounded by Royal Avenue, York Street and Church Street to the North, Royal Avenue to the west Rosemary Street and High Street to the south and Donegall Street to the east. The site is located approximately 300m west of Laganside Bus Station 300m northeast of city hall and 900m northwest of Central Train Station. A triangle of land bounded by Royal Avenue Lower Garfield Street and North Street lies outside the application site boundary. Application under consideration.</p> <p><b>LA04/2017/2340/DCA</b> - Demolition of rear extension and partial demolition of eastern and southern elevations, 43 Rosemary Street, Belfast, BT1 1QB.</p>
4.0	<b>Policy Framework</b>
4.1	<p>Regional Development Strategy (RDS) 2035  Belfast Urban Area Plan (BUAP) 2001  Draft Belfast Metropolitan Area Plan (dBMAP) 2015</p>
4.2	<p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <ul style="list-style-type: none"> <li>• Conservation Areas Paras. 6.18 – 6.</li> </ul> <p>Planning Policy Statement 6 (PPS 6): Planning, Archaeology and the Built Heritage</p> <ul style="list-style-type: none"> <li>• Policy BH14: Demolition in a Conservation Area</li> </ul>
5.0	<b>Assessment</b>
5.1	<p><b>Statutory Consultees Responses</b></p> <ul style="list-style-type: none"> <li>• None</li> </ul> <p><b>Non Statutory Consultees Responses</b></p> <ul style="list-style-type: none"> <li>• Council’s Conservation Officer – Issues Raised</li> </ul> <p><b>Representations</b></p> <p>The application has been advertised in the local press. Two objections have been received from the Ulster Architectural Heritage Society (UAHS). Generic and site specific issues which have been raised in the first representation of objection submitted by the UAHS and dated 30 October 2017 are summarised into the following categories:</p> <ul style="list-style-type: none"> <li>• Proposal contrary to SPPS and PPS 6.</li> <li>• The proposal for Phase 1B will have an adverse and cumulative impact on important listed buildings.</li> <li>• The proposals would not serve to enhance and would significantly harm the character of the conservation area.</li> <li>• The amended drawings to not appear to address concerns raised</li> </ul> <p>All matters raised in the objections have been taken account of in assessing the proposal.</p>

	<p><b>Other Material Considerations</b></p> <ul style="list-style-type: none"> <li>• Belfast City Centre Conservation Area Guide</li> </ul> <p><b>Conservation Area Consideration</b></p> <p>The Council’s Conservation Officer was consulted in relation to the proposal and provided an opinion that the proposed re-modelling in an alien brick colour and the horizontality of window openings would not be acceptable in the context of the Conservation Area or the settling of the listed building. However, the Conservation Officer has recognised that the property has been extensively altered from its former use as a National School and it is acknowledged that HED raised no issues in relation to the impact of the proposal on the adjacent listed building (i.e. Rosemary First Presbyterian Church).</p> <p><b>Principle for demolition</b></p> <p>The principle for demolition of the entire building at No. 43 Rosemary Street has been established by previous approvals under planning references Z/2010/1532/F, Z/2010/1485/DCA, LA04/2016/2327/F and LA04/2016/1621/DCA.</p> <p>Phase 1A of the consented scheme has commenced which in effect means that the planning permission for the consented scheme remains live.</p> <p><b>Impact on Conservation Area and Listed Building Setting</b></p> <p>In considering the current proposal, Policy BH14 of PPS 6 applies. It states that the demolition of an unlisted building in a conservation area will normally only be permitted where the building makes no material contribution to the character or appearance of the area. It further states that where conservation area consent is granted this will normally be conditioned on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition.</p> <p>The works proposed comprise the demolition of the lift shaft and external staircase and the partial demolition of the eastern and southern elevations to accommodate new openings, facilitate new uses to the ground floor and allow for a three storey extension to the south to accommodate a new stairwell and lift shaft. Remodelling is proposed alongside the demolition works in which it is intended to add a parapet wall and clad the building in a light grey brick along the Church Lane Elevation. A glazed shop front to the ground floor and reconfigured openings to the first floor will have a horizontal emphasis. The reconfigured openings will incorporate aluminium panels.</p> <p>It is considered that the architectural merit of the application property is insignificant given the extensive alterations that have already taken place and that the elements proposed for demolition make no material contribution to the character or appearance of the conservation area and listed building setting. The removal of these elements are considered acceptable in the context of the associated re-modelling works which will enhance the appearance of the building within the conservation area, encourage an active frontage and bring vitality and vibrancy to the area.</p>
5.2	<p>Having regard to the policy context and other considerations above, the proposal is considered acceptable. Planning permission is recommended subject to conditions.</p>
6.0	<p><b>Summary of Recommendation:</b> Grant consent subject to condition.</p>

7.0	<p><b>Conditions</b></p> <p>1. In accordance with Section 105 of the Planning Act (NI) 2011, the demolition works hereby approved shall not take place until a contract for the redevelopment of the site in accordance with the detailed proposals under application reference LA04/2017/2126/F has been agreed, and evidence of that contract submitted to and approved in writing by the Council.</p> <p>Reason: To ensure the implementation of a satisfactory redevelopment scheme in the interests of the Belfast City Centre Conservation Area.</p>
8.0	<p><b>Notification to Department (if relevant)</b></p> <p>If members are minded to approve the application, the Council will be required to notify DFI given under Sections 105(6) of the Planning Act (Northern Ireland) 2011.</p>
9.0	<p><b>Representations from Elected members:</b></p> <p>None</p>

<b>ANNEX</b>	
<b>Date Valid</b>	26th September 2017
<b>Date First Advertised</b>	13th October 2017
<b>Details of Neighbour Notification</b> (all addresses) Not applicable	
<b>Date of Last Neighbour Notification</b>	27th October 2017
<b>Drawing Numbers: 02A, 03A, 05, 06, 08.</b>	