

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

12th October, 2020

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item(s) will also be considered at the meeting to be held at 5.00 pm on Thursday, 15th October, 2020.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

3. **Correspondence received**

- (a) Proposed Listing of Havelock House - Response from HED (Pages 1 - 8)

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Subject:	Proposed Listing of Havelock House – Response from HED
Date:	15th October 2020
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officer:	Keith Sutherland

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	Members will recall that the Planning Committee, at its meeting on 15th September, agreed that a letter should be forwarded to Historic Environment Division (HED) in the light of representations expressing a view that Havelock House should be listed and suggesting that a number of issues were not addressed when the building was previously considered for listing. Furthermore HED have been asked to provide a response to representations received in respect of the current planning application.
1.2	Council received a response on Friday 9 October from HED outlining how they believe that they have correctly followed due process in assessing the building for statutory listing advising in this case that the building doesn't meet the prescribed criteria. They also summarise their response to the current planning application and suggest that the Council could utilise its own statutory powers to locally list the building.
1.3	This report provides an overview of some of the key issues and explains why the suggested approach around local listing would not be appropriate in this instance.
2.0	Recommendation
2.1	The Committee is requested to note:- <ul style="list-style-type: none"> • the update from HED set out in the report as confirmation that the building does not meet the criteria for statutory listing; and

	<ul style="list-style-type: none"> the limitations in respect of the potential for local listing cannot be considered in this instance.
3.0	Main Report
	<u>Key Issues</u>
3.1	<p>The Council, at its meeting on 15th September, agreed that a letter be forwarded to HED with the following motion:</p> <p style="padding-left: 40px;">“In light of the fact objectors have made representations expressing concerns that Havelock House should be a listed building, raising some issues which were allegedly not addressed when the building was considered for listing last year, the Planning Committee requests that HED provide a detailed response to those representations to inform its decision making process in respect of the Havelock House planning application.”</p>
3.2	The Committee may wish to note that Listed Buildings are those designated through listing as being of ‘special architectural or historic interest’ under Section 80 of the Planning Act (NI) 2011. A responsibility that was retained as a function of the Historic Environment Divisions (HED) within the Department for Communities (DfC).
3.3	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest a process which began in 1974.
3.4	Havelock House was not considered for a full survey in the first survey of buildings of special architectural or historic interest which ran between 1969 and 1997, nor was it considered for a full survey during the second survey of this area in 2011.
3.5	Following correspondence with a third party, which had included a listing request, the Department reviewed the record, visiting the building in July 2018. Following further correspondence, a presentation on the history of the building and its use a television studio by a third party was received by the Department in February 2019.
3.6	The Department has outlined how it assessed all the evidence in relation to Havelock House and determined that the building did not merit a full survey. The building has undergone extensive extension and alterations including the loss of fixtures and fittings/ equipment pertaining to its use as a television studio.
3.7	HED was consulted on the current planning application for the proposed demolition and redevelopment of Havelock House (ref LA04/2020/0067/F), in relation to the impact of the proposed development on several listed buildings, including those on the gasworks site. In the formal response HED advised that it considers that the height of the proposal would be contrary to policy. This will be considered in detail in the Committee Report for the current application in due course.
3.8	<p>In addition to the requested response on the formal Listing HED referred to the potential for the building to be considered as a Historic Buildings of Local Importance. It should be noted that unlike listed buildings, Historic Buildings of Local importance (sometimes referred to as Local Listings) are not protected by statute. Instead they are referenced in paragraph 6.24 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) as:</p> <p style="padding-left: 40px;">‘a building, structure or feature, whilst not statutory listed, has been identified by the council as an important part of their heritage, due to its local architectural or historic significance.’</p>

3.9	Whilst local councils can consider the establishment of a list of such assets there is no requirement to draw one up and councils there is considerable discretion as to how these could be identified and managed.
3.10	Following the introduction of a process that could support the identification of such assets the SPPS states in paragraph 6.24: “Councils may wish to bring forward bespoke local policies for such buildings” through the Local Development Plan process. The SPPS goes on to state that the “significance placed on the historic building of local importance is key to its protection under planning policy and should be established based upon clear evidence”.
3.11	The identification of Historic Buildings of Local Importance could be considered as part of the Local Development Plan as one way of defining the structures that are regarded as important. However, the SPPS only requires that councils ‘identify the main built and archaeological heritage features, where they exist within the plan area’. In the consideration of the potential for Historic Buildings of Local Importance it may, therefore, be more appropriate to identify such structures only where these relate to and support area designations and heritage assets such as: Conservation Areas, Areas of Townscape Character and Local Landscape Policy Areas.
3.12	As we move forward towards the Independent Examination of the first part of the LDP – the Plan Strategy, initial work has commenced on the more detailed Local Policies Plan (LPP) which includes reviewing our, ‘Areas of Townscape Character’ and other character areas including to develop the evidence to support the development of local policies and designations that can support the strategic objectives for the plan.
3.13	Notwithstanding these matters, it is important to highlight that the incumbent planning system including policy development and plan designations are still operating within the transitional arrangements set out within the SPPS (Para. 1.10). Whilst the new Local Development Plan and Plan Strategy mirror the objectives of the SPPS in its desire to protect our built heritage, it is also important to note that the transitional arrangements states that the existing suite of Departmental policy and guidance will continue to apply until they are replaced by the Councils own adopted Plan Strategy and then in time more comprehensively by the LPP. As the Belfast Plan Strategy is yet to be adopted, the Council are unable use mechanism such as new policy protections or designations until we move beyond the current arrangements and achieve adopted Plan Strategy status.
	<u>Financial and Resource Implications</u>
3.15	N/A
	<u>Equality or Good Relations Implications</u>
3.16	None.
4.0	Appendices - Documents Attached
	<p>Appendix 1 - Letter to Iain Greenway HED Havelock House Planning Committee 1st October 2020</p> <p>Appendix 2 - Letter to Council Havelock House 8th October 2020</p>

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Legal and Civic Services Department Democratic Services Section

Your reference

Being dealt with by Mrs. L. McLornan

Our reference LMPLA021020

Date 2nd October, 2020

(By email)

Mr. Iain Greenway
Director, Historic Environment Division
9 Lanyon Place
Belfast
BT1 3LP

Dear Mr. Greenway,

Re: Havelock House, Ormeau Road, Belfast – Planning reference: LA04/2020/0067/F

Belfast City Council's Planning Committee, at its meeting on 15th September, agreed that a letter be forwarded to you with the following motion:

“In light of the fact objectors have made representations expressing concerns that Havelock House should be a listed building, raising some issues which were allegedly not addressed when the building was considered for listing last year, the Planning Committee requests that HED provide a detailed response to those representations to inform its decision making process in respect of the Havelock House planning application.”

The Committee's decision was ratified by the Council at its meeting on 1st October.

I would welcome any comments which you may wish to make in response.

Yours sincerely,

Louise McLornan
Democratic Services Officer

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Department for
Communities

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www.communities-ni.gov.uk

Ms Louise McLornan
Democratic Services Officer
Legal and Civic Services Department,
Belfast City Council
City Hall
BELFAST

Historic Environment Division
Ground Floor
NINE Lanyon Place
Town Parks
Belfast
BT1 3LP

Email: jain.greenway@communities-ni.gov.uk

Your Ref: LMPLA021020

Date: 08 October 2020

mclornanl@belfastcity.gov.uk

Dear Ms McLornan

**RE: HAVELOCK HOUSE, ORMEAU ROAD, BELFAST – HISTORIC BUILDING REF:
HB26 30 037 PLANNING REFERENCE: LA04/2020/0067/F**

Thank you for your letter of 2 October 2020.

I can confirm that the Department has followed due process. I can provide you with further detail on how this is the case, and set this out below

Havelock House was not considered for a full survey in the first survey of buildings of special architectural or historic interest which ran between 1969 and 1997, nor was it considered for a full survey during the second survey of this area in 2011.

Following correspondence with a third party, which had included a listing request, the Department reviewed the record, visiting the building in July 2018. Following further correspondence, a presentation on the history of the building and its use as a television studio by a third party was welcomed by the Department in February 2019.

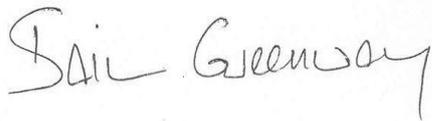
The Department assessed all evidence in relation to Havelock House and determined that the building did not merit a full survey. The building has undergone extensive extension and alterations including the loss of fixtures and fittings - equipment pertaining to its use as a television studio.

The building record has been updated to reflect historical information gathered by the third party and the Department, and this is publically available on the buildings database.

The Department would highlight that the local council may consider through the Local Development Plan whether the building is of local importance. Guidance for councils on Historic Buildings of Local Importance was published by the Department in June 2017. This sets out how buildings which do not meet the Criteria for Listing could be afforded protection through local council policy.

The Council determines all planning applications to which HED is a statutory consultee on matters pertaining to the historic environment. Regarding the proposed demolition of Havelock House (ref LA04/2020/0067/F), HED was consulted on this proposal by Belfast City Council in relation to the impact of the proposed development on several listed buildings, including those on the gasworks site. HED advised that the proposal is contrary to the policy requirements of paragraphs 6.12 of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and BH11 (Development affecting the Setting of a Listed Building) of Planning Policy Statement 6, planning archaeology and the built heritage. The Department considers that the height of the proposal is contrary to policy.

Yours sincerely

A handwritten signature in blue ink that reads "Iain Greenway". The signature is written in a cursive, slightly slanted style.

IAIN GREENWAY

Director, Historic Environment Division