

## Committee Application

<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2019/0878/F	
<b>Proposal:</b> Extension of time for temporary change of use and alteration of former printing hall to event space for a period of 3 years.	<b>Location:</b> Ground Floor Print Hall 122-144 Royal Avenue Belfast Co. Antrim BT1 1DN
<b>Referral Route:</b> Belfast City Council has an Interest in the land	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> The Limelight Belfast Ltd 17 Clarendon Road Belfast BT1 3BG	<b>Agent Name and Address:</b> Clyde Shanks 7 Exchange Place Belfast BT1 2NA
<p><b>Executive Summary:</b></p> <p>Planning permission is sought for the extension of time for temporary change of use and alterations of former printing hall event space for a period of 3 years.</p> <p>The site is located within the development limits for Belfast. The site does not have any particular zoning within draft BMAP and also falls within the City Centre limit, the Scotch/Cathedral character area and city centre area of parking constraint under draft BMAP. The site adjoins a listed building which was the Belfast Telegraph Building.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of Development</li> <li>• Design</li> <li>• The impact on traffic and parking; and</li> <li>• Impact on amenity</li> </ul> <p>The application was neighbour notified and advertised in the local press. No third party representations have been received.</p> <p>Transport NI, Environmental Health, and Historic Environment Division have all been consulted. Historic Environment Division and Transport NI both had no objection to the proposal. Environmental Health were of the opinion that an extension of 1 year was more suitable.</p> <p><b>Recommendation:</b> Having regard to the policy context and other material considerations, it is recommended that the application is approved for a temporary period of 2 years subject to conditions.</p>	

# Case Officer Report

## Site Location Plan



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> The proposal is for an extension of time for a temporary change of use and alterations of former printing hall to event space for a period of 3 years.
<b>2.0</b>	<b>Description of Site</b> The site comprises of the part of the ground floor of the Belfast Telegraph Building at 122-144 Royal Avenue, Belfast. The building is four storey's in height and is finished in a mixture of red brick, render and cladding. The ground floor of the property was previously a printing hall for Belfast Telegraph and is currently in use as an event space.  The surrounding area is defined by mixed use, with a large student accommodation block currently under construction adjacent the site. Belfast Central Library and a number of other retail units including a hair salon are located in the surrounding area.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> <ul style="list-style-type: none"> <li>• LA04/2017/2209/F Ground floor print hall, 122-144 Royal Avenue, Belfast, BT1 1DN, Temporary change of use of former printing hall to event space for a period of 2 years including internal alterations and creation of two emergency exits onto Donegall Street. PERMISSION GRANTED</li> <li>• LA04/2018/1991/F Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN, Demolition of existing non listed buildings and redevelopment of site to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration, new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade [amended scheme]. PERMISSION GRANTED</li> <li>• LA04/2018/1968/LBC Former Belfast Telegraph complex at, 124-144 Royal Avenue and, 1-29 Little Donegall Street, Belfast, BT1 1DN., Demolition of attached structures, retention and restoration of the listed Seaver building comprising internal reconfiguration works, façade restoration of dormers, replacement windows and reinstatement of original entrance to southern façade. PERMISSION GRANTED</li> <li>• Z/2004/0303/F 124-144 Royal Avenue, Belfast Adjustments to existing roof to facilitate the installation of a new printing press PERMISSION GRANTED</li> </ul>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan 2015 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.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access Movement and Parking
4.5	Planning Policy Statement 4: Planning and Economic Development

4.6	Planning Policy Statement 6: Planning Archaeology and the Built Environment.
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads- No objection subject to conditions
5.2	Historic Environment Division- No objection
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	Environmental Health- No objection to the principle of the development, however recommended a time period of 1 year of the extension to the temporary change of use.
<b>7.0</b>	<b>Representations</b>
7.1	The application has been advertised in the local press. No representations have been made regarding the application.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	None
<b>9.0</b>	<b>Assessment</b>
9.1	The site is located within the settlement limit for Belfast as designated by the Draft Belfast Metropolitan Plan. The site is located within Scotch/Cathedral Character Area and within Belfast City Core Area of Parking Restraint.
9.2	Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The site is located within the harbour area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.
9.3	The site does not fall within any particular zoning as designated within Draft BMAP.
9.4	The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.
9.5	<u>Planning Policy Statement 4: Planning and Economic Development:</u>  Policy PED 9 within PPS 4 contains a number of general economic development criteria against which economic development proposals are assessed, including sui generis uses. Policies (a), (b), (c), (e), (g) and (h) apply.  The policy requires that any economic development proposals are compatible with the surrounding land uses and do not harm the amenity of nearby residents or do not adversely affect features of natural or built heritage. It is considered that all relevant criteria is met in that the proposal is compatible with surrounding land uses, and will protect the amenity of nearby residents as well as the character of the area.

	<p>Due to the changing character of the area it is considered that an extension of the use for a further period of 2 years is considered more acceptable than the proposed 3. An extension of a 2 year period rather than 3 years enables the Council to consider the development in light of the changing context of the area and to ensure the proposal is in keeping with the changing character of the area.</p> <p>Criterion (g) and (h) are met in that the existing road network can facilitate any potential extra vehicular traffic accessing the site, as well as adequate access arrangements being provided in the nearby area.</p>
9.6	<p><u>Design</u></p> <p>The proposal involves minor alterations to the Donegall Street elevation of the building to provide 2no solid timber doors. These will have no impact on the character of the area and are considered in keeping with the design of the existing building. HED were consulted and offered no objection to the minor alterations.</p>
9.7	<p><u>Impact on Residential Amenity</u></p> <p>In respect of noise, nuisance and disturbance from the proposed use, Environmental Health have been consulted and offer no objection to the proposed use. However they were of the view that a temporary period of 1 year was more acceptable rather the proposed 3 years. An extension of a 1 year period was recommended due to the impact on potential future development, specifically at the site 2-14 Little Donegal Street. This was based on an historic approval under reference Z/2007/2120/F at the site. However the more recent decision of LA04/2016/1915/F which was refused on the site is also a consideration when assessing an acceptable time period for the extension of the use. There has been no further planning history on the site therefore the proposed extension of time to the change of use for a two year period is not considered to have any adverse impact on the amenity of 2-14 Little Donegal Street. Environmental Health raised no concerns regarding the potential impact on any other properties surrounding the site.</p>
9.9	<p><u>Consultees</u></p> <p>DFI Roads, HED and Environmental Health are satisfied that the proposed development is in accordance with their guidelines and prevailing policy. Having regard to the policy context above, the proposal is considered acceptable, and temporary planning permission is recommended.</p>
<b>10.0</b>	<p><b>Summary of Recommendation:</b></p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for a temporary period of 2 years subject to conditions.</p>
<b>11.0</b>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>The permission hereby granted shall be for a limited period of 2 years only from the date of this permission.</li> </ol> <p>Reason: To enable The Council to consider the development in the light of circumstances then prevailing.</p> <ol style="list-style-type: none"> <li>The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved plan 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.</li> </ol>

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

3. A minimum of 12 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.

4. The development hereby permitted shall operate in accordance with the approved Event Management Plan.

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

5. The development hereby permitted shall operate in accordance with the approved Travel Plan, including the Service Management Plan. The Site Operator will provide access to the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

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

6. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved plan 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 access.

### **Informatives**

7. **CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NI) 2011**  
Where Belfast City Council is satisfied that a statutory noise nuisance exists, the Council has a duty to serve a Noise Abatement/Prohibition Notice on the Licensee as the person responsible of the premises from which the nuisance arises. Patron noise associated with the development should be suitably managed and controlled to ensure that residential premises are not disturbed by noise.
8. **NOISE ACT 1996**  
The Noise Act 1996 applies to night-time noise between 11pm to 7am. Where excessive noise from an offending premises affects a residential premises, a Warning Notice can be served. Failure to comply with the permitted level can result in a fixed penalty fine of £500 or prosecution in the courts.
9. **THE SMOKING (NI) ORDER 2006**  
The applicant is advised to ensure that the designated smoking area is suitably managed and controlled to prevent noise, anti-social behaviour, litter causing disturbance and loss of amenity.

	<p>10. <b>THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ORDER 1985</b> The applicant is reminded that disturbance by noise is a material consideration in the granting of any Entertainment Licence deemed necessary by Belfast City Council.</p> <p>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.</p> <p>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 consent 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 consent 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: <a href="mailto:TNI.BelfastNorth@infrastructure-ni.gov.uk">TNI.BelfastNorth@infrastructure-ni.gov.uk</a>. A monetary deposit will be required to cover works on the public road.</p> <p>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.</p> <p>14. All construction plant and materials shall be stored off the adopted road.</p> <p>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.</p> <p>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’.</p>
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**Notification to Department (if relevant) N/A**

**Representations from Elected members:**

No representation has been received from elected members.

**ANNEX**

<b>Date Valid</b>	12th April 2019
<b>Date First Advertised</b>	7 <sup>th</sup> June 2019
<b>Date Last Advertised</b>	7th June 2019
<b>Details of Neighbour Notification</b> (all addresses) 1-21 ,Little Donegall Street,Belfast,Antrim,BT1 2JD 103-111 Charles House,Donegall Street,Belfast,Antrim,BT1 2FJ 103-111 Charles House,Donegall Street,Belfast,Antrim,BT1 2FJ 129 Royal Avenue,Belfast,Antrim,BT1 1FG 134-144 ,Royal Avenue,Belfast,Antrim,BT1 1DN 139-141 ,Royal Avenue,Belfast,Antrim,BT1 1FH 1st Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG 1stfloor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW 2-10 Metropol House,York Street,Belfast,Antrim,BT15 1AQ 23-29 ,Little Donegall Street,Belfast,Antrim,BT1 2JD 2nd Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG 2nd Floor,98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW 31a ,Little Donegall Street,Belfast,Antrim,BT1 2JD 33 Little Donegall Street,Belfast,Antrim,BT1 2JD 3rd Floor 133 Royal Avenue,Belfast,Antrim,BT1 1FG 76-78 ,Donegall Street,Belfast,Antrim,BT1 2GU 95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH 98-102 ,Donegall Street,Belfast,Antrim,BT1 2GW Central Library,Royal Avenue,Belfast,Antrim,BT1 1EA Donegall Street Congregational Church,Donegall Street,Belfast,Antrim,BT1 2FJ The Owner/Occupier, Ground & 1st Floors,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH Ground Floor,133 Royal Avenue,Belfast,Antrim,BT1 1FG Office 1st - 4 <sup>th</sup> floor Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH ,2-14 ,Little Donegall Street,Belfast,Antrim,BT1 2JD	
<b>Date of Last Neighbour Notification</b>	5 <sup>th</sup> September 2019
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01- Location Plan, 02- Block Plan 03- Existing Elevations 04- Proposed Elevations 05- Proposed Floor Plans	