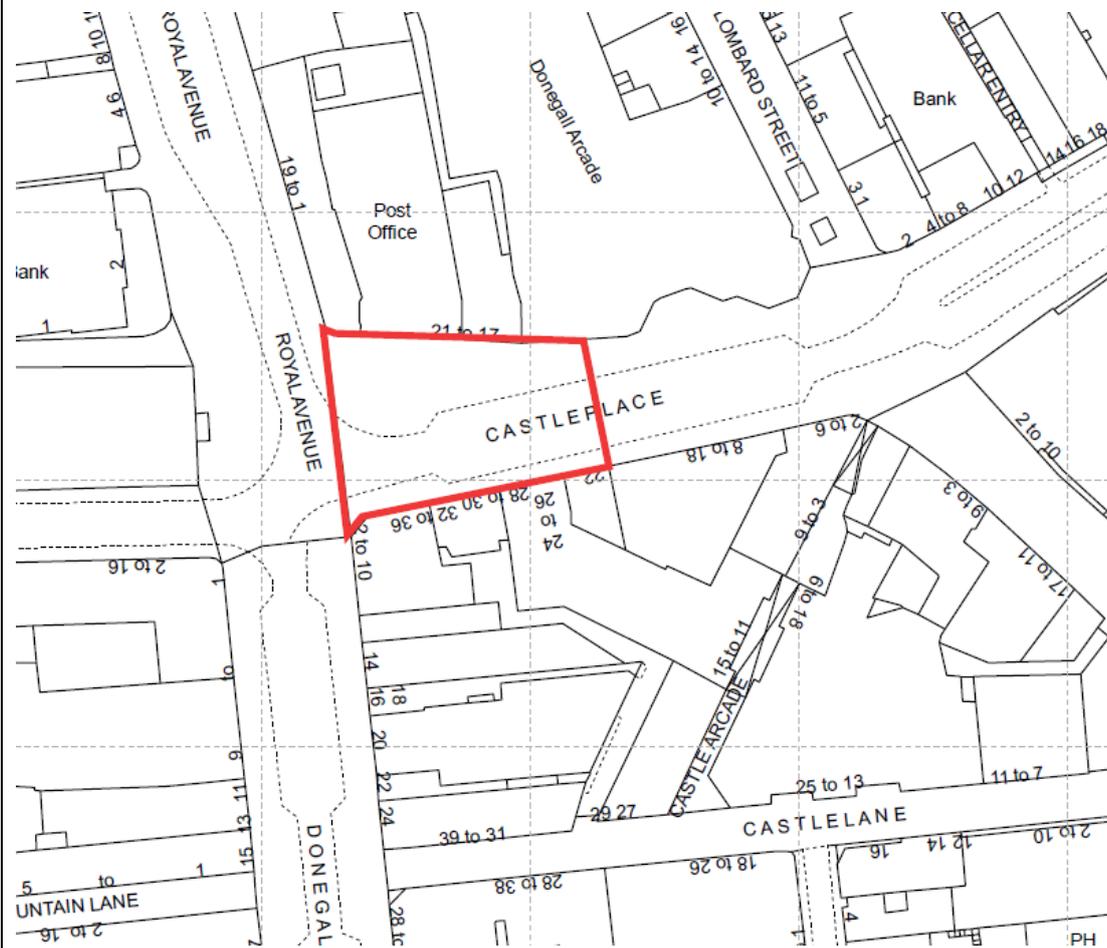


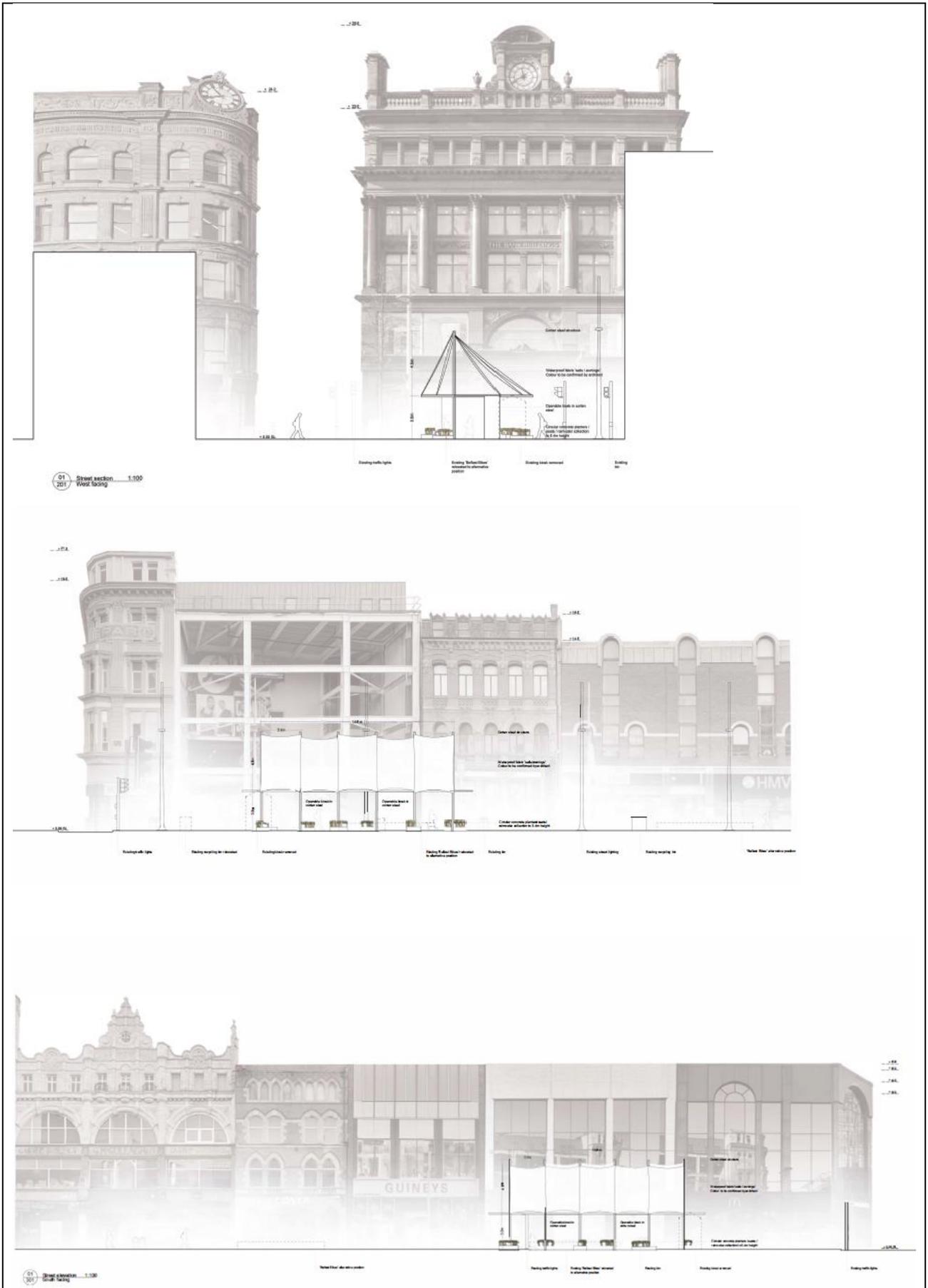
Committee Decision Application

Development Management Report	
Application ID: LA04/2020/2216/F	Date of Decision: Tuesday 16 February 2021
Proposal: Replacing existing kiosk with upgraded kiosks which includes covered area	Location: Lands in front of Calvert House 23 Castle Place Belfast BT1 1GB
Referral Route: Application made by Belfast City Council	
Recommendation:	Approval
Applicant Name and Address: City Regeneration and Development Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: MMAS Architects Conway Mill Belfast BT13 2DE
<p>Executive Summary: Planning Permission is sought for the replacement of the existing kiosk with upgraded kiosks which includes a covered area. The proposal to replace the kiosk has ultimately arisen from the negative impacts on the City Centre felt by the Primark Fire and Covid19 Pandemic. The overarching aim is to encourage local communities, pedestrians and shoppers back into the city centre, particularly back to Castle Place, building on previous successful and popular attempts to reactivate and pedestrianise this key node of Belfast City Centre through 'Pop-up parks' and other interventions.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • Impact on character and appearance of the area including Belfast City Centre Conservation Area and Setting of Listed Buildings • Impact on amenity • Impact on highway safety <p>The site is located within Belfast City Centre Conservation Area. Overall the proposal would enhance the character and appearance of the area including the Conservation Area and would not be detrimental to the setting of nearby listed buildings, amenity of neighbouring properties or harmful to highway safety.</p> <p>The application has been neighbour notified and advertised in the local press, no comments have been received to date. Historic Environment Division, Environmental Health and Conservation and Heritage have been consulted and offer no objections. Whilst there is an outstanding response from DFI Roads, they have indicated that they are unlikely to object to the application. The formal response will be reported to members in the Late Items update.</p> <p>The proposal has been assessed against and is considered to comply with the SPPS, BUAP, Draft BMAP, PPS3 and PPS6. Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended for approval.</p> <p>Recommendation – Approval subject to conditions It is recommended that planning permission is granted subject to no objection from DFI Roads with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

Case Officer Report

Site Location Plan







Extended raised pavement for additional pedestrian movement, with additional planter seating spilling down from kiosk to facilitate rest and encourage dwell time.

Optional 'Catenary' suspended lighting helps remove clutter at ground level and refers to the tram cales that once spanned space.

Robust, low maintenance corten steel frame, which can be set on above ground concrete foundations that double as planters and seating (if demountability is required).

The structure would open and close to allow for vendors and artists to site themselves in the heart of the city centre and attract locals in, while being secure at night.

Sail inspired, low maintenance awnings provide protection from the rain during rainy days or offer protection from the sun. The span of the awnings could be moved/ adjusted according to the use of the space and time of year/ weather.

Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The application is for the replacement of the existing kiosk with upgraded kiosks which includes a covered area. The existing kiosk will be replaced with two separate corten steel kiosks, with a corten steel frame to support the sail inspired canopy above. The proposal will be erected in the position of the existing kiosk and the Belfast bikes, which are to be relocated further along Castle Place. The total area to be used for the proposal is approximately 14.6m by 7.5m, with the maximum height being 7.5m. The application also includes six bespoke concrete planters/seats surrounding the kiosks to varying sizes.</p>
2.0	<p>Description of Site and Area</p> <p>The application is located at Castle Place, which is considered the historical heart of the City. The character of the area is representative of the city centre, comprising primarily of retail and office uses. The application boundary is on the site of the existing kiosk and Belfast bikes. The site is within the development limit of Belfast as designated in both the BUAP and draft BMAP. The site also falls within the City Centre Conservation Area.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Z/2006/1479/F Remove existing kiosk and replace with a new single storey kiosk. Permission Granted</p> <p>Z/2005/0590/F Removal of existing tower feature, display panels and shop kiosk. Replace with new single-storey shop kiosk. Permission Granted</p> <p>Z/1999/2698 Replacement of existing kiosk with tram for information and ticket point and cafe facilities for temporary period. Permission Granted</p> <p>Z/1999/2697 Erection of signage forming an integral part of proposed kiosk. Permission Granted</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 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.
	Draft BMAP 2004
4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)

	4.2.2	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3		Regional Development Strategy 2035
4.4		Strategic Planning Policy Statement 2015
4.5		Planning Policy Statement 3: Access, Movement and Parking
4.6		Planning Policy Statement 6: Planning Archaeology and the Built Heritage
5.0		Statutory Consultees Responses
5.1		Historic Environment Division – no objection
5.2		DFI Roads – no response received as of yet
6.0		Non-Statutory Consultees Responses
6.1		BCC Conservation and Heritage – no objection
7.0		Representations
7.1		It was advertised in the local press on the 24 th December 2020. Neighbour notifications were issued on the 23 rd December 2020. The consultation period expired on 7 th January 2021. No representations have been received to date. Any further representations received will be reported as an update to committee.
8.0		Other Material Considerations
8.1		Belfast City Centre Conservation Area Design Guide Section 104 of the Planning Act (Northern Ireland) 2011
9.0		Assessment
9.1		The proposal is considered to be in compliance with the development plan.
9.2		The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> • Impact on the character and appearance of the surrounding area including Belfast City Centre Conservation Area and setting of Listed Buildings • Impact on amenity • Impact on highway safety
9.3		<u>Impact on the character and appearance of the area including Belfast City Centre Conservation Area and setting of Listed Buildings</u> Inspiration for the proposed kiosks has been drawn from both international examples and the history of Castle Place and Belfast City Centre itself. The kiosks have been designed to be able to expand out and close down, making it a dynamic and flexible space for all users, while also being an engaging place where pedestrians and shoppers are encouraged to interact with the space, whether by buying a coffee, or viewing artists work. The kiosks will be designed such that they can open at a 90 degree angle via hinges to create unique spaces for vendors to sell and display goods, while allowing the overall proposal to be a useable and permeable space.
9.4		Historical photographs of this area of the city centre have been greatly influential in the design, and particularly with the use of awnings for the covering of the kiosk areas. It has been recognised that the use of awnings nods to the historical city centre, while providing a flexible form, which can change in scale and height, making it an accessible approach for this proposal. The proposed use of materials and ropes would be a strong reference to Belfast's industrial heritage, while creating a dynamic presence, bringing colour and life back to Castle Place.
9.5		The scale, form, materials and detailing of the kiosks and covered area respects the adjoining buildings in the area, while making a nod to the city's historical past. At present, Castle Place

	<p>is suffering in terms of footfall as a result of the Primark fire and Covid19 Pandemic, however the proposal represents an opportunity to draw shoppers and tourists alike back to the area. The kiosks will present an inviting space to pass through or stop by for a coffee. Due to the open aspect of the area, it is important that careful consideration is given to the impact on the surrounding area and buildings, particularly as there are a number of neighbouring listed buildings. Historic Environment Division were consulted as part of the application process and they have confirmed they have no objection to the proposal subject to conditions being added to any permission including the proposed materials. The submitted drawings propose no attachments from the structure to any listed buildings. However if any connections are to be made to the listed building from the structure, a separate listed building consent application would be required. An informative has been recommended to address this.</p>
9.6	<p>Given the site also falls within Belfast City Centre Conservation Area, the Conservation and Heritage team have been consulted as part of the application process. The Conservation Officer advised that street furniture should not result in physical obstruction and visual clutter and items of street furniture should be based on historical research and be appropriate / sensitive to the age and character of the area that they serve. It was noted that the proposal would be a larger structure than what currently exists, but due to its centralised location within a large area of public space, it is sufficiently distanced from key buildings to ensure that it doesn't obscure or compete with the surrounding historic vistas and views of historic buildings. The Conservation Officer concluded that the scheme will encourage street usage and an increase in footfall and will contribute to the ongoing vitality of the area without resulting in detriment or demonstrable harm on the existing historic assets.</p>
9.7	<p>Overall, it is considered that the proposal complies with PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 201 in that the kiosks and canopy would enhance the character and appearance of the area including the City Centre Conservation Area, while also improving the usability of the space.</p>
9.8	<p><u>Amenity</u></p> <p>There are no residential properties located in close proximity to the proposal with the majority of buildings in commercial use and therefore there will be no detrimental impact on the amenity of adjoining properties in accordance with the SPPS. Given the nature of the development, with two new kiosks proposed, the Environmental Health team have been consulted as part of the application process, and have confirmed they have no objection to the proposal.</p>
9.9	<p><u>Impact on highway safety</u></p> <p>The proposed kiosks and canopy will be positioned on the existing footpath of Castle Place, therefore, it is expected that there will be no impact on vehicular traffic in the area, and it is not expected to impair views of any road signs or traffic signals. The existing Belfast Bikes kiosk will be relocated further along Castle Place to allow for the installation of the proposal. While the kiosks are proposed on the footpath, and will cover a larger area than the existing kiosk, it is considered that careful design ideas have been implemented to ensure the development will be permeable and accessible for all pedestrians and users. DFI Roads have been consulted as part of the application process. DFI Roads have indicated that they are unlikely to object to the proposal. The formal response will be reported to members in the Late Items update. As such, it is expected there will be no detrimental impact on highway safety and the proposal would comply with PPS3 and the SPPS in this regard.</p>
10.0	<p>Summary of Recommendation: Approval subject to conditions</p> <p>Having regard to the policy context and other material considerations, it is concluded that the proposal is considered acceptable, subject to no objection being raised by DFI Roads. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.</p>

11.0	<p>Conditions</p> <ol style="list-style-type: none"> The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. Materials and finishes shall be as per approved drawings 04, 05 and 06 (date published on the Planning Portal 03/12/2020). Reason: In order to protect the setting of the neighbouring listed buildings in accordance with Policy BH 11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage. <p>Informative</p> <ol style="list-style-type: none"> Any connections to listed buildings from the structure would require separate listed building consent.
Notification to Department (if relevant): N/A	
Representations from Elected members: N/A	

Details of Neighbour Notification (all addresses)

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The Owner/Occupier,
1 Donegall Place,Belfast,Antrim,BT1 5AA
The Owner/Occupier,
1-27 ,Castle Street,Belfast,Antrim,BT1 1BL
The Owner/Occupier,
1-3 ,Donegall Place,Belfast,Antrim,BT1 5AA
The Owner/Occupier,
1-5 ,Royal Avenue,Belfast,Antrim,BT1 1FB
The Owner/Occupier,
10 Donegall Place,Belfast,Antrim,BT1 5BA
The Owner/Occupier,
10-16 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
16 Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
17 Castle Place,Belfast,Antrim,BT1 1EL
The Owner/Occupier,
17 Castle Place,Belfast,Antrim,BT1 1GA

The Owner/Occupier,
18 Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
18-22 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
2 Royal Avenue,Belfast,Antrim,BT1 1DA
The Owner/Occupier,
2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1SA
The Owner/Occupier,
2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1SY
The Owner/Occupier,
2-4 ,Donegall Place,Belfast,Antrim,BT1 5BA
The Owner/Occupier,
24-26 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
24-26 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
24-26 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
28-30 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
3 Donegall Place,Belfast,Antrim,BT1 5AA
The Owner/Occupier,
33 Castle Place,Belfast,Antrim,BT1 1GA
The Owner/Occupier,
4-8 ,Donegall Place,Belfast,Antrim,BT1 5BA
The Owner/Occupier,
4-8 ,Donegall Place,Belfast,Antrim,BT1 5BA
The Owner/Occupier,
8 Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
Calvert House,23 Castle Place,Belfast,Antrim,BT1 1FY
The Owner/Occupier,
Kiosk 1,2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
Mcauley House,2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
Office 2f,2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
Office 3f,2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
Office 4f,2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
Ofifice 2f To 4f,2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1HB