

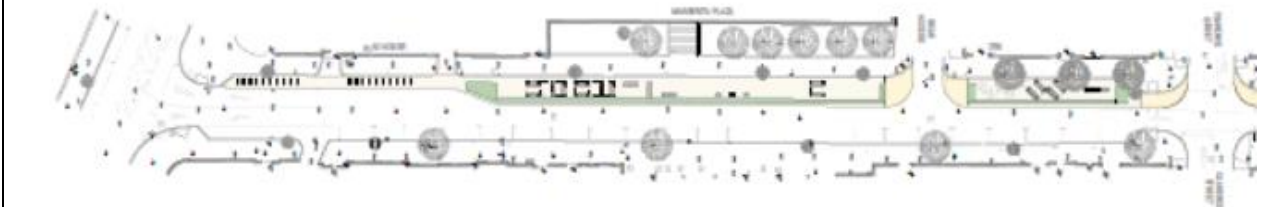
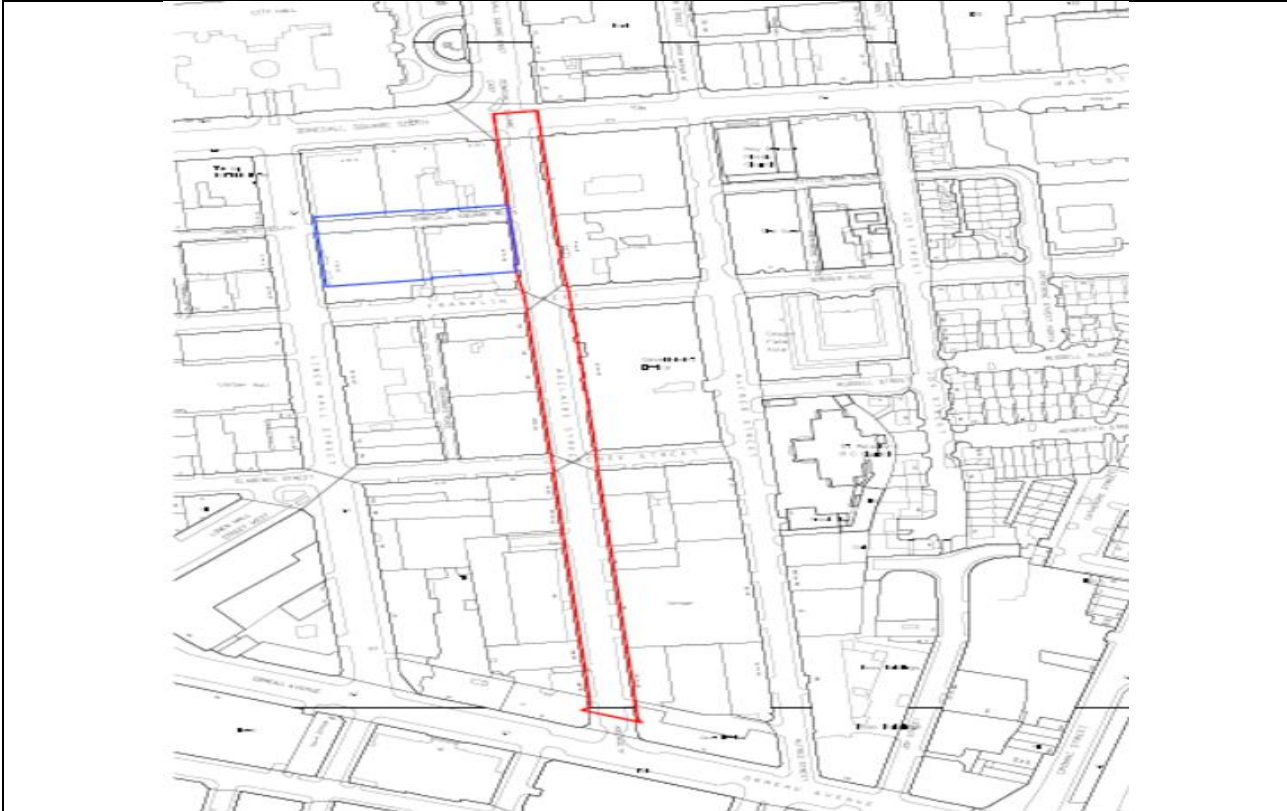
Committee Application

Development Management Report	
Application ID: LA04/2021/0735/F	Committee Meeting Date: 15 th June 2021
Proposal: Extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play (temporary 2 years)	Location: 8-83 Adelaide Street. Belfast BT2 8DJ
Referral Route: Belfast City Council is the applicant	
Recommendation:	Approval subject to conditions
Applicant Name and Address: City Regeneration and Development 9 Adelaide Street Belfast BT2 8DJ	Agent Name and Address:
<p>Executive Summary:</p> <p>The application seeks temporary planning permission (2 years) for the extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> Principle of development Impact on the character and appearance of the Linen Conservation Area Impact on Built Heritage Impact on amenity Impact on road safety <p>The site is located within the Linen Conservation Area. Overall, the proposal would preserve 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, 1 objection has been received to date from the Department of Economy raising concern over accessibility and loss of amenity.</p> <p>Historic Environment Division, Environmental Health and Conservation and Heritage have been consulted and offer no objections. Whilst there is an outstanding consultation response from DFI Roads, they have indicated there is no objection in principle subject to detailed design drawings which are currently being reviewed by Roads.</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</p>	

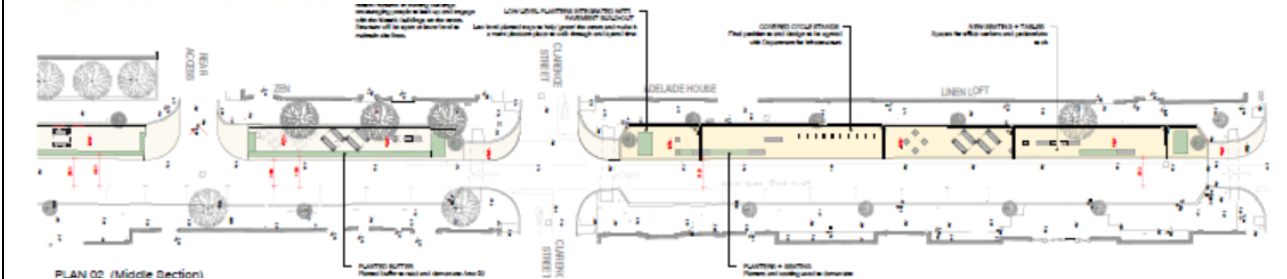
It is requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions subject to no objection from DFI Roads.

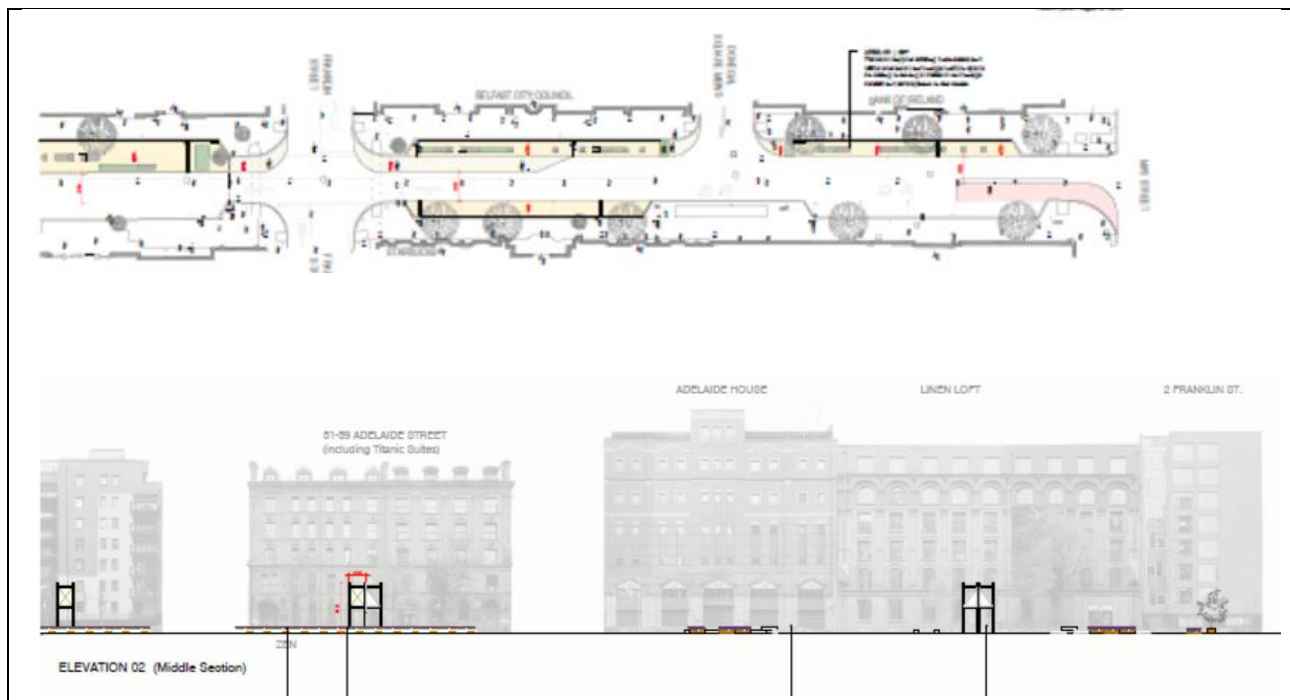
Case Officer Report

Site Location Plan



PROPOSED SITE PLAN





Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	<p>Planning permission is sought for the temporary extension of public pavement area to create additional space for social distancing, to include sheltered structures, seating, planters and elements of incidental play (temporary 2 years).</p> <p>The proposed pavement extensions are located in the area of the existing parking spaces along the west side of the street. In addition, the pavement has been further extended to create external seating areas.</p> <p>The pavement extensions, seating and planting are distributed along almost the full length of the west side of Adelaide Street. The 'lantern' structures are located outside Margarita Plaza, Zen restaurant and the Linen Loft and the street furniture is to be placed solely on the newly extended part of the pavement.</p> <p>The lantern structures are open structures up to a height of 2.9m. Above this height, the rest of the structure is partially filled internally with a lantern. The proposed total height of the structures is 6.8m. The footprint of each structure is 2.26m x 2.26m. The height of the proposed street furniture and planters is less than 1m.</p> <p>The lantern structures will be a timber frame, fixed to buff coloured footings that can double up as seats. The lanterns will be coloured, perforated metal.</p>
2.0	Description of Site.
2.1	<p>City centre street with roadway and footpath to either side with street trees and streetlights along the footpath. The adjoining buildings are predominantly offices interspersed with a residential block, café and restaurant.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
	<p>Z/2011/0246/F Outside No.2 Adelaide Street Belfast BT2 8GA, Replacement of two bus shelters outside No.2 and No.4 Adelaide Street with new bus shelter. Permission Granted 02.08.2011</p>

	<p>Z/2013/0837/F Adelaide Street opposite Donegall Square Mews. Eight bay Insignia type bus shelter to replace existing two bay shelter. Permission Granted 15.10.2013</p> <p>LA04/2018/0858/F Pavement outside 24-26 Adelaide Street, Belfast, BT2 8GD, 1 No. Smart Hub. Permission Granted 02.08.2018</p> <p>LA04/2018/0673/A Pavement outside 24-26 Adelaide Street, Belfast, BT2 8GD, Double sided digital display panel. Permission Granted 14.08.2018</p>
4.0	Policy Framework
4.1	<p><u>Planning policy framework and guidance included:</u></p> <p>Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2015</p> <p>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.</p> <p>Regional Development Strategy 2035</p> <p>SPPS for Northern Ireland Planning for a Sustainable Environment</p> <p>Planning Policy Statement 3: Access, Movement and Parking</p> <p>Planning Policy Statement 6: Planning, Archaeology and The Built Heritage</p>
5.0	Statutory Consultee Responses
	<p>DfI Roads Service – Awaiting final response</p> <p>HED - No objection</p>
6.0	Non-Statutory Consultees Responses
	BCC Environmental Health – No objection with condition
7.0	Representations
7.1	<p>The application has been neighbour notified (286) and advertised in the local press. 1 representation has been received.</p> <p>The following issues were raised:</p> <ul style="list-style-type: none"> - Accessibility - Loss of Amenity <p>The points raised are addressed as follows:</p> <ul style="list-style-type: none"> - There are no obvious obstructions that would create significant problems in terms of access and egress from the adjacent buildings with the existing footpath being retained. DfI Roads have offered no objections in terms of impacts on parking and road/ pedestrian safety. In addition, the car parking spaces have already been removed by DfI to support current social distancing measures along this side of Adelaide Street. - Given the modest scale and location of the proposed street furniture in relation to large adjoining buildings, there should be no significant impact on the amenity of the occupiers of adjacent buildings.
8.0	Other Material Considerations
8.1	<p>The Linen Quarter Vision and Guidance</p> <p>Belfast Agenda</p>

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 • Impact on the character and appearance of the Linen Conservation Area • Impact on Built Heritage • Impact on amenity • Impact on road safety
9.2	<p>Principle of development:</p> <p>The site is within the settlement limits and city centre in the BUAP and both versions of draft BMAP. The site is also within the Linen Conservation Area. The presumption is in favour of development within the settlement limit and the SPPS advises that planning permission ought to be granted for sustainable development that accords with the area plan and causes no demonstrable harm to interest of acknowledged importance. The principle of developing the site is considered to be acceptable subject to compliance with other material considerations as set out below.</p>
9.3	<p>Impact on the character and appearance of the Linen Conservation Area</p> <p>The site falls within the Linen Conservation Area and therefore assessed against Policy BH12 of PPS6. Advice was sought from the Council's Conservation Team regarding potential impacts upon the character of the conservation area. They have stated the structures are sufficiently distanced from key buildings to ensure that they do not obscure or compete with the surrounding historic vistas and views of historic buildings. The scheme will encourage street usage/footfall and contribute to the ongoing vitality of the area without resulting in detriment or demonstrable harm on the existing historic assets. Proposal is therefore considered to accord with Policy BH12 of PPS6 and the SPPS in this regard.</p>
9.4	<p>Impact on Built Heritage</p> <p>The proposal has been assessed against Policy BH11 of PPS6 in that the site abuts a number of listed buildings. HED has offered no objections in terms of the impact on the setting of any adjacent listed buildings. The proposal is for sympathetic environmental improvements of a nature and scale that would not detract from the built heritage in the area.</p>
9.5	<p>Impact on amenity</p> <p>Environmental Health Service considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations. The improvements are considered to be sympathetic in terms of their scale and their everyday use is not likely to create any significant noise and/ or disturbance in what is a busy city centre location. Although there are a number of residential properties facing onto the street, it is not anticipated that the use of the proposed street furniture will result in any significant impact on the amenity of these properties.</p>
9.6	<p>Impact on Road Safety and parking</p> <p>DfI Roads have requested further information relating to how vehicles can move and manoeuvre within the new roadway after alterations to the footpath have been carried out. Swept Path Analysis has been submitted to show how this is possible and DfI Roads has been reconsulted with this information. Whilst their response remains outstanding, they have indicated there is no objection in principle to the proposal subject to the detailed design. No objection has been offered from DfI roads in relation to a loss of a number of car parking spaces on the western side of Adelaide Street. Furthermore, the car parking spaces in question were removed by DfI Roads and are currently unavailable and have been for the past year to support social distancing measures.</p> <p>Conclusion:</p>

9.7	The proposal is considered on balance to be acceptable given the temporary nature of the use, and what is considered sympathetic interventions to the street scene, will have no detrimental impact on the character of the Linen Conservation Area, on surrounding built heritage or amenity.
10.0	Summary of Recommendation: Approval Subject to Conditions
10.1	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 requested that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions subject to no objection from DFI Roads.
11.0	Conditions and Informatives
	<p>1. The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. All structures hereby permitted shall be removed within 4 weeks of the expiry of the permission.</p> <p>Reason: To enable Council to consider the development in light of circumstances then prevailing and this type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained as a permanent structure.</p> <p>2. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new 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.</p> <p>Reason: Protection of human health.</p>

ANNEX	
Date Valid	31 st March 2021
Date First Advertised	16 th April 2021
Date Last Advertised	16 th April 2021
Elected representative Interest: None	
Neighbours notified & Advertised : 286 Neighbours	

Date of Last Neighbour Notification	26 th April 2021
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title 01 Site Location Plan 02 Existing Site Layout 03 Existing Floor Plans 04 Existing Floor Plans 05 Existing Floor Plans 06A Block Plan 07A Proposed Floor Plans 08A Proposed Floor Plans 09A Proposed Floor Plans	
Notification to Department (if relevant) Date of Notification to Department: N/A Response of Department:	