

Development Management Addendum Report Committee Application

Summary	
Committee Meeting date: 11 September 2018	
Application ID: LA04/2017/0562/F	
Proposal: Demolition of existing cinema building and erection of a 12 storey Grade A office building comprising eleven floors of offices above a ground floor foyer and retail units, basement parking and other ancillary works. Proposal also includes the refurbishment of Bankmore Square open space and wider public realm improvements to surrounding footpath network.	Location: 14 Dublin Road and Bankmore Square Belfast BT2 7HN
Applicant Name and Address: Richland Belfast One Ltd 2nd Floor Berkley Square House Berkley Square London	Agent Name and Address: Clyde Shanks Ltd 5 Oxford Street Belfast BT1 3LA
Recommendation:	APPROVAL (no change of opinion)
<p>Addendum Report <u>Introduction</u></p> <p>1. This is an addendum report to the report previously considered by the Planning Committee on 16 May 2017 (a copy of which is appended) in light of the judicial review (JR) decision outlined below.</p> <p><u>Background</u></p> <p>2. On 24 May 2018, the High Court quashed the Council's decision to grant planning permission for a Major office development at the junction of Stewart Street/East Bridge Street and West of Central Station (LA04/2016/0559/F).</p> <p>3. The Judicial Review was successful on two grounds. Firstly, that the Planning Committee, when it made its resolution to grant permission in September 2016, failed to consider the change in status of the Belfast Metropolitan Plan (BMAP). This meant that the Belfast Urban Area Plan (BUAP) became the statutory plan and BMAP reverted to draft plan status. Moreover, officers should have ensured the application was put in front of the Planning Committee, in accordance with the Scheme of Delegation, to reassess it in the light of the adoption of BMAP being quashed. Secondly, that the Council failed to take account of the Planning Appeal Commission's recommendation (ultimately rejected by the Ministers) that the application site should be designated for social housing.</p>	

4. In view of the High Court's decision, the planning service has reviewed older applications which have previously been considered by the Planning Committee but where the decision has yet to be issued. The planning service has identified four applications where the report to the Planning Committee did not adequately address the issues around the correct status of the BUAP and BMAP and/or the recommendations of the PAC following the examination of BMAP. This application is one of those identified and as such is being reported to the Planning Committee so these aspects can be reconsidered.

Re-assessment of the Planning Application

5. Following the judicial proceedings relating to the adoption of BMAP, the statutory Local Development Plan for the area is the BUAP. Both the purported to be adopted BMAP (BMAP 2015) and pre-examination draft BMAP (dBMAP) are a material consideration. Given the advanced stage that 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.

6. Under the BUAP, the site is located within the city centre but has no other zonings.

7. Under the BUAP, there are a number of pertinent policies including:

The Office Development Strategy states that office development will be concentrated in the City Centre with large scale office developments directed to the Main Office Area. The site is located within the city centre and just within the main office area as denied in BUAP.

CC12 High Buildings states that high buildings must be sympathetic in scale to the traditional height of buildings in the city centre. The height of the building was assessed in relation to buildings in the vicinity and is discussed in the original committee report at paragraph 9.7.

Policy R1 states that public and private open spaces within the built-up area will be retained. The proposed site includes an area of existing open space (Bankmore Square), however there is no development proposed on this part of the site.

Policy S1 – Shopping Development within the City Centre states that City Centre Shopping will be concentrated in the Main Shopping Area around Donegall Place/ Royal Avenue. Small scale shopping development up to 2,500 sq. metres gross floorspace may be permitted in existing shopping frontages in the remainder of the City Centre. Retail policies within BUAP draft BMAP are now superseded by the Strategic Planning Policy Statement for Northern Ireland.

8. The site is located in unzoned white land in the draft BMAP and BMAP 2015, and within the Shaftsbury Square Character Area in both plans.
9. As there was no change to the key site requirements for the character area between the pre and purported to be adopted versions of BMAP, and the proposal had been assessed against these criteria, the proposal is considered acceptable having regard to both draft BMAP and BMAP 2015.

Reason for the delay in issuing the decision

10. The planning application was previously considered by the Planning Committee in May 2016. It resolved to grant planning permission subject to conditions and a Section 76 planning agreement. The planning permission has not yet been issued as the Section 76 planning agreement has yet to be completed.

Recommendation

11. Having regard to the updated assessment of the policy considerations set out in this report, the assessment undertaken in the original committee report attached to this addendum report, and all other relevant material considerations, it is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission subject to the conclusion of the Section 76 planning agreement.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 th May, 2017	
Application ID: LA04/2017/0562/F	
Proposal: Demolition of existing cinema building and erection of a 12 storey Grade A office building comprising eleven floors of offices above a ground floor foyer and retail units, basement parking and other ancillary works. Proposal also includes the refurbishment of Bankmore Square open space and wider public realm improvements to surrounding footpath network.	Location: 14 Dublin Road and Bankmore Square Belfast BT2 7HN
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Richland Belfast One Ltd 2nd Floor Berkley Square House Berkley Square London W1J 6BD	Agent Name and Address: Clyde Shanks Ltd 5 Oxford Street Belfast BT1 3LA
<p>Executive Summary: The application seeks full permission for a 12 storey office development with ground floor retail, basement parking and refurbishment of Bankmore Square.</p> <p>The main issues to be considered are:</p> <ul style="list-style-type: none"> - The acceptability of proposed office and retail use at this location - The acceptability of the design, scale and massing - Impact on residential amenity - Impact upon setting of adjacent listed buildings - The impact on existing roads infrastructure - Flood Risk - Impact on open space <p>The site is located within Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within Shaftesbury Square Character Area (CC013) and along a major road proposal.</p> <p>The principle of the retail unit, office use and upgrade to the existing public square and public realm works are acceptable given the city centre location.</p> <p>The design, scale and mass are considered acceptable. The site location, adjacent to Bankmore Square, whilst not typical in the area is ameliorated and its impact somewhat reduced by the particular setting of the large open space area of Bankmore Square, which creates a space within which a building of such scale can sit more comfortably. There will be no detrimental impact on amenity.</p>	

NIEA, Environmental Health, Belfast City Airport, HED and Rivers Agency were consulted and offered no objections to the proposal, standard conditions are to be applied.

TNI have no objections to the proposed upgrading of Bankmore Square.

Eight letters of objection were received, issues raised included:

- Impact on residential amenity (Privacy, loss of light, noise)
- Out of character with the area
- Loss of green space
- Increased congestion
- Impact on Linen Quarter
- Visual impact

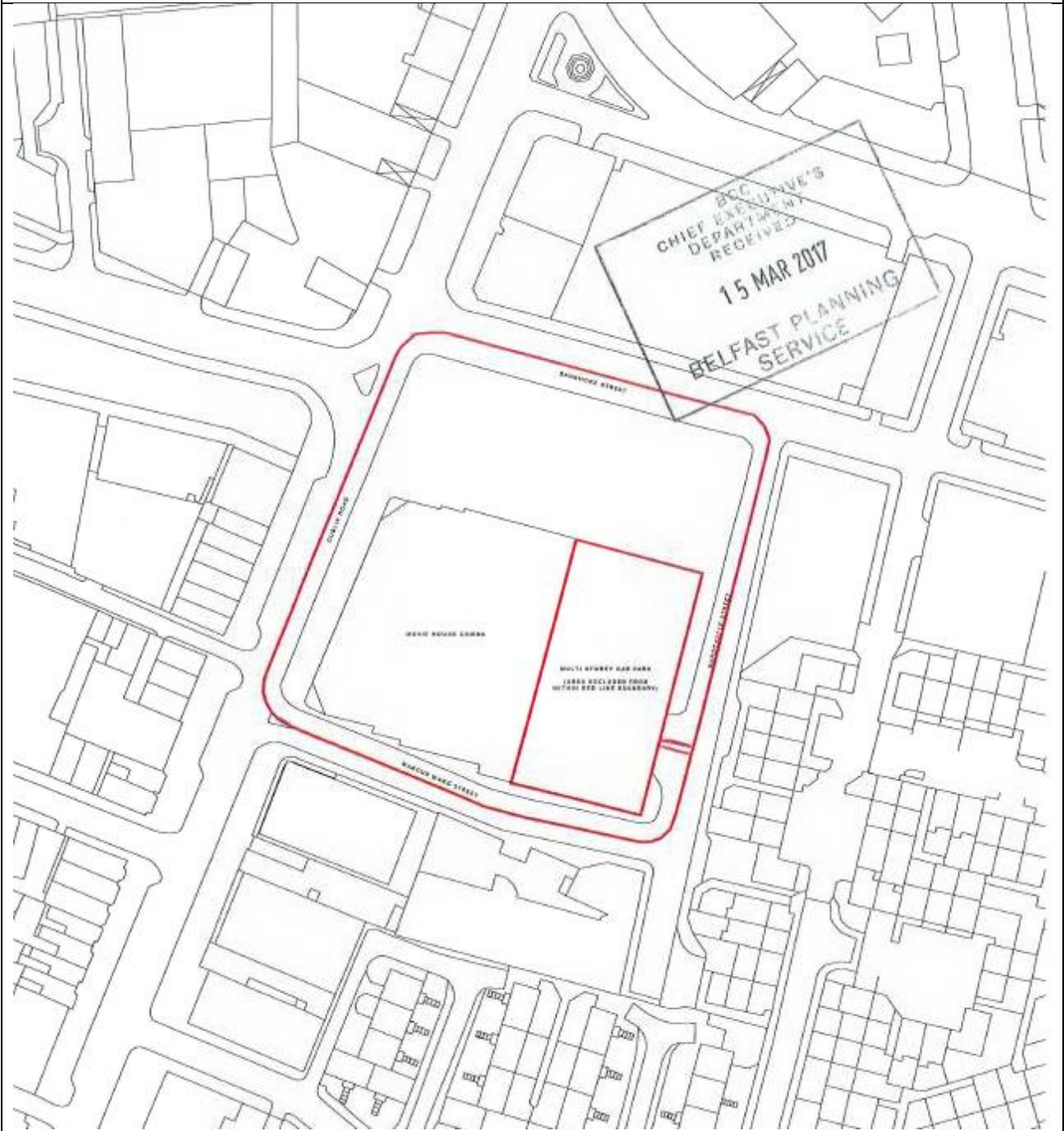
All issues are fully considered below.

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

The applicant has also agreed to enter into a Section 76 legal agreement in respect of developer contributions to provide an upgrade to the public open space of Bankmore Square and to provide public realm improvements to the area around the proposed building. Committee is requested to delegate to the Director of Planning and Place in consultation with the City Solicitor the terms to be agreed.

Case Officer Report

Site Location Plan



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Characteristics of the Site and Area

1.0

Description of Proposed Development

Demolition of existing cinema building and erection of a 12 storey Grade A office building comprising eleven floors of offices above a ground floor foyer and retail units, basement parking and other ancillary works. Proposal also includes the refurbishment of Bankmore Square open space and wider public realm improvements to surrounding footpath network.

2.0	Description of Site The site is located at a prominent junction at 1 Bankmore Square and is bounded to the north by Bankmore Street, to the south by Marcus Ward Street, to the east by Hardcastle Street and to the west by Dublin Road. It comprises a four storey cinema building, vacant restaurant and Bankmore Square. The building is finished with red brick and darkened glass on Dublin Road frontage with a lack of articulation and fenestration on elevation overlooking Bankmore Square. The square comprises of open space with hard surfaced pathways, landscaping, low walls and a number of canopy trees.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History No relevant planning history
4.0	Policy Framework
4.1	Regional Development Strategy (RDS); Belfast Metropolitan Area Plan (2015) Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3 – Parking, Access and Movement Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 8 – Open Space
5.0	Statutory Consultees Responses
5.1	Transport NI – minor amendments requested Historic Environments Division - awaiting response NIEA – no objection with conditions Rivers – no objection Belfast City Airport – no objection with conditions
6.0	Non Statutory Consultees Responses
6.1	Environmental Health – no objection with conditions
7.0	Representations
7.1	Eight objections received
8.0	Other Material Considerations
8.1	N/A
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - The acceptability of proposed office and retail uses - Design, scale and massing - Impact on residential amenity - Impact upon setting of adjacent listed buildings - The impact on existing roads infrastructure - Flood risk - Impact on open space
9.2	The acceptability of proposed office and retail uses

	<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>
9.3	<p>The site is within a prime city centre location and proposes approximately 25, 424 sqm of office space. It has been assessed against Policy OF1 of Volume 1 of Belfast Metropolitan Area Plan. The Policy States that planning permission will be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order within Belfast City Centre. The proposal therefore complies with this policy and the sequential test as set out in the SPPS, given the site's city centre location.</p>
9.4	<p>The proposal has been assessed under Policy PED1 and PED9 of PPS4. Policy PED1 states that a development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan). Accordingly the proposal satisfies the requirements of this policy.</p>
9.5	<p>In terms of the retail unit at the ground floor level, approximately 762sqm of ground floor retail space is proposed. The proposal sits comfortably with policy R1 of BMAP which states that planning permission will be granted for retail development in all town and city centres. The existing building presents an uninspiring frontage to Dublin Road and Bankmore Square. The proposed ground floor retail element with large format glazing set back three metres with a continuous colonnade will provide a much more active and positive frontage which will enhance the relationship of the built form with the public realm.</p>
9.6	<p>Design, Scale and Massing The site is located within the Shaftesbury Square Character Area (CC013) and along a major road proposal as designated in BMAP.</p>
9.7	<p>The character area guidance sets out a number of urban design criteria for the area and criteria specific to Dublin Road. The criteria requires new development to take account of the height of adjoining buildings and respect the established building line. In terms of the site specific criteria there is a requirement that the part of the development which fronts onto Dublin Road shall be a minimum of height of 5 storeys and a maximum height of 7 storeys. The proposal is for a 12 storey building with the upper three floors stepped back, it has a shoulder height of approximately 37.5m. The site is framed by tall buildings, the adjacent Centrepoint Building and Clayton Hotel on Bedford Street comprising 10 and 9 storeys respectively. Further along Bedford Street is 13 storey Invest NI building and 22 storey Windsor House. Additionally planning permission has been granted for a 12 storey mixed use building at Bruce Street. Numerous other buildings along Dublin Road exceed the recommended 7 storeys. The site occupies a prominent corner into the city centre. The proposed 12 storey building will sit on Bankmore Square, a sizable area of open space to the north of the building footprint. This will provide a setting which allows for a tall, statement building which given the space around it, will not appear out of character with the area. It is therefore considered acceptable in this context of the city centre streetscape.</p>
9.8	<p>Impact on Residential amenity The proposal has been assessed against paragraph 4.12 of the SPPS, in terms of potential impact on amenity of adjacent properties. The proposed building is set within an inner urban context. It is acknowledged that the buildings which would arguably experience a greater impact in terms of potential dominance is the Shaftesbury Court Apartments along Marcus Ward Street. However it should be noted that the existing situation is such that the windows in this development are already overshadowed by the existing building on the site and although the proposed building will be higher the</p>

	<p>separation distance remains the same (approximately 13m). The proposed elevation on Marcus Ward Street will differ from the other two main elevations to respect the relationship with the apartments. The elevation will have an increased solid to void ratio and finished in render with tall narrow window openings. These will minimise the potential for any overlooking between the offices and existing apartments. A condition is recommended to control the window treatments where necessary to include obscure glazing to avoid overlooking and the perception of overlooking from the south elevation.</p> <p>9.9 Additionally the building has been stepped back from Marcus Ward Street at the ground floor level and by approximately 7m on the upper three floors to minimise the impact of dominance from the larger building. To visually tie the elevations, the Marcus Ward Street elevation will be bookended by glazed elements that respond to the Dublin Road approach without impacting on residential amenity. Therefore, the potential loss of light/overshadowing that currently exists is not anticipated to be exacerbated by this proposal.</p> <p>9.10 The impact on the surrounding residential properties at Bankmore Street and those to the east of the site have been considered. There is a separation distance of approximately 50m between the proposed building and Park Avenue Apartments. A shadow study has been submitted which demonstrates that these apartments will be affected by autumn and winter evening shadow from the building. However, this is not considered to be of such impact as to warrant a refusal reason given the city centre high density location. It is not considered that the proposed building will have a detrimental impact on the general amenity of the residents. The properties located east of the site along Maryville Street will have minimal impact due to the presence of the intervening 8 storey car park to the rear of their properties.</p> <p>9.11 Impact upon setting of adjacent listed buildings Historic Environment Division had concerns that the corner or 'tower' element of the proposal could be dominant on Dublin Road and Bedford Street and overshadow the nearby small scale listed buildings. They requested broader contextual elevations to assess the impact from the Ormeau Baths Gallery. This information has been submitted and HED re-consulted. The upper storeys of the proposed building will be visible from Ormeau Avenue, however, it is considered, that there is no direct impact to the listed building and there is sufficient separation distance and the proposed building is off set to the south west that will not result in significant impact to the setting of the historic asset.</p> <p>9.12 The impact on existing roads infrastructure The proposal has been assessed against PPS3. A Transport Assessment, incorporating a Travel Plan and Service Management Plan have been submitted in support of the application. The site is detailed as being well served by transport (adjacent to Victoria Street Rail Station/Europa Bus Centre) and pedestrian walkways. The scale of development and transport implications of the proposal were assessed by Transport NI through this. Minor drawing amendments have been requested regarding surface finishes and access details. In the absence of a response the final wording of conditions shall be delegated to the director of Planning and Place.</p> <p>9.13 Part of the site (Bankmore Square) has been designated in BMAP as protected for a Non-Strategic Road Scheme (CC022) to enable Transport NI to deliver the southern section of the City Centre Ring. At present there are no firm proposals for the transport corridor. Transport NI and the developer have been in discussions with the agreement that should the transport corridor go ahead, the public realm elements can easily be removed to facilitate the road development. Transport NI have confirmed they have no objection to the proposal and are content for it to proceed under licence to them.</p>
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9.14	<p>Flood risk</p> <p>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 and have Rivers Agency no objection to the proposed development from a drainage or flood risk perspective.</p>
9.15	<p>Impact on open space</p> <p>A vital element of the proposal is the regeneration of Bankmore Square. The area measures approximately 3000sqm and at present the open space is underused, lacks natural surveillance and subject to antisocial activities. The redevelopment of the square will greatly enhance the public realm, the active and positive ground floor frontages proposed with the building will enhance the relationship of the built form with the public realm and create a vibrant new civic space which will encourage additional investment in the area.</p>
9.16	<p>A landscape proposal has been submitted detailing the finishes to match Streets Ahead paving standard and design and suggested planting and lighting. Additionally, more detailed options have been put forward subject to funding. The enhancement to the existing square will be subject to a Section 76 agreement with Belfast City Council and DFI.</p>
9.17	<p>Policy OS 1 – refers to the protection of open space, the proposal seeks to improve and enhance the area of open space located at Bankmore Square and create a usable space with positive active frontages thus complying with policy.</p>
<p>Objections</p> <p>Eight objections were received, primarily from the residents at Park Avenue Apartments, Bankmore street, with one from Shaftesbury Court Apartments, all issues have been considered below:</p> <ul style="list-style-type: none"> - Impact on residential amenity (Privacy, loss of light, noise) – shadow studies show Park Avenue apartments will only be affected in autumn and winter evening. Those properties located along Marcus Ward Street are already overshadowed by the existing cinema and car park building. The increased height is unlikely to cause an unacceptable detrimental impact. Additionally to solid to void ratio has been increased on this elevation with tall narrow window openings to minimise overlooking. There is a separation distance of approximately 50m between the proposed office and Park Avenue apartments, it is considered the office will not have a detrimental impact on the resident’s privacy. Noise will not be a major consideration, given the city centre location and the nature of the development, it is unlikely the proposal will give rise to any disturbance due to noise. - Out of character with the area – the site is framed by tall buildings with the adjacent Centrepoint Building and Clayton Hotel being 10 and 9 storeys respectively. A building of this scale is not considered to be out of character within a city centre location. - Loss of green space – the proposal whilst removing some of the greenery within the square will bring an underused area back into use and create a vibrant utilised space accessible to all. The landscape proposals create a much more attractive location which will enhance the public realm. - Increased congestion – the development proposes 50 car parking spaces at basement level with approximately 300 bicycle spaces. The site is well served by 	

	<p>public transport and the promotion of non-car and more sustainable car use is outlined in the Transport Assessment.</p> <ul style="list-style-type: none"> - Impact on Linen Quarter - the site is located outside the Linen Quarter Conservation Area. There are already a large number of tall buildings within the Linen Quarter Conservation Area. It is unlikely the proposal will detrimentally impact on views into, out of and within the Conservation Area. - Visual impact – the site is located within a city centre environment, a building of this scale is not considered to be out of keeping with the area. The massing is similar to the surrounding city centre buildings and as such will not have a detrimental impact on visual amenity. At present the building presents an inactive frontage complete with an underutilised square, the proposal will create a more vibrant positive frontage with a connected open space which can only benefit the aesthetics of the area.
10.0	<p>Section 76</p>
10.1	<p>The applicant has agreed to enter into a Section 76 legal agreement to provide an extensive upgrade to the open space provision of Bankmore Square and the pavements around the proposed building. This will mitigate the impact of the scale and mass of the building on the square by bringing forward soft and hard landscape works that will provide adequate amenity provision for those future occupiers of the building. The upgrade will bring wider public benefits by making the space user friendly and more accessible. DFI Transport NI, as landowner, have agreed to the works in principle. The developer at this stage estimates that works will cost in excess of £1m. However, as yet the costs have not been verified and the final specification and standard is to agree through the Director of Planning and Place and City Solicitor.</p>
11.0	<p>Summary of Recommendation: Approval 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 4: Planning and Economic Development, Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and Planning Policy Statement 8 – Open Space.</p>
11.1	<p>Having regard to the policy context and other material considerations set out above. The proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.</p>
11.2	<p>The proposed office and retail development with refurbishment of Bankmore Square is considered acceptable in this city centre location. The scale and massing proposed, whilst not typical in the area is ameliorated and its impact somewhat reduced by the particular setting of the large open space area of Bankmore Square, which creates a space within which a building of such scale can sit more comfortably. There will be no detrimental impact on amenity. Statutory and non-statutory consultees have offered no objections subject to the conditions outlined below. Approval is recommended.</p>
12.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>

2. Prior to commencement of the development, the applicant shall submit to Belfast City Council, for approval, a Contaminated Land Quantitative Risk Assessment, in accordance with the recommendations contained within Section 4.0 of the RSK Preliminary Risk Assessment, One Bankmore Square, Dublin Road, Belfast, Report No 601611-R1 (01), dated March 2017.

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.

Any ground gas investigations should be 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.

The ground gas characterisation must be agreed with Belfast City Council prior to the development of the Remediation Strategy.

Reason: Protection of human health

3. 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

4. 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

5. 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.

Reason: Protection of human health

6. Prior to commencement of groundworks a noise barrier extending along the site boundary shall be erected during the construction phase in accordance with the recommendation contained within the Irwin Carr Consulting 'Air Quality and Noise Impact Assessment; One Bankmore Square, Dublin Road Belfast' dated 24th April 2017.

Reason: In the interests of residential amenity

7. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in 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" available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

8. The top of the finished building is fitted with 2000 candela obstacle lights on all corners.

Reason: In the interest of aviation safety

9. The Rating Level (dBLAr) of noise from all combined building plant services associated with the development shall not exceed the background sound level (for both daytime and night time) at the nearest sound sensitive premises when measured in accordance with assessment methodology outlined in BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound. A Rating Level indicative of 'no adverse impact' shall be maintained thereafter.

Reason: In the interests of residential amenity.

10. Deliveries and collections by commercial vehicles to and from the development shall only be made between the hours of 07.00 and 23.00hrs.

Reason: In the interest of residential amenity

11. Prior to any occupation of the building approved, windows on the southern elevation will be obscure glazed to a height of 2 metres from finished floor level.

Reason: In the interests of residential amenity.

12. Notwithstanding the details shown on the drawings hereby approved, full particulars of the obscure glazing on Marcus Ward Street elevation shall be submitted to and approved by the Council in writing prior to commencement.

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

13. The development hereby permitted shall not become operational until the vehicular access has been constructed in accordance with the approved layout Drawing No. 30 'Marcus Ward Street Sightlines' bearing the Belfast City Council Planning Office date stamp 31 October 2017. The area within the visibility splays shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter. The access shall be across lowered kerbs constructed to the satisfaction of DfI Roads.

REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

14. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 04A 'Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 31 October 2017 and Drawing No. 03 'Basement Floor Plan' bearing the Belfast City Council Planning Office date stamp 15 March 2017 to provide adequate facilities for parking, servicing and circulating within the site. 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 maneuvering within the site.

15. The development hereby permitted shall not become operational until Landscape Hardworks have been constructed in accordance with the approved layout Drawing No. 25A 'Landscape Hardworks Proposals' bearing the Belfast City Council Planning Office date stamp 31 October 2017 to provide adequate facilities for the amenity and movement of pedestrians. No part of these landscape areas shall be used for any purpose at any time than for the amenity and movement of pedestrians. The landscape hardworks shall be constructed to the satisfaction of DfI Roads under licence.

REASON: in the interests of road safety and the amenity of pedestrians.

16. A minimum of 140 No. cycle parking spaces and stands shall be provided and permanently retained within the development for use by staff and visitors to the development.

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

17. The development hereby permitted shall operate in accordance with the Travel Plan in Appendix D of the Transport Assessment published by Belfast City Council Planning Office 24 March 2017. The Site Operator will provide access to the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. A separate copy of this Travel Plan will be made available to all tenants of the development prior to their occupation.

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

18. The development hereby permitted shall operate in accordance with the approved Service Management Plan in Appendix E of the Transport Assessment published by Belfast City Council Planning Office 24 March 2017. A separate copy of this Service Management Plan will be made available to all tenants of the development prior to their occupation.

REASON: in the interests of road safety and the convenience of road users.

Informatives

1. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.

2. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

3. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

4. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and

direction in respect of any necessary measures required to deal with the watercourse.

5. The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

6. WM recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.

7. The Contractor must complete a BCA Crane Permit application form (BCA/F/020 – available from safeguarding@bca.aero) a minimum of 6 weeks prior to commencement of works to allow time for assessment. Cranes may have a greater effect on Flight Safety and require specialist evaluation dependant on type and height of crane used, such assessment being chargeable to the crane operator / developer.

The AOA (Airport Operators Association) produce advice notes on aerodrome safeguarding of which advice note 4, regarding cranes, may be useful to consult and can be found at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>.

8. WASTE AND CONTAMINATED LAND (NI) ORDER 1997
The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation. Failure to provide a satisfactory Verification Report will lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.

9. CLEAN NEIGHBOURHOOD AND ENVIRONMENT (NORTHERN IRELAND) ACT 2011

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 and odours to nearby residential premises.

Artificial lighting should be optically controlled and directed in such a manner as to minimise light pollution from glare and spill. Guidance notes for the reduction of obtrusive light may be obtained from the Institution of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire CV21 2DZ, available at <http://www.britastro.org/dark-skies/pdfs/ile.pdf>.

10. THE POLLUTION CONTROL AND LOCAL GOVERNMENT (NI) ORDER 1978

Due to the proximity of commercial and residential premises to the proposed development site, the applicant would be advised of the following good practice documents for noise control during the demolition/construction phase of the development:

- Belfast City Council's Noise Control Advice Note for Construction and Demolition Sites (available at <http://www.belfastcity.gov.uk/buildingcontrol-environment/noisecontrol/typesofnoise.aspx>.) and
- British Standard 5228-2009 – Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Part 2: Vibration.

11. The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Infrastructure for which separate permissions and arrangements are required.

12. Notwithstanding the terms and conditions of the Department for Infrastructure's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's licence before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The licence is available on personal application to the DfI Roads Section Engineer whose address is Belfast North Section Office, 148-158 Corporation Street, Belfast, BT1 3DH. Email: TNI.BelfastNorth@infrastructure-ni.gov.uk. A monetary deposit will be required to cover works on the public road.

13. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

14. All construction plant and materials shall be stored off the adopted road.

15. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

16. Pedestrian Crossing Points across the proposed entrances are to be provided in accordance with the DTER/Scottish Office publication 'Guidance on the use of Tactile Paving'.

Notification to Department (if relevant)

N/A

Representations from Elected members:

N/A

ANNEX	
Date Valid	21st March 2017
Date First Advertised	31st March 2017
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HB, The Owner/Occupier, 1 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD, The Owner/Occupier, 1 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 1, Somerset Studios, Marcus Ward Street, Malone Lower, Malone Lower, Belfast, Antrim, BT7 1RP, The Owner/Occupier, 10 Hardcastle Street, Malone Lower, Belfast, Antrim, BT7 1GG, The Owner/Occupier, 10 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 11 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD, 12 Park Avenue, Apartment 503, Bankmore Street, Belfast, Antrim, Northern Ireland, BT7 1AQ The Owner/Occupier, 12 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 13 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD, The Owner/Occupier, 13 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 14 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 15 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD, The Owner/Occupier, 15 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 16 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 17 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD, The Owner/Occupier, 17 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY The Owner/Occupier, 17-21, Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HB, The Owner/Occupier, 18 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HN,</p>	

The Owner/Occupier,
 18 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
 The Owner/Occupier,
 19 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
 Glenn McClements
 19 Shaftesbury Court 3 Marcus Ward Street Belfast
 The Owner/Occupier,
 19 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
 The Owner/Occupier,
 2 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
 The Owner/Occupier,
 2, Somerset Studios, Marcus Ward Street, Malone Lower, Malone
 Lower, Belfast, Antrim, BT7 1RP,
 The Owner/Occupier,
 20 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
 The Owner/Occupier,
 21 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
 The Owner/Occupier,
 21A Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HB,
 The Owner/Occupier,
 23 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
 The Owner/Occupier,
 25-27, Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HB,
 The Owner/Occupier,
 25-33 Willis House, Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HB,
 The Owner/Occupier,
 3 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
 The Owner/Occupier,
 3 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
 The Owner/Occupier,
 301 Park Avenue Apartments, 12 Bankmore Street, Belfast, BT71AQ
 The Owner/Occupier,
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 307 Park Avenue Apartments, 12 Bankmore Street, Belfast, BT71AQ
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 33 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HD,
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 35 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HD,
 The Owner/Occupier,
 37 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HD,
 The Owner/Occupier,

39 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HD,
The Owner/Occupier,
39-43 Stockman House, Bedford Street, Town Parks, Belfast, Antrim, BT2 7EE,
The Owner/Occupier,
4 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
The Owner/Occupier,
401 Park Avenue Apartments, 12 Bankmore Street, Belfast, BT71AQ
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5 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
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6 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
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7 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
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7 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
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701 Park Avenue Apartments, 12 Bankmore Street, Belfast, BT71AQ
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710 Park Avenue Apartments, 12 Bankmore Street, Belfast, BT71AQ
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8 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
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9 Maryville Street, Malone Lower, Belfast, Antrim, BT7 1AD,
The Owner/Occupier,
9 Shaftesbury Court, 3 Marcus Ward Street, Belfast, BT7 1RY
The Owner/Occupier,
Adent House, 23 Dublin Road, Malone Lower, Belfast, Antrim, BT2 7HB,
The Owner/Occupier,
Apartment 101, Somerset Studios, Marcus Ward Street, Malone Lower, Malone
Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,
Apartment 102, Somerset Studios, Marcus Ward Street, Malone Lower, Malone
Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,
Apartment 103, Somerset Studios, Marcus Ward Street, Malone Lower, Malone
Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,

Apartment 104, Somerset Studios, Marcus Ward Street, Malone Lower, Malone Lower, Belfast, Antrim, BT7 1RP,
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Apartment 408, Somerset Studios, Marcus Ward Street, Malone Lower, Malone Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,
Apartment 508, Somerset Studios, Marcus Ward Street, Malone Lower, Malone Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,
Apartment 608, Somerset Studios, Marcus Ward Street, Malone Lower, Malone Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,
Apartment 708, Somerset Studios, Marcus Ward Street, Malone Lower, Malone Lower, Belfast, Antrim, BT7 1RP,
The Owner/Occupier,
Benefit Training Service, 62-66 Bankmore House, Bedford Street, Town Parks, Belfast, Antrim, BT2 7FH,
The Owner/Occupier,
Brainwave, 32-36 Dublin Road, Belfast BT2 7HN

The Owner/Occupier,
Drone Factory, 32-36 Dublin Road, Belfast BT2 7HN
The Owner/Occupier,
Fixers, 32-36 Dublin Road, Belfast BT2 7HN
The Owner/Occupier,
Mac Millan Media, 32-36 Dublin Road, Belfast BT2 7HN
The Owner/Occupier,
NCP Car Park, 1 Hardcastle Street, Malone Lower, Belfast, Antrim,,
The Owner/Occupier,
On Music Ltd, 32-36 Dublin Road, Belfast BT2 7HN
The Owner/Occupier,
Pronto Deli, 32 Dublin Road, Belfast, BT2 7HN
The Owner/Occupier,
The Marcus Ward, 1 Bankmore Square, Malone Lower, Belfast, Antrim, BT7 1AQ,
Heena Gupta

Joanna McCreary

David Noble

Matt Rutherford

Joanna McCreary

Brendan Hughes4

Date of Last Neighbour Notification	28.03.17
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Date of EIA Determination	11.01.17
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ES Requested	No
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Planning History

Ref ID: LA04/2016/2444/PAN

Proposal: Proposed grade A office building comprising approximately 350,000 square feet of gross floor space to include offices, ground floor retail units, car parking and associated works. Proposal also includes the transformation of Bankmore Square into a focal public space.

Address: 14 Dublin Road, Belfast, BT2 7HN,

Decision: PANACC

Decision Date:

Drawing Numbers and Title

- 01 – site location
- 03 – Basement floor plan
- 04 (a) – ground floor plan
- 05 (a) – Mezzanine plant level
- 06(a) – 1st floor plan
- 07 – 2nd floor plan
- 08 – 3rd floor plan
- 09 – 4th floor plan
- 10 – 5th floor plan
- 11 – 6th floor plan
- 12 – 7th floor plan
- 13 8th floor plan
- 14 – 9th floor plan
- 15 – 10th floor plan
- 16 – 1th floor plan
- 17 – 12th floor plan
- 18 – upper roof plan
- 19 – Bankmore (North) elevation
- 20(a) – Dublin Road (West) elevation
- 21(b) – Marcus Ward Street (South) elevation
- 22 – East elevation
- 23 – Site section north-south
- 24 – site section east-west
- 25 (a) – Landscape hardworks proposals
- 26 – Landscape proposals
- 27 – Shadow Study
- 28 - Existing Shadow Study
- 29 - Ownership Demarcation
- 30 – Marcus Ward Street Sightlines