



Belfast
City Council

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 16th November 2021	
Application ID: LA04/2021/1707/F	
Proposal: Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years	Location: Cathedral Gardens Belfast BT1 2GT
Referral Route: Referral to the Planning Committee under Section 3.8.5 (d) – BCC is the applicant	
Recommendation:	Approval
Applicant Name and Address: City Regeneration & Development Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: N/A
Executive Summary: <p>The proposal is for the development of an 'Active Travel Hub', which includes the installation of 2no. Shipping Containers measuring 6m x 2.4m. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. This permission is sought for temporary permission for two years. The hub will have servicing for power, internet, and hot water provision.</p> <p>The proposed site falls within Belfast City Centre and Cathedral Conservation Area as outlined in the BUAP & dBMAP. The area is in the Main Office Area and Belfast Cross which provides access to principle shopping and commercial areas in the City Centre. This area is a cultural core for heritage and is a concentration of retailing and other city centre functions including entertainment, leisure, cultural, civic, residential and office uses.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of Development • Design of the Proposal and Impact on the Surrounding Character including the Conservation Area and adjacent listed buildings <p>The proposal as a temporary project seeks to increase active travel and push for modal shift. As a temporary project, it is in general conformity with the relevant policy and area designations.</p> <p>DFI Roads, Historic Environment Division, Environmental Heath, BCC Trees Department have all been consulted on this application and have no objections subject to conditions and / or Informatives. BCC Conservation Officer advised they are unable to support the proposal given it is a non-historical structure with an industrial appearance; it is considered on balance that the</p>	

project is designed to contribute to the vibrancy of the city and is temporary in nature and reversible therefore it will not have an unacceptable impact.

There has been one letter of support from University of Ulster for this proposal.

Recommendation - Approve subject to conditions

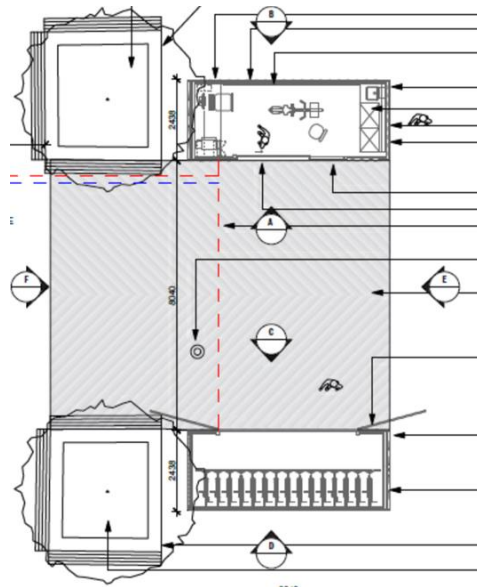
Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered on balance that the proposal should be approved. Planning permission is therefore recommended for approval for a temporary period of 2 years with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

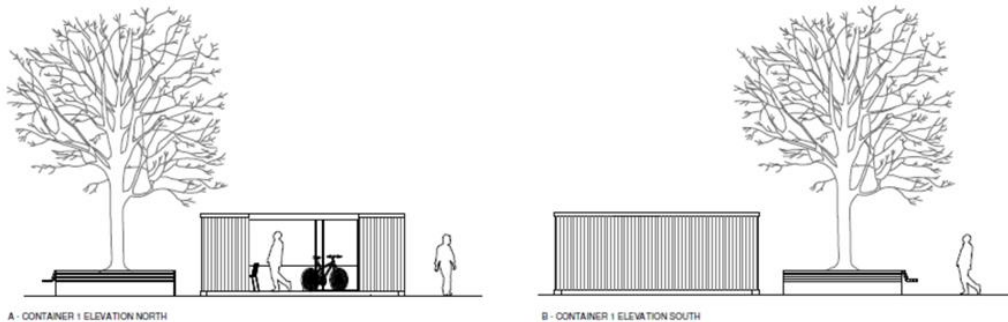
Site Location Plan

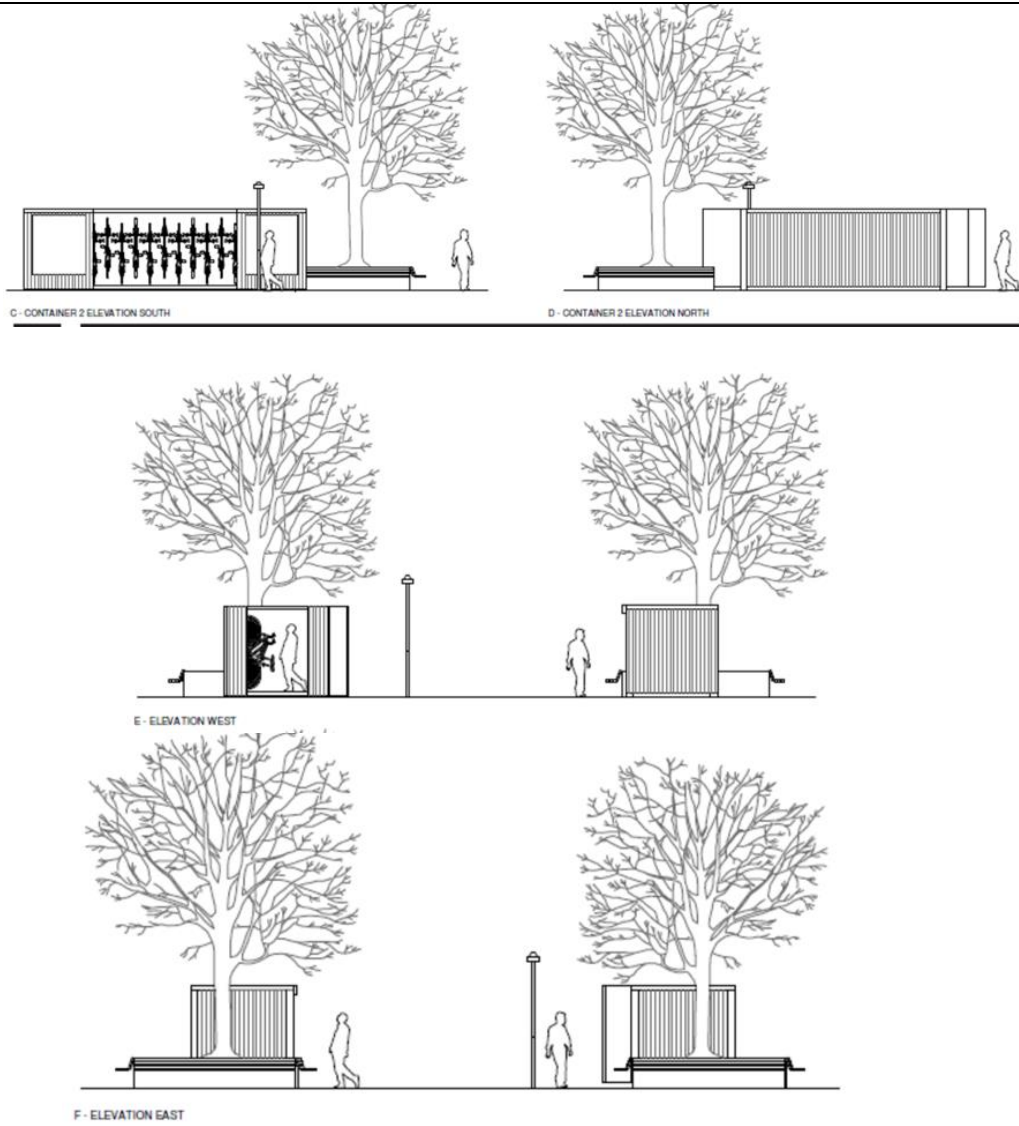


Block Plan



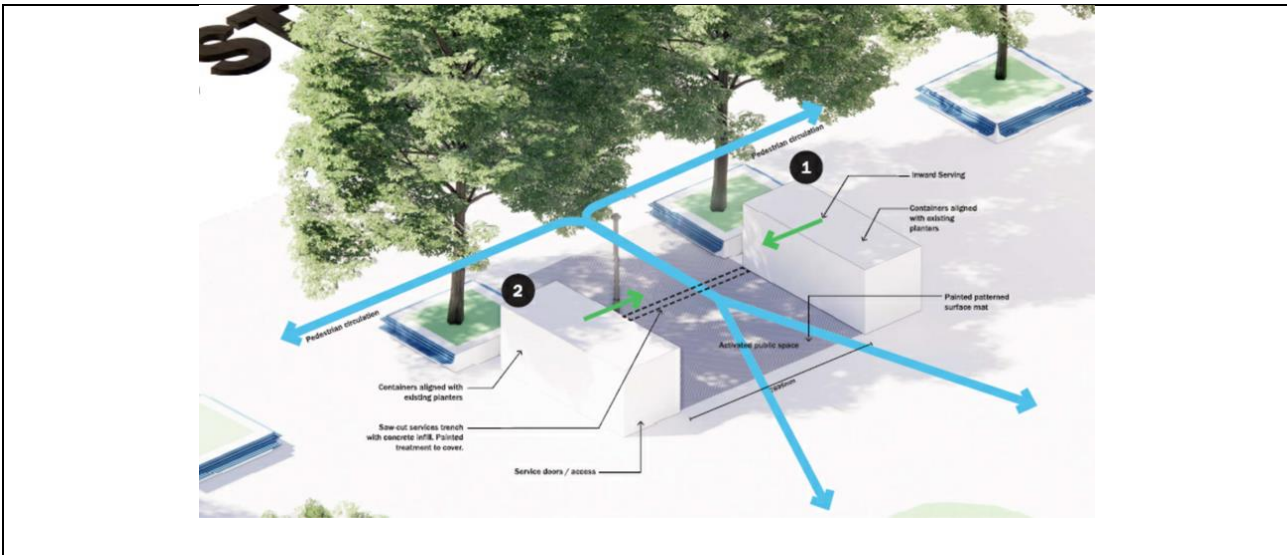
Elevations





Visualisation





Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads – Hydebank	No objections - Informatives
Statutory	Historic Environment Division	No objections - Conditions
Non-Statutory	BCC Environmental Health	No objections - Conditions
Non-Statutory	BCC Trees Department	No objections - Conditions
Non-Statutory	BCC Conservation Officer	Unable to support

Representations:

Letters of Support	1
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

The key issues to be considered are:

- Principle of Development
- Design of the Proposal and Impact on the Surrounding Character including the Conservation Area and adjacent listed buildings

Characteristics of the Site and Area

1.0 Description of the Proposed Development

Planning permission is sought for an 'Active Travel Hub' comprising 2no. Shipping Containers. 1 Container to house Active Travel Operators, 1 Container to store bicycles and other equipment. Temporary Permission for Two Years.

2.0 Description of Site

The site is located within the area of public open space at Cathedral Gardens in Belfast City Centre. The application site sits approximately 15 metres from the York Road on the North-West portion of ground and is positioned approximately 1.2m from the street trees which provide a natural screen from the York Road.

St. Anne's Cathedral is located South-East of the proposal and University of Ulster Campus is situated North of the proposal. The immediate area is characterised by a mix of uses ranging from community, educational, office, commercial and retail.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

LA04/2015/0184/F - Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral Gardens - Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high-quality natural stone paving, street furniture, trees, lighting, and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens - Permission Granted - 26.11.2015

4.0 Policy Framework

- Belfast Urban Area Plan 2001
- Draft Belfast Metropolitan Area Plan 2004 & 2015
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 3: Access, Movement and Parking
- Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation
- Planning Policy Statement 6: Planning, Archaeology, and the Built Heritage
- Cathedral Conservation Area Design Guide

5.0 Statutory Consultations

- Department for Infrastructure Roads Service (DFI) - No objections: subject to Informatives
- Historic Environment Division (HED) - No objections: subject to conditions

6.0 Non-Statutory Consultations

- BCC Environmental Health Services - No objections: subject to conditions
- BCC Trees Department - No objections: subject to conditions
- BCC Conservation Officer - Unable to support

7.0 Representations

The application was neighbour notified and advertised in local press. 1 letter of support has been received from the University of Ulster which neighbours the proposed site.

8.0 Other Material Considerations

None

8.1 Any Other Supplementary Guidance

Belfast Agenda

9.0 Assessment

9.1 The key issues to be considered are:

- Principle of Development
- Design of the Proposal and Impact on the Surrounding Character including the Conservation Area and adjacent listed buildings

9.2 The site is in close proximity to the following listed buildings which are of special architectural and historic importance and are protected by Section 80 of the Planning Act (NI) 2011:

- HB26 50 067 The Cathedral Church of St. Anne, Donegall Street, Belfast A
- HB26 50 279 Cathedral Buildings, 60-68 Donegall Street, Belfast B1

Section 91 requires that in considering whether to grant planning permission for development which affects a listed building or its setting a council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.3 The site is within the Cathedral Conservation Area. Section 104 of the Planning Act sets out that where an area is for the time being designated as a conservation area 'special regard must be had in the exercise with respect to any buildings or other land in that area of any powers under this act to the desirability to: -

- a. preserve the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise
- b. enhancing the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does arise'.

Principle of Development

9.4 Belfast City Council seek to install an 'Active Travel Hub' within Cathedral Gardens as part of the 'meanwhile use' currently in existence within the park. It will be a facility for cycling and walking activities and a base to provide information and knowledge on modal shift change to encourage a new outlook on sustainable green travel methods within the city.

9.5 The proposal will take the form of 2no. shipping containers which will house travel operators with office space, cycling storage and workshop capabilities. The hub will have servicing for power, internet, and hot water provision.

9.6 The Active Travel Hub will be a pilot project within the Cathedral Gardens site for a duration of two years.

9.7 The proposal complements and is ancillary to the existing use of the site as a recreational public open space and meets the core planning principles of improving health and well-being as set out in the SPPS.

9.8 The proposal is in general conformity with the development plan; it is located on undesignated land contained within the city centre boundary; an Area of Parking Restraint and the Scotch and Cathedral Quarter Character Area. The site is surrounded by an existing urban park and commercial uses including community, retail and office uses. The proposed temporary travel hub will complement these adjoining uses and is considered an acceptable form of development within the area.

9.9 It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.

9.10 The proposal will complement and be ancillary to the site's existing function as open space and will not impact the urban landscape nor result in the loss of open space. The Proposal is considered to accord with Policy OS1 of PPS8.

9.11 The proposed use is considered acceptable in principle subject to all other material considerations as set out below.

Design of the Proposal and Impact on the Surrounding Character including the Conservation Area and adjacent listed buildings

9.12 The proposal is for 2no. shipping containers 6m x 2.4m with associated site works and ground surface protection. The shipping containers are to be painted 'Passepartout Grey' to reflect the stonework of Ulster University adjacent. The applicant submitted detailed supplementary information which set out an analysis of the alternative locations. An optimum location within the current Cathedral Gardens site was sought that met the operation requirements of the Active Transport Hub brief, ensured maximum public visibility, allowed for ease of maintenance and 24/7 passive surveillance and is open and inviting so as to ensure maximum community engagement. The preferred location as submitted was chosen due to; Proximity to existing power and water supply; exposure to existing footfall on York Street; Proximity with existing public transport infrastructure (York Street Bus Stop) and Proximity to existing trees to utilise existing public amenity. The layout was designed to respect existing desire lines.

9.13 The Tree Officer is content that the proposal will not have an unacceptable impact on the adjacent trees subject to conditions.

9.14 The proposal has been considered in accordance with Section 91 of the Planning Act. HED consider that the proposal is situated within Cathedral gardens which currently forms an important part of the setting of the Grade A listed St Anne's Cathedral. Given the temporary nature of the proposal HED (Historic Buildings) is content under paragraph 6.12 (setting) of Strategic Policy Planning Statement for Northern Ireland and 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.

9.15 The proposal has been considered against Section 104 of the Planning Act. The Conservation Officer has considered the application against PPS6 & the Cathedral Conservation Area Design Guide and advise they are unable to support given it introduces a non-historical structure that is industrial in appearance.

9.16 Notwithstanding the comments from the conservation officer it is considered that the development is for a time limited duration and is a pilot project with community and environmental benefits. It is considered by officers that the proposal, not being of a permanent nature, will not cause unacceptable impact and on balance is considered acceptable for a time limited period and as such the character of the Conservation Area will be preserved.

9.17 Having regard to the policy context and the considerations above, the proposal is deemed acceptable. However, as shipping containers would not be deemed an appropriate permanent structure, therefore temporary permission for a period of 2 years has been recommended.

Other Considerations

9.18 DFI Roads and Environmental Health have offered no objection subject to conditions and / or Informatives.

Representations

9.19 One letter of support was received from the University of Ulster Campus which is situated directly North of this proposal. They advise that the aim of the hub is to increase levels of active

travel by encouraging modal shift which is in line with Ulster Universities approach of promoting the Belfast Campus as 'car free'. They recognise that the Active Travel Hub is a meanwhile use prior to the implementation of the Cathedral Gardens master plan.

Neighbour Notification Checked: Yes

Summary of Recommendation:

Approval subject to Conditions

Conditions:

1. The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission.

Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained as a permanent structure.

2. The 2no. shipping containers shall be contained within the red-lined site area indicated on Planning drawing No. 1 (date published 29 07 2021) and shall be 2.5m maximum height.

Reason: To ensure that "the nature of the use proposed respects the character of the setting of the building" in compliance with criterion (c) of BH11, PPS6.

3. 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.

Reason: Protection of human health

4. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity

5. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) and within the submitted Tree Survey Report – Andrew Boe; 2021 on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

6. If roots are accidentally damaged the council must be notified and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.

7. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

Informatives

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: 29/07/2021, Drawing Nos. 01, 02.
27/10/2021, Drawing Nos. 03A, 04A, 05.
2. Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is: Belfast North Section Office, 1A Airport Road, Belfast, BT3 9DY. Email: BelfastNorth@infrastructure-ni.gov.uk
3. A monetary deposit will be required to cover works on the public road.
4. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent roads by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor.
5. All construction plant and materials shall be stored within the curtilage of the site.
6. The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated, and maintained as to prevent the transmission of noise to nearby commercial premises.

Signature(s)

Date:

ANNEX	
Date Valid	9th July 2021
Date First Advertised	13th August 2021
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 139-141 ,Royal Avenue,Belfast,Antrim,BT1 1FH</p> <p>The Owner/Occupier, 1st Floor,66 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 1st Floor,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 2-10 Metropol House,York Street,Belfast,Antrim,BT15 1AQ</p> <p>The Owner/Occupier, 25-51 Art & Design Centre,York Street,Belfast,Antrim,BT15 1ED</p> <p>The Owner/Occupier, 2nd Floor,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 51 York Street,Belfast,Antrim,BT15 1AA</p> <p>The Owner/Occupier, 60 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 62 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 68 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 68 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, 74 Donegall Street,Belfast,Antrim,BT1 2GU</p> <p>The Owner/Occupier, 76-78 ,Donegall Street,Belfast,Antrim,BT1 2GU</p> <p>The Owner/Occupier, 95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH</p> <p>The Owner/Occupier, 95-97 ,Donegall Street,Belfast,Antrim,BT1 2FJ</p> <p>The Owner/Occupier, Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT</p> <p>The Owner/Occupier, Donegall Street,Belfast,Antrim,</p>	

The Owner/Occupier,
Ground & 1st Floors,95-97 ,Donegall Street,Belfast,Antrim,BT1 2AH

The Owner/Occupier,
Ground Floor,66 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Halls Of Residence,70-74 Mark Royal House,Donegall Street,Belfast,Antrim,BT1 2GU

The Owner/Occupier,
Office 14,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 15,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 1st Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH

The Owner/Occupier,
Office 2 & 3,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 25,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 26,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 2nd Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH

The Owner/Occupier,
Office 3rd Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH

The Owner/Occupier,
Office 4a,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 4th Floor,141-143 ,Royal Avenue,Belfast,Antrim,BT1 1FH

The Owner/Occupier,
Office 6,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Office 8b,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Offices 21-24 & 26-27,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

The Owner/Occupier,
Offices 21-24,Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

Anne Doherty
Senior Project Manager,Travel & Transport,Ulster University

The Owner/Occupier,
St Anne'S Cathedral,Donegall Street,Belfast,Antrim,BT1 2HB

The Owner/Occupier,
Unit 1,8b Cathedral Buildings,64 Donegall Street,Belfast,Antrim,BT1 2GT

Date of Last Neighbour Notification

11th August 2021

Planning History

Ref ID: LA04/2021/1707/F

Proposal: Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years

Address: Cathedral Gardens, Belfast, BT1 2GT,

Decision:

Decision Date:

Ref ID: LA04/2015/0184/F

Proposal: Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high quality natural stone paving, street furniture, trees, lighting and soft landscaping.

Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens

Address: Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral G

Decision: PG

Decision Date: 26.11.2015

Ref ID: Z/1998/6135

Proposal: Commercial redevelopment Cathedral Gardens Academy Street Belfast BT1

Address: Cathedral Gardens

Decision:

Decision Date:

Notification to Department: N/A