

Development Management Officer Report Committee Application

Summary	
Committee Decision Date: 16 June 2020	
Application ID: LA04/2020/0747/F	
Proposal: Application under Section 54 of the Planning Act (NI) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout.	Location: The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north-east of Balmoral Golf Club Belfast BT9 6GW.
Referral Route: Major Application	
Recommendation:	Approve subject to conditions
Applicant Name and Address: Benmore Octopus Healthcare Developments (HK) Ltd Rushmere House 46 Cadogan Park Belfast BT9 6HH	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary <p>Planning approval was previously granted for Phase 1 of the King's Hall redevelopment, Ref: LA04/2018/0040/F - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments.</p> <p>Condition 39 of planning approval LA04/2018/0040/F states that:</p> <p><i>The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 38, 'Road Layout Geometry and Levels Phase 1' published by Belfast City Council Planning Office on 01 February 2018 to provide 15 No. disabled parking spaces, 41 No. spaces reserved for essential staff, 305 No. public parking spaces and adequate facilities for 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.</i></p> <p><i>Reason: To ensure that adequate provision has been made for parking and servicing.</i></p> <p>The applicant seeks the variation of the above condition to read:</p> <p><i>'The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 8687-760P3, 'Road Layout Geometry and Levels Phase 1(Revised)' published by Belfast City Council Planning Office on 30th April 2020 to provide 20 No, disabled parking spaces, 41 No. spaces reserved for essential staff, 302 No. public parking spaces and adequate facilities for 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.'</i></p>	

The key issues in the assessment of the proposal are as follows:

- The principle of reconfiguration of car parks adjacent to the listed King's Hall
- Impact on traffic and other road users
- Impact on the character of the area

The proposed variation seeks a reconfiguration of approved car parks for Phase 1 of the King's Hall redevelopment one of which is for a temporary car park. The applicant has advised that the proposed variation is sought to facilitate further development on the site. Such further development includes the relocation of the existing Nursery/Childcare facility which is the subject of a separate planning application (Ref LA04/2019/2848/F) and the development of the wider King's Hall site which is also the subject of a separate application (LA04/2020/0845/O) currently under consideration. Members are advised that this application seeks to vary a condition of the Phase 1 approval which was a standalone application. This application is also a standalone application in its own right and is not dependent on the Nursey application or the application for the development of the wider site.

DFI Roads offer no objections to the proposed variation.

No objections have been received.

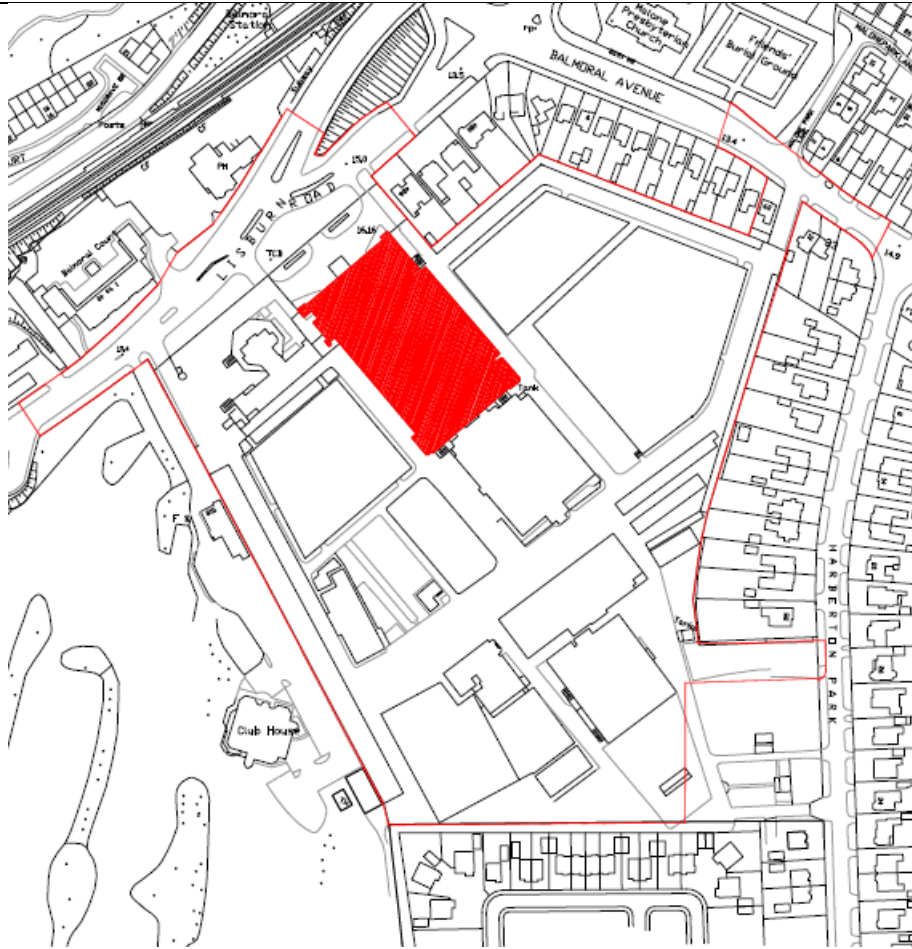
Recommendation

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

Signature(s):

Case Officer Report

Site Location Plan



See Appendix 1 for approved and proposed layouts.

Representations:

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

1.0	Description of Proposal
1.1	The proposal seeks to vary condition 39 of Planning approval LA04/2018/0040/F (Phase 1 King's Hall) to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect reconfigured parking layouts.
2.0	Description of Site
2.1	The site includes the King's Hall complex located off the Lisburn Road. Work is ongoing including the demolition of buildings around the listed King's Hall and extension as part of the approved LA04/2018/0040/F.

Planning Assessment of Policy and Other Material Considerations

3.0

Planning History

LA04/2018/0040/F - Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments, The Kings Hall And RUAS Site South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North-east Of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 16.04.2019.

LA04/2018/0047/DCA - Demolition of 29 Balmoral Avenue, 29 Balmoral Avenue, Belfast. Consent granted 16.04.2019.

LA04/2018/0048/LBC - Conversion of, alterations to and side extension to King's Hall to accommodate Primary Health Care Centre, demolition of existing extensions to King's Hall and relocation and restoration of existing railings and pillars to the front of King's Hall,

The King's Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North East Of Balmoral Golf Club, Belfast, BT9 6GW. Consent granted 16.04.2019.

LA04/2019/1254/F - Erection of independent living complex 16No. units with associated landscaping, parking and access off Balmoral Avenue, Land at former Kings Hall and RUAS Complex, located to the east of the King's Hall and to the rear of Nos. 7-23 Harberton Park, Belfast, BT9 6GW. Under consideration.

LA04/2019/2848/F – Construction of day nursery/playschool facility to replace existing temporary day care nursery and reconfiguration of car park approved under LA04/2018/0040/F with associated landscaping and access works, Lands at Kings Hall Complex, Lisburn Road, Balmoral, Belfast, BT9 6GW. Under consideration.

LA04/2019/2989/F – Erection of a care home with associated car parking, servicing, landscape and access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue, west of Harberton Park and north east of Balmoral Golf Club, Belfast, BT9 6GW. Under consideration.

LA04/2020/0845/O - Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F), Land at Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park and North East of Balmoral Golf Club Belfast, BT9 6GW. Under consideration.

4.0

Policy Framework

4.1

Regional Policy Context:-

Regional Development Strategy (RDS);
Strategic Planning Policy Statement (SPPS);

	PPS3: Access, Parking and Movement; Development Control Advice Note 15 Vehicular Access Standards.
4.2	Development Plan Context:- Belfast Urban Area Plan 2001; Draft Belfast Metropolitan Area Plan 2004; Draft Belfast Metropolitan Area Plan 2014.
5.0	Statutory Consultee Responses
	DFI Roads – No objections subject to conditions.
6.0	Non- Statutory Consultee Responses
	None required.
7.0	Representations
	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Other Material Considerations
	BCC Belfast Agenda BCC Developer Contributions Framework
9.0	Assessment
9.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> - The principle of reconfiguration of car parks adjacent to the listed King's Hall - Impact on traffic and other road users - Impact on the character of the area
9.2	Policy Considerations
9.2.1	The SPPS states that '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.
9.2.2	Policy AMP 7 'Car Parking and Servicing Arrangements' of Planning Policy Statement 3 – Access, Movement and Parking states that <i>'Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The precise amount of car parking will be determined according to the specific characteristics of the development and its location having regard to the Department's published standards or any reduction provided for in an area of parking restraint designated in a development plan. Proposals should not prejudice road safety or significantly inconvenience the flow of traffic'</i> .
9.2.3	Policy AMP7 sets out a requirement for disabled parking and states that <i>'In assessing car parking provision the Department will require that a proportion of the spaces to be provided are reserved for people with disabilities in accordance with best practice. Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided'</i> .
9.2.4	Policy AMP 9 of PPS 3 'Design of Car Parking' states that <i>'The Department will expect a high standard of design, layout and landscaping to accompany all proposals for car parking. Planning permission will only be granted for a proposal where all the following criteria are met:</i> <ul style="list-style-type: none"> <i>(a) it respects the character of the local townscape / landscape;</i> <i>(b) it will not adversely affect visual amenity; and</i> <i>(c) provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site'.</i>

9.3 Development Plan Considerations

9.3.1 Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan (BUAP). Within the BUAP the site is unzoned land within the development limit.

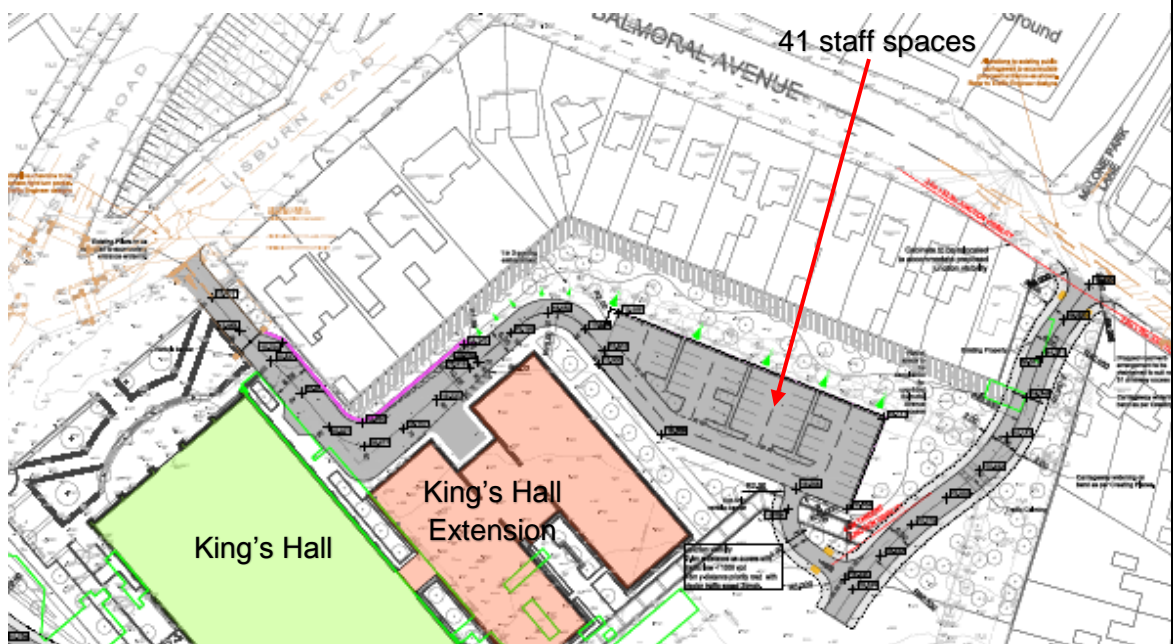
9.3.2 Given the stage at which the Draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 2015 still carry weight which is considered to be significant and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.

9.3.3 In the Draft BMAP 2004 the site is unzoned with a small portion along Balmoral Avenue identified as falling within the conservation area (Malone Conservation Area). In draft BMAP 2015 the site is also unzoned with a small portion along Balmoral Avenue identified as falling within the conservation area (Malone Conservation Area).

9.4 | Assessment

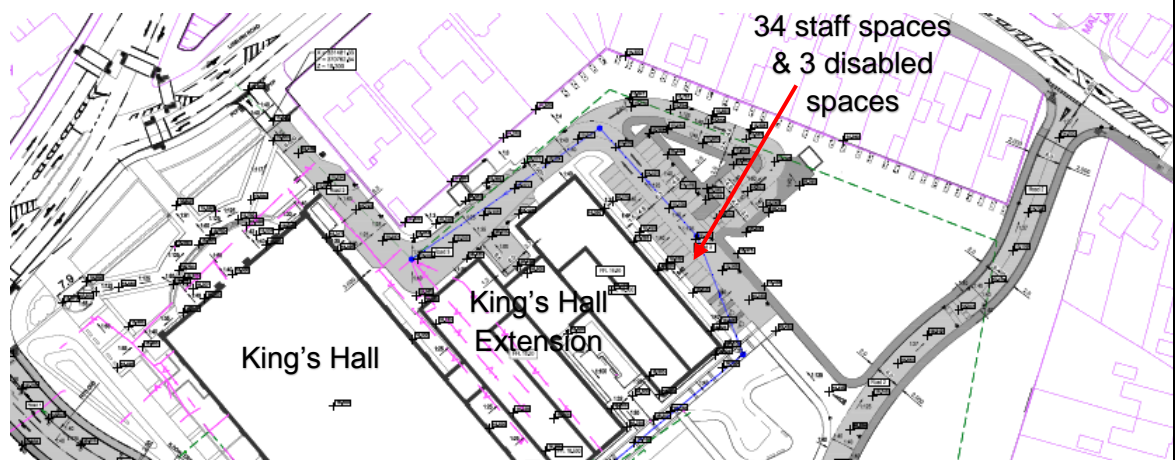
9.4.1 The site is outside the designated 'Areas of Parking Restraint' as set out in draft BMAP. Parking requirements for Phase 1 of the King's Hall was previously considered as part of planning approval LA04/2018/0040/F and DFI Roads considered the proposed level of parking adequate to serve the development. Overall the previous approved development for Phase 1 of the King's Hall redevelopment provided for 363 parking spaces. The revised layout also proposes 363 parking spaces. In principle the level of parking is considered acceptable.

9.4.2 The approved layout under application LA04/2018/0040/F provided for 41 spaces for staff adjacent to the extension to the Kings Hall as set out below.



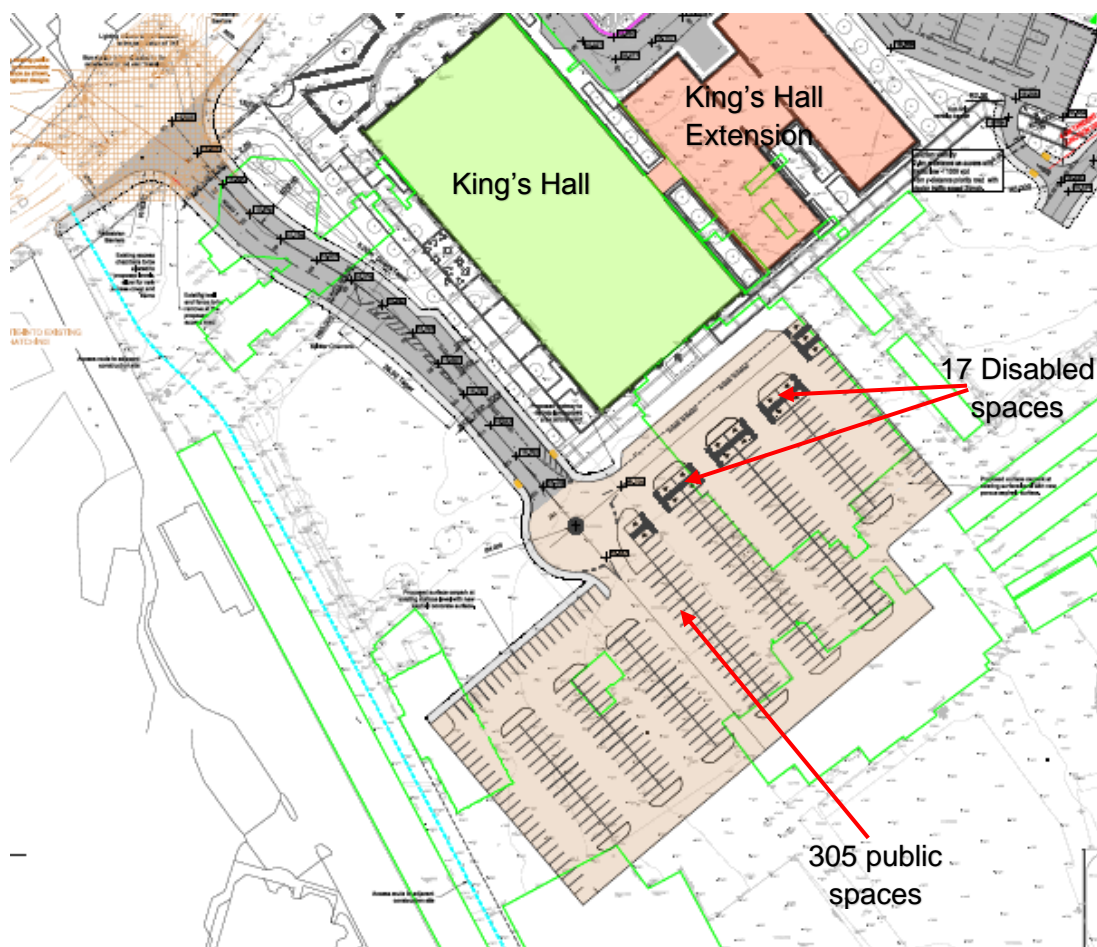
9.4.3

The amended layout proposes a smaller parking area incorporating 34 staff spaces and 3 disabled spaces to the side of the King's Hall. The following plan shows the proposed car parking/road layout to the side of the King's Hall.



9.4.4

The approved layout under application LA04/2018/0040/F provided for 305 public parking spaces and 17 disabled spaces to the rear of the King's Hall as set out below.



9.4.5

The amended layout as shown overleaf proposes 309 parking spaces (302 for public parking and 7 for staff parking) and 17 disabled parking spaces to the rear of the King's Hall. Minor amendments are proposed to the configuration of the parking areas. A revised internal access point to the car park to the rear of the listed King's Hall building is also proposed which is considered acceptable.



- 9.5.5** The re-configured parking layout to the side of the King's Hall is also planned to serve the proposed relocated Nursery/Childcare facility which is currently under consideration (LA04/2019/2848/F). However, it is noted that DFI Roads has raised no objections to application LA04/2019/2848/F subject to conditions.
- 9.5.6** DFI Roads consider that the proposed amendments to the approved car parks will not affect the acceptability of the original approval under LA04/2018/0040/F and offer no objection to the variation of condition 39 of planning approval LA04/2018/0040/F.
- 9.5.7** The larger of the two car parks proposed is located to the rear of the King's Hall on lands where previously buildings associated with the King's Hall were situated. It should be noted that the approved car park proposed to provide 320 spaces to the rear of the King's Hall is a temporary surface level car park. In the longer term the applicant proposes to replace this temporary car park with a multi-storey car park which is part of the proposed development associated with planning application LA04/2020/0845/O currently under consideration.
- 9.5.7** The car parking areas sit within the setting of the listed King's Hall. The proposed side extension is situated between the listed building and the car park and the larger temporary car park is sited to the rear of the listed building. It is considered that the proposed amendments to the car parking arrangements are not substantially different from that approved under application LA04/2018/0040/F and will not impact on the setting of the listed King's Hall.
- 9.5.9** The smaller car park to the side of the King's Hall will be a permanent parking area. A landscape buffer is proposed along the boundary with adjacent residential properties and the separation distances between the rear boundaries of adjacent dwellings and the outer edge of the access road serving the parking areas ranges from 5m – 8m and from

	<p>the rear of dwellings to the outer edge of the access road serving the car park ranges from 18-30m. Whilst the separation distances are reduced from the previous approved layout which incorporated separation distances ranging from 8m – 20m from the rear boundaries of adjacent dwellings to the outer edge of the access road serving the parking area and between 18m – 38m from the rear of dwellings to the outer edge of the access road serving the car park. The proposed separation distances together with the landscaped buffer and the retention of the existing stable block wall along the rear of properties on Balmoral Avenue are considered adequate to ensure no adverse impact on the amenity of neighbouring residential properties.</p>
9.5.10	<p>Views of the larger car park to the rear of the King's Hall will be achievable from the Lisburn Road. However, this car park is set back approximately 130m from the Lisburn Road entrance and given its nature i.e. a surface level parking area it is considered that there will be no adverse impact on visual amenity. Landscaping of the approved access to the King's Hall will also provide a degree of screening of the parking area. Views of the smaller parking area to the side of the King's Hall will be limited from surrounding vantage points given the siting of the parking area behind dwellings on the Lisburn Road/Balmoral Avenue.</p>
9.5.11	<p>Access arrangements to the parking areas from the surrounding road network have already been approved as part of planning approval LA04/2018/0040/F i.e. from the upgraded Lisburn Road junctions and Balmoral Avenue. Footpaths are incorporated into the main public access from the Lisburn Road serving the site and enables the provision of direct and safe access and movement of pedestrians and cyclists within the site.</p>
9.5.12	<p>It is considered that the proposed amendments to the car parking arrangements respects the character of the local townscape and landscape, will not adversely impact on the visual amenity of the area and provide for secure, direct and safe access and movement of pedestrians and cyclists for the reasons set out above and as such the proposed variation sought complies with Policy AMP 9. The overall level of provision which includes disabled parking in each of the parking areas is considered acceptable. The proposed parking arrangements are considered to comply with the SPPS and PPS 3.</p>
<p>Neighbour Notification Checked Yes</p>	
<p>Summary of Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended. This will create a standalone permission and as such all conditions from planning approval LA04/2018/0040/F must be replicated on any decision notice, albeit with condition 39 amended.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.</p>	
<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> <p>2. Prior to the date of first occupation, the developer shall confirm in writing the date of first occupation of any part of the development to the Council.</p> <p>Reason: To enable the Council to monitor the sequencing and timing of the proposed development.</p>	

3. Prior to the occupation of any part of the development, the demolition works to the building attached and adjacent to the listed King's Hall as shown on Drawing No. 04b, shall be completed in accordance with the details hereby approved and required by conditions 21 and 22.

Reason: In the interests of the orderly development of the site.

4. Prior to commencement of the development, the applicant shall submit details of public realm improvements along the Lisburn Road frontage as highlighted in yellow on Drawing No. 36b which shall be agreed in writing with the Council and shall be carried out as agreed, prior to the occupation of the King's Hall or within 1 year of the occupation of any part of the development.

Reason: In the interests of the orderly development of the site and to secure enhancement of the setting of the listed building.

5. Within 1 year of the occupation of any part of the development, the external works to the north western (Lisburn Road) elevation of the King's Hall identified on drawing Nos. 22b and 45 shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

6. Within 3 years of the occupation of any part of the development, the external works to the elevations of the King's Hall – 1) south western elevation facing Balmoral Golf Club, 2) south eastern elevation facing Harberton Park and 3) north eastern elevation facing Balmoral Avenue identified on drawing Nos. 21b and 22b, shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

7. Within 5 years of the occupation of any part of the development, the external works to the roof of the King's Hall identified on drawing Nos. 20a, 21b, 22b, 23b, 24b and the associated internal structure shall be completed in accordance with the approved details.

Reason: In the interests of the orderly development of the site and to secure the restoration of the listed building.

8. Prior to commencement of development the applicant shall submit a landscape management plan which shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The landscape management plan shall be agreed in writing by the Council and shall be carried out as approved in accordance with the approved details.

Reason: To ensure the proper management of the landscaped areas in the interests of visual amenity.

9. Prior to commencement of development on any part of the site, a planting scheme shall be submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the approved details. The works shall be carried out within 12 months of the occupation of any part of the development hereby approved unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area and to ensure that new planting is appropriate and of an acceptable quality.

10. The demolition of the stables and the retention, repair and rendering of the rear wall of the stables shall be carried out in accordance with the methodology statement received on 15 August 2018 and Drawing No. 41 received on 23 March 2018.

Reason: To protect the amenity of neighbouring residential properties.

11. Prior to commencement of demolition the applicant shall submit a Demolition Management Plan (DMP) to be agreed in writing with the Council. The DMP shall identify proposed controls and mitigation measures to control dust, noise, vibration and other nuisance during the demolition/construction phase and shall demonstrate how the implementation of the appropriate measures will mitigate adverse impacts of the development. The DMP shall be carried out as approved.

Reason: In the interests of amenity.

12. Prior to commencement of development the applicant shall submit a Construction Management Plan (CMP) to be agreed in writing with the Council. The CMP shall identify proposed controls and mitigation measures to control dust, noise, vibration and other nuisance during the demolition/construction phase and shall demonstrate how the implementation of the appropriate measures will mitigate adverse impacts of the development. The CMP shall be carried out as approved.

Reason: In the interests of amenity.

13. Prior to the operation of the 2-storey extension development, the applicant shall submit a Verification Report to be agreed in writing with the Council. This report must demonstrate that the remediation measures outlined in Section 6.2 - Remediation Principles of the Ashfield Solutions Group report: Contaminated Land Risk Assessment; King's Hall Primary Care Complex, Upper Lisburn Road, Belfast. Report Number 59716-S13, dated 17/11/2017, have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for its end-use. The report shall further demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate:

- that the site layout is in accordance with Belfast City Council Drawing No 36b: Landscape Layout, date stamped 22/10/2018;
- the incorporation of gas protection measures to meet a Characteristic Situation 2 in accordance with CIRIA C665 and BS 8485:2015 beneath the extension and verified in accordance with the provision of CIRIA publication C735; and
- the encapsulation of the degraded soils at Borehole 01, 02 and 06 through the placement of either hardstanding or a soil capping layer within any landscaped areas to a depth of at least 0.5 m consisting of soils demonstrably suitable for the end-use.

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

14. Prior to the operation of the King's Hall Primary Health Care Centre building, the applicant shall provide to the Council documented evidence that any installed lift shaft pit(s) have been lined with a damp proof membrane and any new service entry points or piled penetrations have been sealed.

Reason: Protection of human health.

15. If, during the development works, new contamination or perceived risk to the water environment is encountered which have not previously been identified, works should cease, and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be submitted and

agreed in writing by the Council, and subsequently implemented and verified in accordance with condition 13 to its satisfaction.

Reason: Protection of human health and environmental receptors to ensure the site is suitable for end use.

16. No piling work should commence on this site until a piling risk assessment has been submitted and agreed in writing with the Council. This condition only applies if a piling foundation is being used at the site. 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.environmentagency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

17. Prior to commencement of works a "Plan of Work" for the management of site asbestos containing materials (ACM) shall be prepared by a suitably competent person, submitted to and agreed in writing by the Council. This Plan of Work shall include details of the work and the actions to control risk and prevent harm. The Plan of Work must include the following:

- nature and expected duration of the work
- number of persons involved
- address and location of where work is to be carried out
- method for picking asbestos
- methods used to prevent, control and reduce exposure to asbestos
- air monitoring
- arrangement for disposal of asbestos waste
- type of equipment including personal protective equipment and
- work on site with asbestos containing materials must not take place unless a copy of this Plan of Work is readily available on site.

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

18. Prior to commencement of the use of the café, details of the odour abatement system shall be submitted and agreed in writing with the Council should the café use hereby approved propose to cook/serve hot food. The odour abatement system shall be installed prior to commencement of the use and shall be maintained thereafter in accordance with the manufacturer's instructions.

Reason: Protection of amenity.

19. The Rating Level (dB L_{Ar}) of sound from all combined building services plant/equipment associated with the development shall not exceed the background sound level at the nearest sound sensitive premises (during the daytime and night time periods) when measured in accordance with assessment methodology outlined in BS4142:2014 - Methods for rating and assessing industrial and commercial sound. Noise measurements shall be monitored at an appropriate location at the site boundary and corrected to establish the noise levels at the nearest sound sensitive premises. A Rating Level (dB L_{Ar}) indicative of 'low adverse impact' shall be maintained thereafter.

Reason: Protection of residential amenity.

20. Prior to commencement of the development, an Artificial Light Verification report shall be submitted to and approved in writing by the Council. The report shall verify that all artificial lighting connected with the development is measured and confirmed to be within the vertical illuminance (lux) levels for Environmental Zone E3 as stipulated in the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

Reason: Protection of residential amenity.

21. No later than 6 weeks prior to commencement of works to the listed King's Hall, access to the site and buildings shall be afforded to HED to record areas that are the subject of demolitions. Access shall be agreed in writing with the Council prior to commencement.

Reason: To ensure that there is a complete record of the historic fabric.

22. No works to the listed King's Hall shall commence until a Level 2 survey as defined by Historic England's 'Understanding Historic Buildings A Guide to Good Recording Practice' of the King's Hall - including the extensions proposed for demolition has been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division.

Reason: To ensure that there is a complete record of the historic fabric.

23. No demolition shall take place on site until a demolition method statement, detailing how the demolitions will be carried out to, and around, the listed building without adversely affecting the structural stability of the remaining historic fabric and without damaging the historic fabric proposed for retention, has been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed method statement.

Reason: To ensure that protection and survival of the remaining historic fabric.

24. No works to the external elevations of the listed King's Hall other than repairs or demolitions, shall commence until samples of all new elements and finish materials for the walls, windows and external doors including colours/materials of all proposed finishes for the Listed King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

The samples must include the following:

- 1) windows and doors (external)
- 2) secondary glazing system
- 3) louvres on side elevations

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

25. No works to the roof of the listed King's Hall shall commence until samples of all new elements and finish materials for the roof, including colours and materials have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

26. No works to the interior of the listed King's Hall other than soft strip or approved demolitions shall commence until samples of all new elements and finish materials for the wall, windows, doors and ceilings including colours and materials of all proposed finishes for the interior of the King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples. The samples must include:

- 1) windows and doors (internal)
- 2) internal joinery
- 3) floor finishes
- 4) ceiling finishes

Reason: To ensure the protection and survival of the remaining historic fabric and to ensure that new work is appropriate and of an acceptable quality.

27. No works to the interior of the listed King's Hall, other than soft strip or approved demolitions, shall commence until details of the new stairs proposed for the listed King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

28. No works to the exterior elevations of the King's Hall, other than approved demolition works or repairs, shall commence until details, at an appropriate scale, of the new covering/finish to the arches have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

29. No works to the exterior of the King's Hall, other than approved demolition works or repairs, shall commence until the colour of the new covering/finish to the arches have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the agreed colour.

Reason: To ensure that new work is appropriate and of an acceptable quality.

30. No works to the front elevation of the King's Hall, other than approved demolition works or repairs shall commence until details, at an appropriate scale, of the new canopy have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division and all work shall conform to the agreed drawings. Drawings to include copies of the original drawings as stated in the application documents.

Reason: To ensure that new work is appropriate and of an acceptable quality.

31. Construction of the 2 storey extension development shall not commence until details of the external materials and finishes have been submitted and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

32. No work shall commence on the 2 storey extension development until details, at an appropriate scale, of the new link have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

33. No work shall commence on the Lisburn Road access to the King's Hall until details to describe fully the new steps, ramps and walling to the front of the King's Hall have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed drawings.

Reason: To ensure that new work is appropriate and of an acceptable quality.

34. No hard landscaping shall commence on any part of the site until samples of all hard landscaping finish materials have been submitted to and agreed in writing with the Council in conjunction with Historic Environment Division. All work shall conform to the agreed samples.

Reason: To ensure that new work is appropriate and of an acceptable quality.

35. No part of the development hereby permitted shall become operational until the signalisation, lane re-alignment and remarking of the junction of the King's Hall Redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue, including visibility splays and any forward sight distance, have been constructed to the satisfaction of DfI - Roads. This will be generally in accordance with the approved layout. Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018. The area within the visibility splays and any forward sight line 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.

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

36. No works on the adopted road network to provide the above access to the development shall commence until full details of the engineering for the signalisation, lane re-alignment and remarking of the junction of the King's Hall redevelopment and the Lisburn Road and of the revised access onto Balmoral Avenue have been submitted to and approved by the Council in conjunction with the Department For Infrastructure. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including approval of the necessary Departures/ Relaxations from standard and Road Safety Audit, these being generally in accordance with Drawing Nos. 39, 'Phase 1 Lisburn Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018 and 40, 'Phase 1 Balmoral Avenue Road Junction Levels and Geometry' published by Belfast City Council Planning Office on 01 February 2018. All works shall be completed to the satisfaction of the Department for Infrastructure.

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

37. The signalised junction shall be maintained by the operator of the site for a period of 10 years from the commencement of operations of the signals.

Reason: To ensure the cost of operations are borne by the applicant during initial operations.

38. The Private Streets (Northern Ireland) Order 1980. The Department for Infrastructure hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing '15-031-P-105 Rev B, King's Hall - Balmoral Avenue Access Land Proposed for Adoption' published by Belfast City Council Planning Office on 21 December 2018 and bearing the Department for Infrastructure - Roads date stamp 29 January 2019 and '15-031-P-104 Rev B, King's Hall - Exit Lisburn Road Land Proposed for Adoption' published by Belfast City Council Planning Office on 21 December 2018 and bearing the Department for Infrastructure - Roads date stamp 29 January 2019. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

Amended Condition (No. 39):

39. *The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. **8687-760P3**, 'Road Layout Geometry and Levels Phase 1(**Revised**)' published by Belfast City Council Planning Office on **30th April 2020** to provide **20** No. disabled parking spaces, **41** No. spaces reserved for essential staff, **302** No. public parking spaces and adequate facilities for 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 servicing.

40. There shall be no vehicular through route between the Lisburn Road access and the Balmoral Avenue access except to permit servicing. The access is to be controlled by a permanent barrier under 24 hour control.

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

41. A minimum of 12 No. secure cycle parking stands shall be provided and permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.

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

42. Any existing street furniture or landscaping obscuring visibility or located within the proposed vehicular accesses shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

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

43. The development hereby permitted shall operate in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 05 February 2018. This shall include provision of 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.

44. The development hereby permitted shall operate in accordance with the approved Service Management Report published by the Belfast City Council Planning Office on 05 February 2018.

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

Notification to Department (if relevant) N/A

ANNEX

Date Valid

16th April 2020

Date First Advertised

08th May 2020

Date Last Advertised

Details of Neighbour Notification (all addresses)

The Owner/Occupier, 1 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 1 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 1 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 10 - 13 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 10 – 13 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 11 - Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 13 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 14 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 14 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 15 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 15 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 15 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 16 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 16 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 17 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 17 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 17 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 18 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 18 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 19 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 19 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 19 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 2 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 2 Malone Park Lane,Belfast,Antrim,BT9 6NQ
The Owner/Occupier, 20 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 21 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 21 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 21 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 22 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 23 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 23 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 23 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 24 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 24 Harberton Park, Belfast
The Owner/Occupier, 25 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 25 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 25 Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 25a ,Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 25b ,Harberton Park,Malone Upper,Belfast,Antrim,BT9 6TW
The Owner/Occupier, 26 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 26 Harberton Park, Belfast
The Owner/Occupier, 27 Balmoral Avenue,Belfast,Antrim,BT9 6NW
The Owner/Occupier, 27 Balmoral Court,Belfast,Antrim,BT9 7GR
The Owner/Occupier, 28 Balmoral Court,Belfast,Antrim,BT9 7GR

The Owner/Occupier, 28 Harberton Park, Belfast
The Owner/Occupier, 29 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 29 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 3 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 3 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 3 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TW
The Owner/Occupier, 30 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 30 Harberton Park, Belfast
The Owner/Occupier, 31 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 31 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 31 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 32 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 32 Harberton Park, Belfast
The Owner/Occupier, 33 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 33 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 33 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 34 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 34 Harberton Park, Belfast
The Owner/Occupier, 35 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 35 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 36 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 36 Harberton Park, Belfast
The Owner/Occupier, 37 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 37 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 38 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 39 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 39 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 4 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 4 Malone Park Lane, Belfast, Antrim, BT9 6NQ
The Owner/Occupier, 40 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 41 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 43 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 45 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 47 Harberton Crescent, Malone Upper, Belfast, Antrim, BT9 6WU
The Owner/Occupier, 480 Lisburn Road, Belfast
The Owner/Occupier, 482 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 6GU
The Owner/Occupier, 484 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 6GU
The Owner/Occupier, 486 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 6GU
The Owner/Occupier, 5 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 5 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 5 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TW
The Owner/Occupier, 6 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 6 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 7 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 7 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 7 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TW
The Owner/Occupier, 8 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 8 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 829 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 7GY
The Owner/Occupier, 829-831 , Lisburn Road, Malone Lower, Belfast, Antrim, BT9 7GY
The Owner/Occupier, 9 Balmoral Avenue, Belfast, Antrim, BT9 6NW
The Owner/Occupier, 9 Balmoral Court, Belfast, Antrim, BT9 7GR
The Owner/Occupier, 9 Harberton Park, Malone Upper, Belfast, Antrim, BT9 6TW
The Owner/Occupier, Apartment 1 - 85, 841 Lisburn Road, Malone Lower, Belfast, Antrim, BT9

The Owner/Occupier, Balmoral Golf Club, 518 Lisburn Road, Malone Lower, Belfast, Antrim, BT9
The Owner/Occupier, Nursery School, 500 Lisburn Road, Malone Lower, Belfast, Antrim, BT9 6GU

Date of Last Neighbour Notification	26 th May 2020
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Date of EIA Determination	N/A
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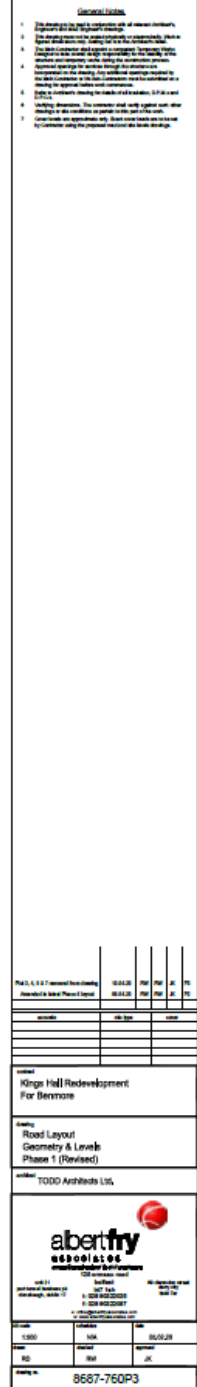
ES Requested	No
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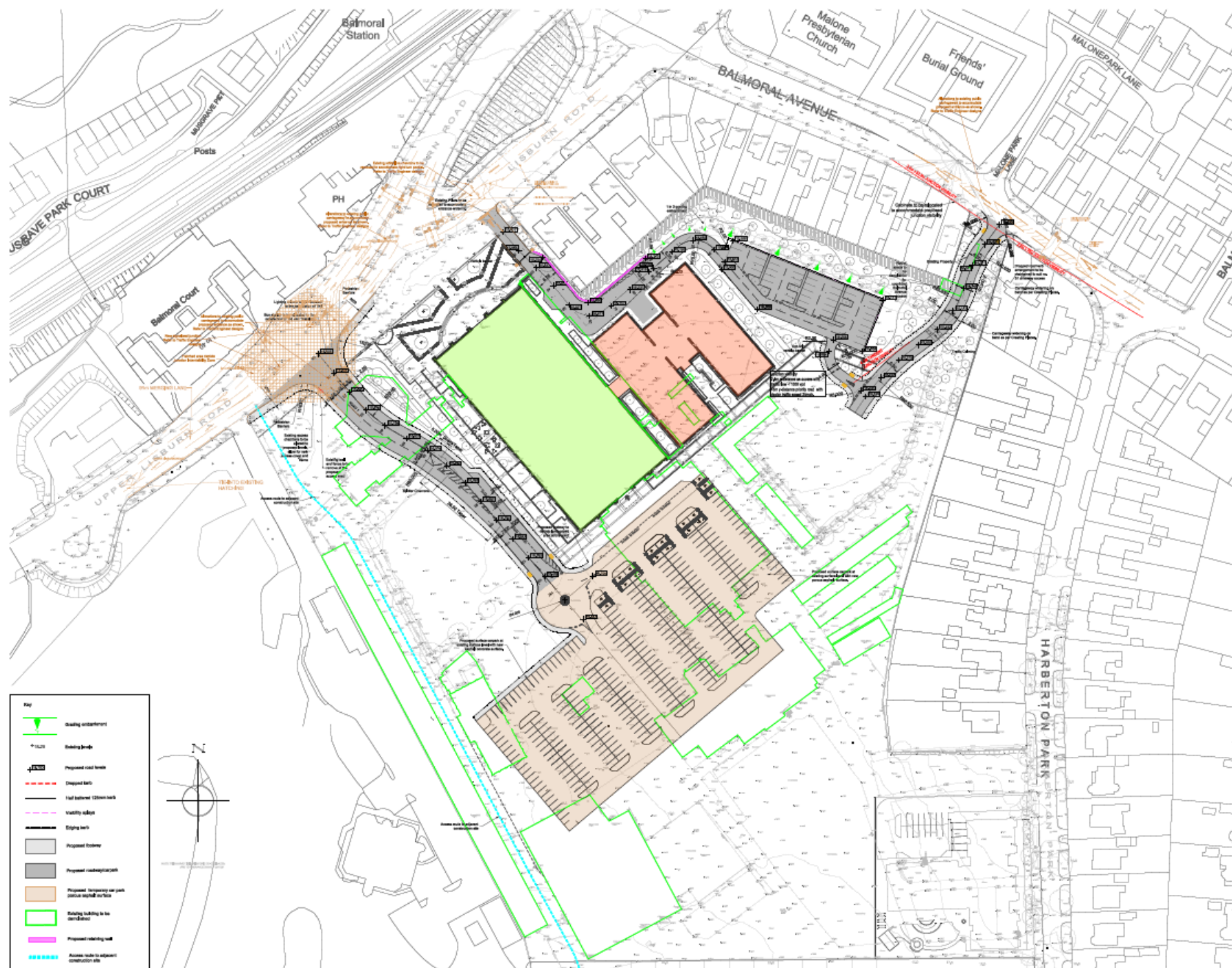
Drawing Numbers and Title:

Drawing No. 8687-760P3 – Road Layout Geometry & Levels Phase 1 (Revised)

Drawing No. 38 (8687-720P8) - Road Layout Geometry and Levels Phase 1

Proposed Layout



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**Kingshall Redevelopment
For Benmore**

Road Layout
Geometry and Levels
Phase 1

color Toxic Architects



part no.	description	qty
1-0000		RVDA J8
date	drawn by	approved
REV	JK	JK
drawing no.	8687-T20P8	