

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: 16th March 2021	
Application ID: LA04/2019/2756/F	
Proposal: Alterations to vacant Gaol Wing (Wing A) to facilitate change of use to operational whiskey distillery (including ground water abstraction, plant equipment and all associated works) with tourist centre, new car park, alterations to existing car park and associated site works. Tourist facilities to include guided tours, bar and restaurant/cafe.	Location: A Wing Crumlin Road Gaol 53-55 Crumlin Road Belfast BT14 6ST.
Referral Route: Proposal exceeds 2,500m ² light industry and 1000m ² floor space outside a town centre.	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Belfast Distillery Company Ltd Innovation Factory Forthriver Business Park 385 Springfield Road Belfast BT12 7DG	Agent Name and Address: O'Toole & Starkey Ltd Arthur House 41 Arthur Street Belfast BT1 4GB
Executive Summary: The proposal is for full planning permission for alterations to vacant Gaol Wing (Wing A) to facilitate change of use to operational whiskey distillery (including ground water abstraction, plant equipment and all associated works) with tourist centre, new car park, alterations to existing car park and associated site works. Tourist facilities to include guided tours, bar and restaurant/cafe. The Key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> • Principle of development and use; • Tourism; • Impact on the listed building; • Provision of parking and access; • Impact on amenity of neighbours; • Economic Benefits; • Consideration of representations; • Other environmental factors. Under the adopted BUAP 2001 the site is un-zoned white land. The site is located within the settlement development limit for Belfast as designated by both iterations of Draft Belfast Metropolitan Area Plan 2015 the 2004 and 2015 versions. The site is designated as land for mixed use in both iterations to draft BMAP.	

The principle of the development and use at this location is considered acceptable and in accordance with the SPPS for NI, PPS 4, PPS 6 and PPS 16. The proposal will secure the future survival of a listed building that has been vacant since 1996.

The proposal represents an investment of £25 million pounds with a total of 12 jobs created.

3No representations have been received.

NI Water, DFI Roads, HED, NIEA, Environmental Health, Rivers Agency and HSENI offer no objection to the proposal, subject to conditions.

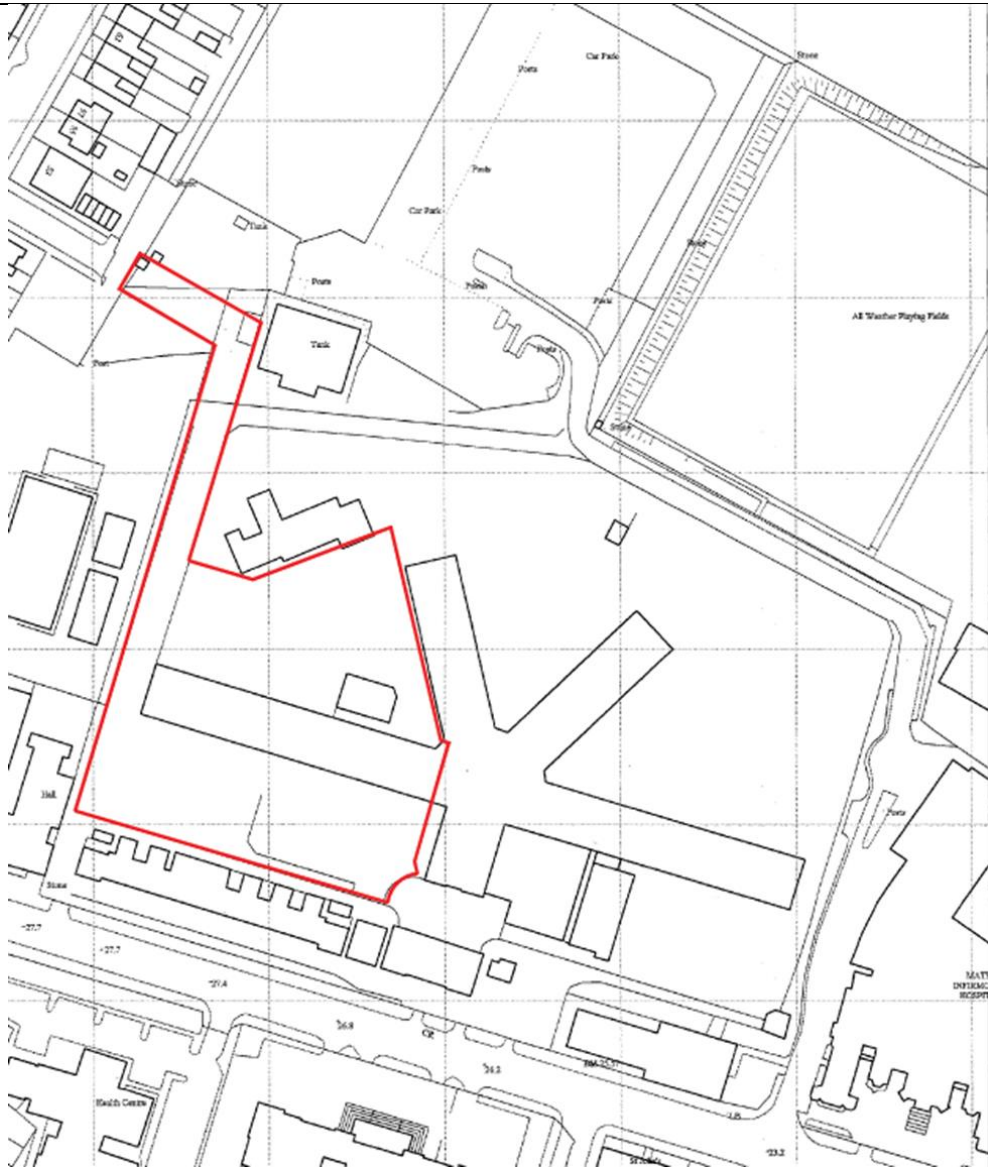
This application is linked to listed building consent LA04/2019/0863/LBC.

Recommendation: Approval subject to conditions

Having regard to the policy context and other material considerations, the proposal is considered acceptable and approval of planning permission is recommended for the reasons set out in the report below. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for full planning permission to alter the vacant Gaol wing (Wing A) to facilitate a change of use to an operational whiskey distillery (including ground water abstraction, plant equipment and all associated works) with a tourist centre, new car park, alterations to existing car park and associated site works. Tourist facilities to include guided tours, bar and restaurant/cafe.
2.0	Description of Site
2.1	The application site is one of four 3 storey `wings` of a decommissioned Victorian prison. This is a Grade `A` Listed Building designed by Charles Lanyon and was constructed in the years between 1840 and 1859. The application site is for `A Wing` in the western part of the prison complex. The building is constructed of basalt stone with sandstone detailing around openings and Bangor Blue slates covering the pitched roof.
2.2	One of the three other wings has been restored to its original Victorian state for use as a museum. The other two wings are currently closed and vacant. `A Wing` is one of the larger wings in the prison. There is a car park within the curtilage of the site which is screened by the existing two storey staff cottages at the front of the prison, fronting the Crumlin Road. An area of hardstanding with car parking is also located to the north of the A Wing. The exterior of the prison building itself has been restored to its original condition.
2.3	The area is defined by a mix of commercial, residential and government buildings in a range of eclectic styles, designs and densities. The Mater Hospital is adjacent to the application site, bounding its east side, while the derelict remains of the Crumlin Road Court House is opposite. Girdwood Community Hub sits north of the Gaol Complex with a petrol station and a funeral parlour to the west. Residential dwellings on Cliftonpark Avenue sit to the west of the wider Gaol Complex with No's. 31 and 53 located adjacent to the existing vehicular access to the complex from Cliftonpark Avenue.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2012/1277/F - Alterations to vacant Gaol Wing (Wing A) to facilitate change of use to operational Whiskey Distillery (including ground water abstraction, plant equipment, and all associated works) with tourist/visitors centre and associated car parking and site works. Tourist facilities to include guided tours, bar and restaurant/café – Granted 24.04.2013
3.2	Z/2012/1274/LBC - Alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational Whiskey Distillery (Including ground water abstraction, plant equipment, and all associated works) with tourist/visitors centre and associated car parking and site works. Tourist facilities to include guided tours, bar and restaurant/café – Consent granted 25.04.2013
3.3	LA04/2020/1662/F - Section of existing wall carefully dismantled and stored on site for possible reuse, existing post removed and rebuilt at the new end of stone wall. New sliding gate installed, with supporting frame work – Granted 17.02.2021
3.4	LA04/2020/1663/LBC - Section of existing wall carefully dismantled and stored on site for possible reuse, existing post removed and rebuilt at the new end of stone wall. New sliding gate installed, with supporting frame work – Consent granted 17.02.2021

3.5	Z/2014/0728/F - Retention of temporary security hut (Amended description) – Granted 19.09.2014
	Z/2014/0729/LBC - Retention of temporary security hut - Granted 19.09.2014
3.6	Z/2010/1054/F - Demolition of existing wall and entrance gate and replacement with new wall, fence and gates, with proposed roadworks – Granted 23.02.2011
3.7	
3.8	Z/2010/0383/F - Refurbishment of gatehouse and main administration building to provide tourist and conference facilities, and associated offices – Granted – 10.08.2010
3.9	Z/2009/1573/F - Demolition of an existing 5.0m wall and entrance gate and its replacement with a new wall with fencing on top (5.565m height) and realigned entrance gate, hydraulically operated and upgrading of external approach – Granted 01.03.2010
3.10	Z/2009/1097/LB - Ground works and re-surfacing to external areas – Consent granted 25.09.2009
3.11	Z/2009/1095/F - Construction of temporary security hut, re-alignment of rear entrance gate and opening of internal wall – Granted 29.09.2009
3.12	Z/2009/1094/LB - Construction of temporary security hut, re-alignment of rear entrance gate and opening of internal wall – Consent granted 23.09.2009
3.13	Z/2008/2265/LB- Construction of temporary office accommodation building (33x12m) to the North of "A" Wing to accommodate DSD staff during a refurbishment programme to the main listed structure – Consent granted 14.01.2009
3.14	Z/2008/2256/F - Construction of temporary office accommodation building (33x12m) to the North of "A" Wing to accommodate DSD staff during a refurbishment programme to the main listed structure.– Granted 14.01.2009
3.15	Z/2006/0608/LB - Repair and restoration works to site façade – Granted 05.07.2006
3.16	Z/2004/0202/CD - Demolition of part of the north east boundary wall and inner wall to provide vehicular access for construction traffic. Demolition of non-historic buildings within the curtilage of the Prison – Granted 15.03.2004
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (2004 Version)
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	<ul style="list-style-type: none"> 4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 4: Planning and Economic Development 4.4.4 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage 4.4.5 Planning Policy Statement 15: Planning and Flood Risk 4.4.6 Planning Policy Statement 16: Tourism

5.0	Statutory Consultees Responses
5.1	Historic Environments Division – No objection subject to conditions.
5.2	DFI Roads – No objection subject to conditions.
5.3	NI Water Multi Units East – No objection.
5.4	Rivers Agency – No objection.
5.5	NIEA – Water Management Unit – Standing advice provided.
5.6	NIEA – Land, Soil and Air – No objection subject to conditions.
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection subject to conditions.
6.2	Health and Safety executive for NI – No comment.
7.0	Representations
7.1	<p>The application has been neighbour notified and advertised in the local press. Two representations of objection have been received from the occupier of 31 Cliftonpark Avenue. The following points of concern were raised;</p> <ul style="list-style-type: none"> • Level of noise from traffic entering and exiting the Gaol Complex – Environmental Health have recommended conditions in respect of opening hours and deliver times to be attached in the event of approval; • Concern re lorries and buses manoeuvring in a tight space and the proximity to the residential dwellings and possibility of injury or fatality due to vehicles mounting the kerb – DFI Roads have been consulted with the proposal and the objections received and have no objection to the proposal; • Previously raised complaints re noise, pollution and safety concerns and disappointed to learn of these plans for the distillery – Noted. Concerns considered; • Find it unacceptable that they have been required to park at the sides of the house in order to aid the larger vehicles when turning, receiving abuse from drivers and damage to vehicles – DFI Roads have been consulted with the proposal and the objections received and have no objection to the proposal. In respect of abuse from drivers this is a matter for the PSNI; • Proposal is unacceptable and shows disregard for the residents – The proposal has been considered in line with relevant prevailing planning policies and on balance is considered acceptable; • Proposed works caused great stress and financial difficulty for the objector – Noted; • Damage to property at front door – cracked over beam – builders did repair as a good will gesture as large amounts of traffic would not have caused damage – no problems until works and heavy plant machinery used – This is a civil issue outside the remit of planning; • Abuse from traffic users if need to park at their driveway causing stress by drivers shouting abuse for objector to move - This is a matter for the PSNI;

	<ul style="list-style-type: none"> • Cleaning of property required due to large vehicles resulting in having to pay for someone to clean walls and windows – DFI Roads recommend the development shall be in accordance with the Service Management Plan which details traffic management measure during construction; • Noise of vehicles at different times including after midnight – reported empty buses leaving – Environmental Health have recommended conditions in respect of opening hours and deliver times to be attached in the event of approval; • Other entrances that could be used on Crumlin Road and up above current entrance – advised by Gaol Management heritage won't allow this – The current proposal is to be served by the existing vehicular entrance and the proposal must be considered on this basis; • Large vehicles can look directly into the property even bedroom window and noise and is very upsetting – Noted; • Concerns also logged with Phoenix Law – Noted; • Concern previous objection not received – Records have been checked and the previous objection was received.
8.0	Other Material Considerations
8.1	The adopted Belfast Urban Area Plan 2001 shows the site as white un-zoned land.
8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2004 plan the site is designated as land for mixed use – BT 009. The site is also located on Arterial Route AR 01/04 – Crumlin Road.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2015 plan that was adopted and now subsequently quashed the site is designated as land for mixed use – BT 003. The site is also located on Arterial Route AR 01/04 – Crumlin Road.
8.4	Development Control Advice Notice (DCAN) 4: Restaurants, Cafes and Fast Food outlets
8.5	Development Control Advice Notice (DCAN) 15: Vehicular Access Standards
8.6	Belfast City Council Regeneration & Investment Strategy
9.0	Assessment
9.1	<p>The Key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of Development and Use; • Tourism; • Impact on the listed building; • Provision of parking and access; • Impact on amenity of neighbours; • Other environmental factors.
9.2	<p><u>Principle of Development and Use</u></p> <p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.</p>
9.3	<p>Section 45 (1) of the Planning Act (NI) 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.</p>

9.4	As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.
9.5	Under the adopted BUAP 2001 the site is un-zoned white land. The site is located within the settlement development limit for Belfast as designated by both iterations of Draft Belfast Metropolitan Area Plan 2015 the 2004 and 2015 versions. The site is designated as land for mixed use in both iterations to draft BMAP.
9.6	It is noted in the Planning Appeals Commission Public Inquiry report that objection to the mixed zoning was received from the Mater Hospital and Invest NI. The hospital in relation to the land of land zoned for healthcare and Invest NI in respect of the limitation of businesses uses only and that it should be for employment uses only. The PAC disagreed in that the existing healthcare use was established and that the site presented an important regeneration opportunity and maximum flexibility in respect of future uses be retained. The PAC recommended additional uses (<i>Residential Institutions as specified in Class C3 (a) and (b) of the Planning (Use Classes) Order (Northern Ireland) 2004</i>). The Department included the PAC's recommendation of additional uses classes and these were included in the 2015 version that was adopted and then subsequently quashed. Therefore, in the event that dBMAP 2015 is adopted it is reasonable to assume that the designation as mixed use would be adopted in the final version.
9.7	A key consideration is the assessment of the proposal is the planning history on the site. The principle of a whiskey distillery and tourist centre has already been established under Z/2012/1277/F. This is now extant, however, is a material consideration in the assessment of this application.
9.8	Overall, the proposal is considered to be acceptable in the context of BUAP and both draft versions of BMAP. Given the planning history on the, the principle of development and use at this location is considered to be acceptable subject to consideration of planning and environmental matters detailed below.
9.9	PPS4: Planning and Economic Development sets out the planning policies for economic development uses. It recognises that the planning system has a key role to play in achieving a vibrant economy.
9.10	The proposed use distillery is considered to comply with Policy PED 1 of PPS4, in that it is a light industrial process Class B2 use and compatible with its zoning in the development plan. The proposal also meets all of the relevant criteria in Policy PED 9 of this statement, in that it is compatible with existing surrounding land uses; will not result in harm to the amenity of nearby residents; will not adversely affect built heritage; is not located within a flood risk area nor cause or exacerbate flooding; will not create a noise nuisance, is capable of dealing with emissions or effluent; ; suitable access arrangements are in place and will not prejudice road safety or the flow of the public network as well as sufficient parking and manoeuvring areas; proposal supports use of cycling and easy access to public transport; the design and layout are in keeping with the historic form of the building and wider Gaol complex; storage areas and plant will be contained within the building or form part of the proposal and the safety of users through the use of existing entrances is promoted. All of the relevant statutory bodies have been consulted in terms of each criterion, where required, and none have any objections in principle to the proposal.
9.11	The tourism element falls under Class D1: Community and Cultural Uses. The restaurant/ cafe/ bar element are sui generis uses. However, these are proposed as ancillary to the tourist element of the primary use; which is the distillery use. The proposed plant will be internal and

	will not be visible from the outside with additional plant located on the northern side of A Wing. The storage element is required for the malting process. The ancillary shop is a minor element and it is anticipated that this will only sell merchandise associated with the proposed Whiskey Distillery. This will be on the ground floor and combined with the proposed café, both of these uses are considered ancillary to the main Whiskey Distillery and tourism use.
9.12	Having considered the contribution to the local economy this development would bring it is considered on balance that such a proposal would not conflict with any relevant policy detailed in PPS 4.
	<u>Tourism</u>
9.13	The proposal complies with Policy TSM 1 of PPS 16 in that the proposal is of an appropriate scale, size and design and is in compliance with both the adopted BUAP 2001 and both iterations of dBMAP
9.14	The proposal will bring back into use a Grade 'A' listed building which will secure the future use, maintenance and protection of the building for the intrinsic interest of tourists. The proposed tourist aspect will be ancillary to the primary use as a whiskey distillery and the tourist aspect will consist of guided tours of the distillery. This is also compatible with the existing use of 'D Wing' on this site which is also a tourist attraction providing tours. The proposal will contribute towards the delivery of the Belfast Agenda – Growing the Economy and City Development and the City's Cultural Strategy – A City Imagining. The proposal is considered to comply with relevant policy within PPS 16.
	<u>Impact on the Listed Building</u>
9.15	Planning Policy Statement 6: Planning, Archaeology and the Built Heritage sets out the planning policies for the protection and conservation of archaeological remains and features of the built heritage. This is a Grade 'A' Listed Building designed by Charles Lanyon and was constructed in the years between 1840 and 1859.
9.16	The majority of the works are internal. Any external alterations are minor, such as fire escape doors, ramps and steps. All works seek to replicate the existing style, materials and design of the original building. The proposal also seeks to refurbish and repair existing stonework on several window openings and roof vents. The proposal also includes minor changes from the proposal originally granted under Z/2012/1277/F and it also seeks to regularise unauthorised works.
9.16	Paragraphs 6-12 and 6-13 of the SPSS also reflect the importance of conserving built heritage. This permits extension/alteration of a listed building when this will secure the ongoing viability and upkeep of that building. It is assessed that the proposals strike the correct balance of conserving the building and its fabric, setting and character, whilst supporting the best viable use.
9.17	Historic Environment Division initially objected to the proposal. However, through ongoing negotiation with the applicant and the submission of additional information and clarification, HED then offered no objections to these proposals subject to conditions including a number of pre-commencement conditions detailed below.
9.18	HED has advised the proposal complies with paragraphs 6.12 and 6.13 of the SPSS for NI and policies BH7, BH8 and BH11 of PPS 6.
9.19	In addition, Historic Monuments Division offered no objection to the proposal subject to conditions in relation to the agreement and implementation of a developer funded programme of archaeological works to identify and record and archaeological remains, in advance of new construction or to provide for their preservation in situ in line with policy BH4 of PPS 6.

9.20	The proposal will secure the future survival of a listed building that has been vacant since 1996. Minor changes to the internal layout and to the external elevations are proposed with minimal impact on the existing character and architectural features of the existing building. The proposal is considered to comply with relevant parts of the SPPS and PPS6.
9.21	<p><u>Provision of Parking and Access</u></p> <p>The site is located within the City Centre Fringe controlled parking zone in dBMAP. The proposal has been assessed Policy TRAN 1 of dBMAP and is considered to meet the car parking requirement for the development within the overall site. Bicycle parking is also proposed.</p>
9.22	Vehicular access to the site will be via the existing access from Cliftonpark Avenue with a new car park located to the northern side of the A Wing. The proposal also includes the re configuration of spaces within the existing car park, which is located between the existing staff cottages and the A Wing.
9.23	The site is well placed in terms of accessibility to a range of alternative and sustainable modes of transport. It is located on an Arterial Route, with provision of cycle parking, access to public transport and is within walking distance to the city centre.
9.24	Following clarification, DFI Roads now have no objection to the proposal subject to conditions. Having had regard to the above and comments from DFI Roads it is considered that the scheme is acceptable and in accordance with relevant sections of PPS 3.
9.25	<p><u>Impact on Amenity</u></p> <p>In terms of the impact of the proposal on the amenity neighbour properties both residential and non-residential, it is considered that the proposal will not detrimentally impact on the amenity of neighbouring properties. The development is contained within the 'A' Wing and adjacent to the north side of it within the Crumlin Gaol Complex. The nature of the former use of the site and wider complex ensures significant separation distances in excess of 100m are in place and therefore the proposal will not result in unacceptable overlooking, overshadowing or nuisance or disturbance to those existing neighbours. Environmental Health has recommended conditions in relation to the opening hours and delivery times to ensure the residential amenity of nearby residents is protected.</p>
9.26	<p><u>Economic Benefits</u></p> <p>The planning system has a key role in achieving a vibrant economy. Paragraph 4-19 of the SPPS encourages a positive approach to appropriate development proposals supporting growth generating activities.</p>
9.27	The proposal will secure the future of the listed building and the use will contribute to the development of the wider site as a tourist attraction complementing the existing tourist attraction offering. The proposal represents an investment of £25 million pounds with a total of 12 jobs created. It is considered that the proposal will contribute to the regeneration of the wider North Belfast Area in terms of employment, prosperity, physical improvement and the wider community. The proposal complements the regeneration of the wider Gaol complex, complements the existing uses and tourist offering and has the potential to act as a catalyst for further regeneration projects in the area.
	<p><u>Other Environmental Factors</u></p> <p>Paragraphs 4.11 and 4.12 of the SPPS states that there are a wide range of environment and amenity considerations, including noise and air quality, which should be taken into account by</p>

9.28	planning authorities when proposing policies or managing development. For example, the planning system has a role to play in minimising potential adverse impacts, such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development. The planning system can also positively contribute to improving air quality and minimising its harmful impacts. Additional strategic guidance on noise and air quality as material considerations in the planning process.
9.29	Other amenity considerations arising from development, that may have potential health and well-being implications, include design considerations, impacts relating to visual intrusion, general nuisance, loss of light and overshadowing. Adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality. However, the above-mentioned considerations are not exhaustive and planning authorities will be best placed to identify and consider, in consultation with stakeholders, all relevant environment and amenity considerations for their area.
9.30	<u>Water Abstraction</u> In relation to the proposed Water Abstraction, Water Management Unit refers the applicant to DAERA Standing Advice on Abstraction and Impoundment. The applicant will be required to seek a license for abstraction in accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006.
9.31	<u>Noise & Odour</u> A Noise Impact Assessment and an Odour Assessment was submitted and updated reports were submitted. Environmental Health offered no objection subject to conditions.
9.32	<u>Contamination</u> A Generic Quantitative Contaminated Risk Assessment and an updated Contaminated Land Assessment was submitted. Environmental Health and DAERA offered no objection subject to conditions.
9.33	<u>Flooding</u> The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plan. Rivers Agency advise that there may be potential for surface water flooding but that it is the developers responsibility to assess the flood risk and drainage impact and to mitigate the risk to the development and any impacts beyond the site.
9.34	<u>Infrastructure Capacity</u> NI Water have confirmed that there is available capacity within the WWTW and no concern is raised. Connections to the public water supply, public foul sewer system and surface water sewer would be covered by separate legislation. The Water Management Unit (DAERA) were consulted on the application and are content with the proposal on the basis of the surface water environment.
9.35	Conclusion: Having regard to the policy context and other material considerations above, the proposal is considered on balance acceptable and planning permission is recommended for approval. . Delegated authority is sought for the final wording of conditions from the Director of Planning and Building Control.
10.0	Summary of Recommendation: Approval Subject to Conditions
11.0	Conditions

	<ol style="list-style-type: none"><li data-bbox="327 197 1492 264">1. 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.<li data-bbox="327 369 1492 465">2. Prior to commencement of works details shall be submitted and approved in writing by the Council in conjunction with HED of the accredited conservation professional who will oversee and certify the hereby approved works. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011<li data-bbox="327 638 1492 772">3. Prior to commencement of development details shall be submitted and approved in writing by the Council in conjunction with HED of a Fire Safety Strategy and Method Statement for the duration of the works. The works shall be carried out in accordance with the details approved. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011<li data-bbox="327 940 1492 1137">4. No work shall commence on site until demolition method statements, detailing how the demolitions will be carried out to, and around, the listed buildings without adversely affecting its structural stability 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, and all work shall conform to the agreed method statement. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011<li data-bbox="327 1310 1492 1377">5. All salvageable material shall be retained and reused, utilising as much of the original material as possible. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011<li data-bbox="327 1545 1492 1713">6. Internal or external historic surviving decorative or functional features, including cell doors, decorative ironwork (stairs, balusters and guarding), slate walkways, windows, terracotta or clay floor tiles, joinery and decorative stone or plasterwork shall not be removed or altered unless expressly specified in the approved drawings. Retained features shall be fully protected during the course of any works on site. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011<li data-bbox="327 1881 1492 1975">7. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by
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the Council, in conjunction with HED. Detailed finishes schedules and samples are required for approval on any changes proposed.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011

8. No new plumbing, pipes, soil-stacks, flues, vents or ductwork shall be fixed on the external or internal faces of the building other than those shown on the drawings hereby approved.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011

9. No new grilles, security alarms, lighting, security or other cameras or other fixtures shall be mounted on the external faces of the building other than those shown on the drawings hereby approved.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011

10. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray shall take place unless agreed in writing with HED through and application to council. This includes the internal slate walkways. Before any other cleaning begins, a method statement showing how the cleaning will conform to BS 8221-1:2012 (Code of practice for cleaning and surface repair of buildings. Cleaning of natural stone, brick, terracotta and concrete) shall be submitted. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded in writing to the approval by council in conjunction with HED.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of The Planning Act (NI) 2011.

11. Prior to commencement of the relevant works, samples shall be submitted and approved in writing by the Council in conjunction with HED in respect of all materials and finishes proposed for the listed building, to include;
 - a) Bricks used to trim new structural openings;
 - b) Replacement sample if sufficient slate is not salvageable from the existing roof;
 - c) Re-plastering, lime based plaster with no cement-based additives is expected;
 - d) Preservation / repairs to decorative cast iron balustrading;
 - e) Brass strip / disc insertions within floor surfaces;
 - f) Painting - The finish for any lime plaster shall be a limewash. Natural breathable paints may be used as an alternative where specifically agreed. Exterior and interior oil based paintwork should be linseed oil based unless specifically agreed otherwise.

Reason: to ensure that the materials and details used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and the

setting of the listed building, in compliance with PPS6 BH8 and BH11 & SPPS para 6.12 & 6.13.

12. All new partitioning and infill shall be of a lightweight construction and fully reversible.

Reason: to ensure that the materials and details used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and the setting of the listed building, in compliance with PPS6 BH8 and BH11 & SPPS para 6.12 & 6.13.

13. A prototype of the adapted cowl vent will be subject to approval by council in conjunction with HED prior to the removal of any existing roof vents; an original vent shall be retained on site for comparison until all works to the roof are complete.

Reason: to ensure that the materials and details used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and the setting of the listed building, in compliance with PPS6 BH8 and BH11 & SPPS para 6.12 & 6.13.

14. A prototype of altered cell windows will be subject to approval by council in conjunction with HED prior to wholesale removal of glass to install vents; this must demonstrate the means of access for maintenance from inside and preparation for later re-glazing for each different variation. The original sample shall be retained on site for comparison until all works to the windows are complete.

Reason: to ensure that the materials and details used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and the setting of the listed building, in compliance with PPS6 BH8 and BH11 & SPPS para 6.12 & 6.13.

15. Samples of all external materials for steps, ramps, paving and retaining walls shall be submitted to and agreed in writing with the council in conjunction with HED prior to commencement of external works.

Reason: to ensure that the materials and details used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and the setting of the listed building, in compliance with PPS6 BH8 and BH11 & SPPS para 6.12 & 6.13.

16. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation
- recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to
- publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

17. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 16.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

18. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 16. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

19. Prior to installation of any proposed combustion plant / process boilers at the hereby permitted development, the applicant shall submit to the Planning Authority, for review and approval in writing, final specification details. The submitted details shall include the capacity of the proposed boiler/s and/ or generators, NOx mass emissions rate and shall confirm the final height, location and diameter of any associated flues.

Reason: Protection of human health.

20. If during the development works, unexpected contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This unexpected contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: Protection of human health

21. Prior to installation of any plant and equipment associated with the hereby permitted development, this Service requests a Final Noise Impact Assessment is submitted to the Planning Authority for review and approval in writing. The assessment shall demonstrate that the combined operation of chosen plant and equipment will not have an adverse impact on nearby sensitive premises (both nearby residential and adjoining commercial premises).

Reason: Protection of residential amenity.

22. Prior to operation of the hereby permitted development the applicant shall submit a noise verification report which demonstrates that the approved plant and equipment has been installed as per the approved Final Noise Impact Assessment. The assessment shall demonstrate that the noise rating level (dBLAr,T) from the combined operation of all plant and equipment does not exceed the existing background sound level (dBLA90) during the day and at night when measured and/or

determined in accordance with BS4142:2014 +A1:2019 *'Methods for rating and assessing industrial and commercial sound'*.

Reason: Protection of residential amenity.

23. The hereby permitted development shall not be open to the public outside of the hours of 09:00-23:00hrs.

Reason: Protection of residential amenity.

24. Service collections from and deliveries to the hereby permitted development shall not take place between the hours of 23:00-07:00hrs (via Summer Street).

Reason: Protection of residential amenity.

25. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

26. After completing the remediation works under Condition 1; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

27. No retailing or other operation in or from any development hereby permitted shall commence until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing No. 100-03 Rev D, published on Planning Portal 10th April 2020, 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 other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

28. The parking facilities detailed above shall be open for use during all hours of business.

Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.

	<p>29. The vehicular accesses within the gaol grounds, and, to the public road, including width and visibility, shall be constructed in accordance with Drawing No. 100-03 Rev D, published on Planning Portal 10th April 2020.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>30. Covered cycle parking shall be provided in accordance Drawing No. 100-03 Rev D, published on Planning Portal 10th April 2020.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>31. The development hereby permitted shall operate in accordance with the Service Management Plan published on the Planning Portal 3rd April 2020.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>Informatives</p> <ol style="list-style-type: none"> 1. The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number. 2. This permission is linked to Listed Building Consent LA04/2019/0863/LBC.
<p>Notification to Department (if relevant)</p> <p>N/A</p>	
<p>Representations from Elected members:</p> <p>None</p>	

ANNEX	
Date Valid	29th November 2019
Date First Advertised	13th December 2019
Date Last Advertised	9 th December 2019
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 2 Landscape Terrace,Belfast,Antrim,BT14 6AD</p> <p>The Owner/Occupier, 31 Cliftonpark Avenue,Belfast,Antrim,BT14 6DQ</p> <p>89 Crumlin Road,Belfast,Antrim,BT14 6AD</p> <p>The Owner/Occupier, 91 Crumlin Road,Belfast,Antrim,BT14 6AD</p> <p>The Owner/Occupier, 93 Crumlin Road,Belfast,Antrim,BT14 6AD</p> <p>The Owner/Occupier, 95 Crumlin Road,Belfast,Antrim,BT14 6AD</p> <p>The Owner/Occupier, Elim Church,Cliftonpark Avenue,Belfast,Antrim,BT14 6DQ</p> <p>The Owner/Occupier, Flat 1,53 Cliftonpark Avenue,Belfast,Antrim,BT14 6DR</p> <p>The Owner/Occupier, Flat 2,53 Cliftonpark Avenue,Belfast,Antrim,BT14 6DR</p> <p>The Owner/Occupier, Flat 3,53 Cliftonpark Avenue,Belfast,Antrim,BT14 6DR</p> <p>The Owner/Occupier, Flat 4,53 Cliftonpark Avenue,Belfast,Antrim,BT14 6DR</p>	
Date of Last Neighbour Notification	4th December 2019
Date of EIA Determination	
ES Requested	No