

**Development Management Officer Report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 15 February 2022	
<b>Application ID:</b> LA04/2021/2416/F	
<b>Proposal:</b> Retractable canopy for outdoor dining to restaurant temporary for 2 years.	<b>Location:</b> The Muddlers Club 1 Warehouse Lane Belfast BT1 2DX.
<b>Referral Route:</b> DFC Covid Revitalisation scheme	
<b>Recommendation:</b>	
<b>Applicant Name and Address:</b> Cathedral Quarter BID 109-113 Royal Avenue Belfast BT1 1FF	<b>Agent Name and Address:</b> OGU Architects 56 Rushfield Avenue Belfast BT17 3FQ
<p><b>Executive Summary:</b></p> <p>The proposal is for the erection of a retractable canopy to provide cover for an outdoor seating area on a temporary basis of 2 years.</p> <p>The key issues identified as a result of this proposal are:</p> <ul style="list-style-type: none"> <li>- The impact of the proposal on the character and appearance of the conservation area</li> <li>- The impact of the proposal on the setting of a listed building</li> <li>- The impact of the proposal on the amenity of the surrounding area</li> </ul> <p>The site is located to the rear of Muddlers Club at 1 Warehouse Lane within the Cathedral Conservation Area and within the setting of a number of listed buildings. The area is commercial in nature and the surrounding area is predominantly restaurants and bars.</p> <p>The application was neighbour notified and advertised in the local press and no objections have been received.</p> <p>Historic Environment Division were consulted in relation to the proposal and have no objection to the proposed canopy.</p> <p>Recommendation – Approval – temporary Approval for 2 years</p>	

Case Officer Report

Site Location Plan



<b>Characteristics of the Site and Area</b>	
1.0	<b>Description of Proposed Development</b> Retractable canopy for outdoor dining to restaurant temporary for 2 years.
2.0	<b>Description of Site</b>  The site is located to the rear of Muddlers Club, located on Warehouse Lane. The site is within the Cathedral Quarter conservation area and within a commercial area that is made up predominantly of restaurants and bars.
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	<b>Relevant Site History</b> Non-Relevant
4.0	<b>Policy Framework</b>
4.1	Regional Development Strategy (RDS) Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 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)
4.2	Strategic Planning Policy Statement (SPPS) Planning Policy Statement 6: Planning, Archaeology and Built Heritage
5.0	<b>Consultations:</b>
5.1	<b>Statutory Consultee Responses</b> DFI Roads - No objections-no conditions recommended NI Water – 25-2-21 Wastewater treatment capacity is not available for the proposed development but correspondence between the applicant and NI Water indicates that a solution has been found. The matter will be dealt with via negative planning conditions Rivers- No objections NIHE-No objection HED- No objection
5.2	<b>Non-Statutory Consultee Responses</b> Environmental Health – No objections
6.0	<b>Representations</b>
6.1	The application was neighbour notified and advertised in the local press and no objections have been received.
7.0	<b>Assessment</b>
7.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> <li>• Impact on the Conservation Area</li> <li>• Impact on the amenity of the surrounding area</li> <li>• Impact on curtilage of a listed building</li> </ul> <b>The principle of the proposal at this location</b>

7.2	<p>The proposed canopy measures 18m long and 4.5m wide and is located 2.9m from the ground floor. The retractable canopy is a finished powder coated aluminium structure which folds back when it is not in use to provide cover for outdoor dining to the restaurant. The proposal is made on a temporary basis for 2 years as part of the DFC Covid Revitalisation Scheme.</p> <p><b><u>Planning Policy Statement 6: Planning Archaeology and the Built Heritage</u></b></p>
7.3	<p>Policy BH 11 states that development will not be permitted which would adversely affect the setting of a listed building. Development proposals will normally only be considered appropriate where the detailed design respects the listed building in terms of scale, height, massing and alignment; the works proposal makes use of traditional or sympathetic building materials and techniques which respect those found on the building; and the nature of the use proposed respects the character of the setting of the building.</p>
7.4	<p>HED (Historic Buildings) was consulted in relation to the proposal and have considered the effects of the proposal on the listed building and on the basis of the information provided, considers that the application poses no greater demonstrable harm on the setting of the listed building. HED (Historic Monuments) has assessed the application and, due to its scale and nature, is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.</p>
7.5	<p>Policy BH 12 states that alterations within a conservation area will only be considered acceptable where the development preserves or enhances the character and appearance of the area, is in sympathy with the characteristic built form of the area, the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area and the development conforms with the guidance set out in conservation area documents. The proposal complies with this policy.</p>
8.0	<p><b>Conclusion</b> Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions. It is requested that delegated authority is given to the Strategic Director of Place and Economy to finalise the planning conditions.</p>
9.0	<p><b>Conditions:</b></p> <p>9.1 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>

<b>ANNEX</b>	
<b>Date Valid</b>	11th November 2021
<b>Date First Advertised</b>	26th November 2021
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 19 Donegall Street,Belfast,Antrim,BT1 2FF The Owner/Occupier, 19 Donegall Street,Belfast,Antrim,BT1 2HA The Owner/Occupier, 2nd Floor,23 Donegall Street,Belfast,Antrim,BT1 2FF The Owner/Occupier, 3 Exchange Place,Belfast,Antrim,BT1 2NA The Owner/Occupier, 3rd Floor,23 Donegall Street,Belfast,Antrim,BT1 2FF The Owner/Occupier, Gf & 1st Floor,23 Donegall Street,Belfast,Antrim,BT1 2FF The Owner/Occupier, Offices (Gd To 3rd Floor),19 Donegall Street,Belfast,Antrim,BT1 2HA	
<b>Date of Last Neighbour Notification</b>	18th January 2022
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Planning History</b>  Ref ID: LA04/2020/1143/F Proposal: Change of use from vacant retail unit to public bar on ground floor, first floor and second floor and restaurant on third floor Address: 19-21 Donegall Street, Belfast., Decision: PG Decision Date: 04.06.2021  Ref ID: LA04/2020/0009/PAD Proposal: Refurbishment of a derelict four storey building and change of use from office accommodation to bar/restaurant. The works will involve internal and minimal external modifications. Address: 19-21 Donegall Street, Belfast, BT1 2HA, Decision: Decision Date:  Ref ID: LA04/2021/2416/F Proposal: Retractable canopy for outdoor dining to restaurant temporary for 2 years. Address: The Muddlers Club, 1 Warehouse Lane, Belfast, BT1 2DX.,	

Decision:  
Decision Date:

Ref ID: Z/2001/0248/DCA

Proposal: Demolition of 2 storey structure including the 'Bridge' Structure over Exchange Place, plus associated walls and lean-to shelter in courtyard.

Address: 5 Exchange Place, Town Parks, Belfast, Northern Ireland, BT01 2NA

Decision:

Decision Date: 17.11.2001

Ref ID: Z/2008/2056/LB

Proposal: Hotel signage including fascia signs, projecting signs, awnings and uplighters.

Address: Premier Inn Hotel, 2-6 Waring Street, Belfast, BT01 2DX.

Decision:

Decision Date: 19.11.2008

Ref ID: Z/2005/1284/LB

Proposal: Retention of facades to listed building at Waring Street and Donegall Street as part of proposed 180 bedroom hotel with bar, restaurant, fitness suite and ancillary accommodations including lower ground level car park.

Address: Land at 1-3 Donegall Street and 2-18 Waring Street, Belfast

Decision:

Decision Date: 16.05.2006

Ref ID: Z/2001/0246/F

Proposal: Mixed use proposal for retail, hotel and residential development

Address: 3 Donegall Street/ 1 Donegall Street/ 4-6 Waring Street/ 5 Exchange Place/ Belfast BT1

Decision:

Decision Date: 13.11.2001

Ref ID: Z/2001/0254/LB

Proposal: Demolition of rear section and refurbishment at Donegall Street and Waring Street.

Construction of four storey penthouse structure to be used for retail and residential purposes.

Construction of hotel and parking facilities.

Address: Building 1: 3 Donegall Street Belfast BT1. Building 2 : 1 Donegall Street / 4-6 Waring Street, Belfast BT1.

Decision:

Decision Date: 17.11.2001

Ref ID: Z/2005/1130/F

Proposal: Erection of hotel including bar, restaurant, underground car parking and ancillary accommodation including retention of listed facades (amended scheme)

Address: Lands at junction of Waring Street and Donegall Street extending to Exchange Place, Belfast.

Decision:

Decision Date: 16.05.2006

Ref ID: Z/2008/1599/A

Proposal: 2 x projecting signs, 2x fascia signs, 1x fascia letters, 9x awnings, 13x uplighters

Address: Premier Inn, 2 - 6 Waring Street, Belfast, BT1 2DX

Decision:

Decision Date: 13.11.2008

Ref ID: Z/2007/0028/F

Proposal: Amendment to previously approved scheme (Z/2005/1130) reduction in bedroom Nos from 180 bedroom hotel to 172 bedrooms.

Address: Lands at 1-3 Donegall Street and 2-16 Waring Street, Belfast, extending to Exchange Place.

Decision:

Decision Date: 18.04.2007

Ref ID: Z/2011/0475/F

Proposal: Change of use from restaurant to performance space including bar, toilets, and ancillary space.

Address: 18-22 Hill Street, Belfast, BT1 2LA,

Decision:

Decision Date: 09.08.2011

Ref ID: Z/2000/2953/DCA

Proposal: Demolition of two storey warehouse extension to form route through to Warehouse Lane from Exchange Place.

Address: Building to rear of 5 Exchange Place, Belfast

Decision:

Decision Date: 07.04.2001

Ref ID: Z/1990/2451

Proposal: Change of use of first floor from factory use to drop in centre

Address: 5 EXCHANGE PLACE BELFAST BT1

Decision:

Decision Date:

Ref ID: Z/2000/2671/DCA

Proposal: Demolition of two storey warehouse extension to form route through to Warehouse Lane from Exchange Place.

Address: 5 Exchange Place, Town Parks, Belfast, Northern Ireland, BT01 2NA

Decision:

Decision Date: 02.03.2001

Ref ID: Z/2000/2672/F

Proposal: Refurbishment of 23 Donegall Street to provide studio/arts workshops with performance/exhibition facility at ground floor. Refurbishment of 25 Donegall Street to provide retail facility at ground floor with gallery/office/studio space over. Refurbishment of 1-3 Exchange Place to include removal of one floor: roof reinstatement. Demolition of 5 Exchange Place.

Address: Cathedral Quarter Arts ; 23-25 Donegall Street, 1-3 Exchange Place, 5 Exchange Place (demolition)

Decision:  
Decision Date: 14.03.2001

**Drawing Numbers and Title**

Site and block plan  
Existing site plan and elevation  
Proposed site plan and elevation

**Notification to Department (if relevant)**

Date of Notification to Department:  
Response of Department: