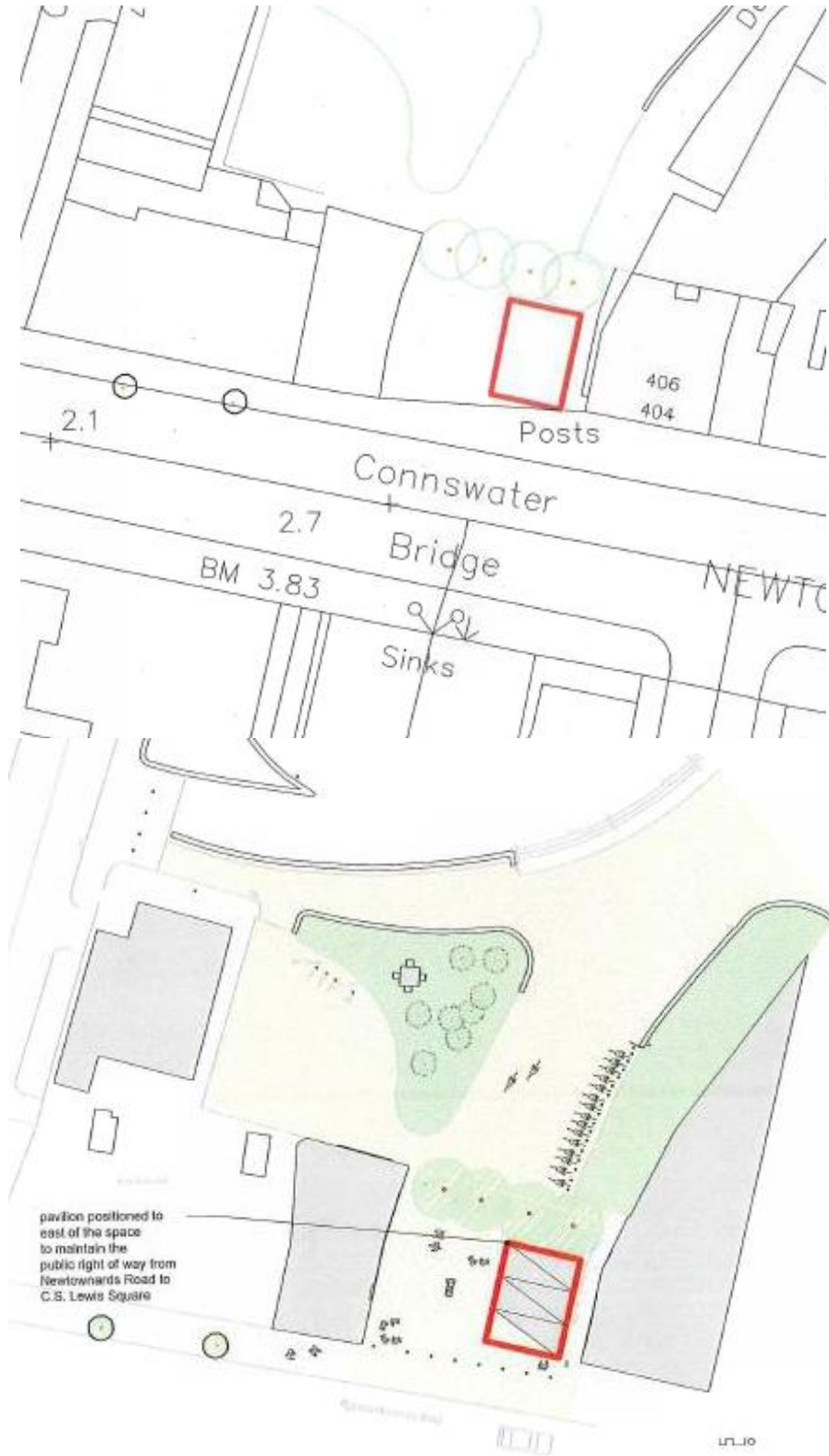


Development Management Officer Report Committee Application

| Summary | |
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| Application ID: LA04/2019/2412/F | Date of Committee: 23rd January 2020 |
| Proposal: Renewal of planning approval LA04/2018/0593/F for a temporary single storey timber structure | Location: C.S.Lewis Square Newtownards Road Belfast |
| Referral Route: Belfast City Council is the landowner. | |
| Recommendation: | Approval subjection to conditions |
| Applicant Name and Address: Eastside Property Avalon House 278-280 Newtownards Road Belfast BT4 1HE | Agent Name and Address: Doug Works 17 Albion Works Studios 63 Sigdon Road London E8 1AW |
| <p>Executive Summary: This application seeks permission for the renewal of planning approval LA04/2019/0593/F for a single storey timber structure at CS Lewis Square for a temporary period of 18 months.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Principle of development • Impact on character and appearance of the surrounding area • Access • Flooding <p>The proposal would continue to provide an addition to the visitor attraction at the Hub and offer shelter to users of C.S Lewis Square. Overall, it is not considered to detract from this public space and surrounding area including the Connswater Greenway.</p> <p>Environmental Health and Rivers Agency were consulted in relation to the proposal and have no objections to its renewal.</p> <p>The application has been neighbour notified and advertised in the local press. No representations have been submitted.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal should be approved.</p> <p><u>Recommendation – Approval Subject to Conditions</u></p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to approve the applications, including finalisation of the wording of the conditions</p> | |

Case Officer Report

Site Location Plan



| Characteristics of the Site and Area | |
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| 1.0 | Description of Proposed Development |
| 1.1 | Renewal of planning approval LA04/2018/0593/F for single storey timber structure for a temporary period of 18 months. The structure is currently used to provide shelter and as a visitor attraction. |
| 2.0 | Description of Site |
| 2.1 | The application site is a paved area located between the visitors centre and the neighbouring Boots chemist, in view of the Newtownards Road. The surrounding area is predominantly commercial with the Connswater Greenway to the north of the site. |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 | Site History |
| 3.1 | Z/2007/0350/F - Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Hollywood Arches and installation of weir infrastructure at entrance to Victoria Park. Permission granted 26.07.2007 |
| 3.2 | Z/2008/0795/F - Variation of conditions 5 and 6 of planning approval Z/2007/0350/F. Permission granted 28.10.2008 |
| 3.3 | LA04/2016/0910/F - Civic Square at Hollywood Arches. Permission granted 25/10/2016 |
| 3.4 | LA04/2018/0593/F - Temporary single storey open timber structure. Permission granted 27.04.2018. Conditioned for a limited period of 18 months, to expire on 15 th November 2019 and be removed in its entirety. |
| 3.5 | LA04/2018/1390/NMC - Non material change ref LA04/2018/0593/F. The proposed changes involve the positioning of the concrete foundations above the ground to minimise damage to the existing paving slabs - NMC Granted 12 th June 2018. |
| 4.0 | Policy Framework |
| 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 | SPPS, Planning Policy Statements: Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning Policy Statement 3: Access, Movement and Parking (Revised Feb 2005) |

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| | Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 15: Planning and Flood Risk |
| 5.0 | Statutory Consultees Responses |
| 5.1 | Rivers Agency – No objection |
| 6.0 | Non Statutory Consultees Responses |
| 6.1 | Belfast City Council Environmental Health – No objection |
| 7.0 | Representations |
| 7.1 | The application has been neighbour notified and advertised in the local press. No representations have been received regarding the application. |
| 8.0 | Other Material Considerations |
| 8.1 | None |
| 9.0 | Assessment |
| 9.1 | The key issues to be considered are: <ul style="list-style-type: none"> - Principle of development - Impact on character and appearance of the surrounding area - Access - Flooding |
| 9.2 | The proposal is considered to be in compliance with the development plan. <u>Principle of Development</u> |
| 9.3 | The previous permission granted the temporary timber structure for a limited period of 18 months only and expired on 15 th November 2019. This application seeks to renew the time for the temporary structure at the entrance of the C.S Lewis Civic Square for a further period of 18 months. The principle of renewal for a temporary period is considered to be acceptable and in compliance with PPS 8 and the SPPS for NI. <u>Impact on character and appearance of the area</u> |
| 9.4 | The proposal comprises an open boarded timber structure which has been designed to reflect the local architectural heritage of the 'Belfast truss' which was a prevalent roof structure of industrial buildings in Belfast. The structure also serves a practical function providing shelter to users of the open space. It is considered that its renewal would continue to offer an enhancement to the character and appearance of this public space and the surrounding area in accordance with the SPPS. |
| 9.5 | A line of four oak trees lie directly behind the proposed structure. The structure has been positioned to stay clear of the canopy of these trees and presently does not have a detrimental impact on them. |

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| 9.6 | <p><u>Access</u></p> <p>The proposal will maintain pedestrian/cyclist connectivity to/from Newtownards Road and C.S Lewis Square in accordance with Policy AMP 1 of PPS 3 and the SPPS.</p> |
| 9.7 | <p><u>Flooding</u></p> <p>The application site is located within the flood plain. The proposal represents an exception of Policy FLD 1 of PPS 15 and the SPPS as it is a minor development within an area protected by flood defences. A Flood Risk Assessment was previously completed as part of the redevelopment of C.S Lewis Square. As the proposal is an open structure it does not impede the flow of water. As such, no concern is raised in respect of flooding. Rivers Agency have been consulted and have no objections to the proposal.</p> |
| 10.0 | <p>Summary of Recommendation: Approval</p> |
| 10.1 | <p>Having regard to the policy context and other material considerations including the previous history on site, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p> |
| 11.0 | <p>Conditions</p> <ol style="list-style-type: none"> 1. The permission hereby granted is for a limited period of 18 months only and shall expire on (from date of decision XXX). The structure shall be removed in its entirety from the site and the ground covering return to its former condition. <p>Reason: A permanent structure at this location has not been assessed and may result in a detrimental impact to the locality.</p> <ol style="list-style-type: none"> 2. The development hereby permitted shall be constructed in the materials shown on the approved plans referenced above and shall be retained as such thereafter. <p>Reason: To protect the visual amenities of the area.</p> <p>Informative</p> <ol style="list-style-type: none"> 1. The applicant's attention is drawn to the information provided on the consultee responses which are available to view on the planning portal. 2. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority. 3. <u>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NI) 2011</u> <p>In the event that unexpected contamination is encountered during the approved development of this site, the development should cease and the applicant should contact the Environmental Health Service. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with current best practice.</p> |

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| ANNEX | |
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| Date Valid | 25th October 2019 |
| Date First Advertised | 15th November 2019 |
| Date Last Advertised | 15th November 2019 |
| Details of Neighbour Notification (all addresses) | |
| 402 Newtownards Road,Belfast,Down,BT4 1HH | |
| 402 Newtownards Road,Belfast,Down,BT4 1HH | |
| 404-408 ,Newtownards Road,Belfast,Down,BT4 1HH | |
| 404-408 ,Newtownards Road,Belfast,Down,BT4 1HH | |
| 404-408 ,Newtownards Road,Belfast,Down,BT4 1HH | |
| Unit 14 Connswater Retail Park,East Bread Street,Ballymacarret,Belfast,Down,BT5 5DL | |
| Date of Last Neighbour Notification | 5th November 2019 |
| Date of EIA Determination | n/a |
| ES Requested | No |
| Drawing Numbers and Title | |
| 1 - Location Map | |
| 3 - Existing & Proposed Elevations | |
| 4 - Existing & Proposed Sections | |
| 5 – Proposed Plan | |
| 6 – Proposed Elevations | |
| 7 – Proposed Roof Plan | |
| Notification to Department (if relevant) | |
| Date of Notification to Department: | n/a |
| Response of Department: | |
| Representations from Elected members: | |
| No representation has been received from elected members. | |