

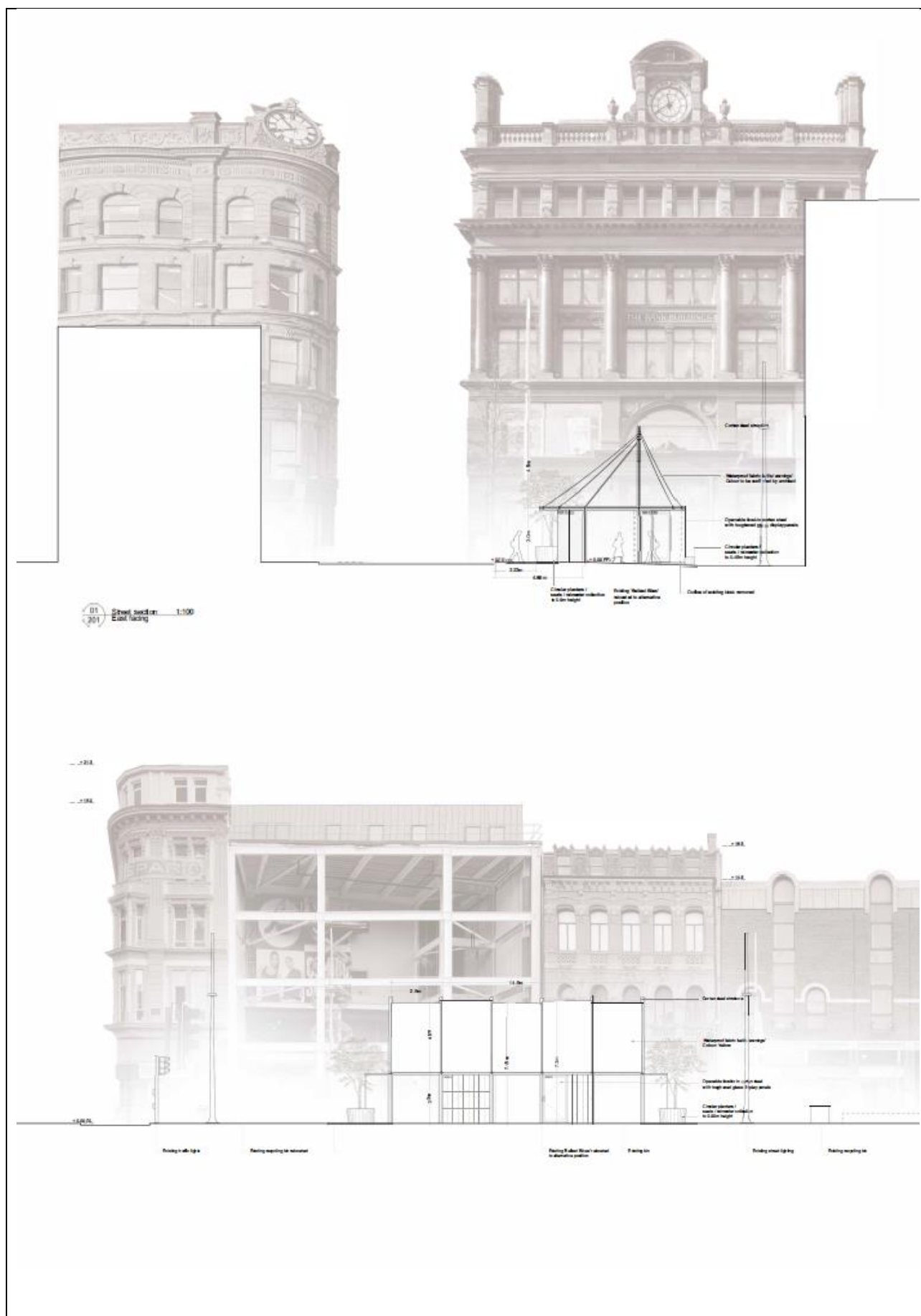
Committee Decision Application

Development Management Report	
Application ID: LA04/2021/1595/F	Date of Committee: 17 th August 2021
Proposal: Replacing existing kiosk with upgraded kiosk which includes covered area.	Location: Lands in front of Calvert House 23 Castle Place and 17 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
Executive Summary: <p>Planning Permission is sought for the replacement of the existing kiosk with upgraded kiosks which includes a covered area. The proposal is an amendment to the previously approved application under the reference LA04/2020/2216/F. This application re-locates the kiosks with the covered area moving approximately 2m further east towards nos. 23 and 17 Castle Place.</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 road 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 road 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 had no objections to the previous application and given the minor amendments it would be expected that they will not object. 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</p> <p>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





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 adjacent to 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 bespoke concrete and Corten steel planters/seats surrounding the kiosks to varying sizes.</p> <p>The proposal is an amendment to the previously approved application under the reference LA04/2020/2216/F. This application re-locates the kiosks with the covered area moving approximately 2m further towards nos. 23 and 17 Castle Place.</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>LA04/2020/2216/F Lands in front of Calvert House, 23 Castle Place, Belfast BT1 1GB, Replacing existing kiosk with upgraded kiosks which includes covered area. PERMISSION GRANTED. 23.06.2021.</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) 2004, 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	The application was advertised in the local press on the 23rd July 2021. Neighbour notifications were issued on the 27 th July 2021. No representations have been received.
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	<p>The key issues in the assessment of the proposed development include:</p> <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 <p><u>Impact on the character and appearance of the area including Belfast City Centre Conservation Area and setting of Listed Buildings</u></p>
9.3	At present, Castle Place is suffering in terms of footfall as a result of the Primark fire and Covid19 Pandemic, however the proposal represents an opportunity to support the revitalisation and regeneration of the city centre post COVID-19.
9.4	The scale, form, materials and detailing of the kiosks and covered area remain as previously approved and therefore are still considered to respect the adjoining buildings in the area. Due to the open aspect of the area, it is important that careful consideration is given to the impact on neighbouring listed buildings. Historic Environment Division were consulted as part of the application process and note the similarities between this application and the previous approval and therefore have no objections.

9.5	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 notes that the proposal is a minor amendment from the previous approval and will result in no further harm to the conservation area.
9.6	Overall, it is considered that the proposal complies with PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 2011 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.
9.7	<p><u>Amenity</u></p> <p>The proposal re-locates the two kiosks within the covered area and moves the covered area approximately 2m eastwards further towards nos. 17 and 23 Castle Place. While the proposal is closer to nos. 17 and 23, these are commercial buildings and therefore there will be no further impact on amenity over that previously approved under the application LA04/2020/2216/F. 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>
9.8	<p><u>Impact on road 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 sufficient accessible space remains for all pedestrians and users. DFI Roads were consulted on the previous application and had no objections with conditions, given the minor amendments to the proposal, it is not expected that DFI Roads will object to this application and the previous conditions remain valid.</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 Planning drawings 03, 04, 05 and 06 (date published 15 07 2021) Reason: In order to protect the conservation area and 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. Any existing street furniture to be removed, relocated or adjusted to accommodate the development hereby permitted shall, after obtaining permission from the appropriate

	<p>authority, be done so at the applicant's expense and to the satisfaction of the Department for Infrastructure prior to the development becoming operational.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>4. The development hereby permitted shall not be commenced until the existing Belfast Bike scheme cycle stands have been relocated (at the applicant's expense) to the satisfaction of the Department for Infrastructure.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>5. The development hereby permitted shall not become operational until works to remove the existing lay-by at Castle Place have been completed.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>Informatives</p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 15/07/2021 Drawing Nos 01, 03, 04, 05, 06</p> <p>2. Any connections to listed buildings from the structure would require separate listed building consent.</p>
<p>Notification to Department (if relevant): N/A</p>	
<p>Representations from Elected members: N/A</p>	

<p>Details of Neighbour Notification (all addresses)</p> <p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Donegall Place, Belfast, Antrim, BT1 5AA</p> <p>The Owner/Occupier, 1-27 ,Castle Street, Belfast, Antrim, BT1 1BL</p> <p>The Owner/Occupier, 1-3 ,Donegall Place, Belfast, Antrim, BT1 5AA</p> <p>The Owner/Occupier, 1-5 ,Royal Avenue, Belfast, Antrim, BT1 1FB</p> <p>The Owner/Occupier, 12 Breda Drive Belfast BT8 6JU</p> <p>The Owner/Occupier, 14 Donegall Place, Belfast, Antrim, BT1 5BA</p>
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The Owner/Occupier,
16 Castle Street,Belfast,Antrim,BT1 1HB
The Owner/Occupier,
17 Castle Place,Belfast,Antrim,BT1 1EL
18-22 ,Castle Place,Belfast,Antrim,BT1 1GB
The Owner/Occupier,
2-14 Mcauley House,Castle Street,Belfast,Antrim,BT1 1SY
The Owner/Occupier,
23 Castle Place,Belfast,Antrim,BT1 1GA
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,
Calvert House,23 Castle Place,Belfast,Antrim,BT1 1FY
The Owner/Occupier,
Jd Sports Fashion PLC, Edinburgh House, Hollinsbrook Way, Pilsworth, Bury BL9 8RR
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