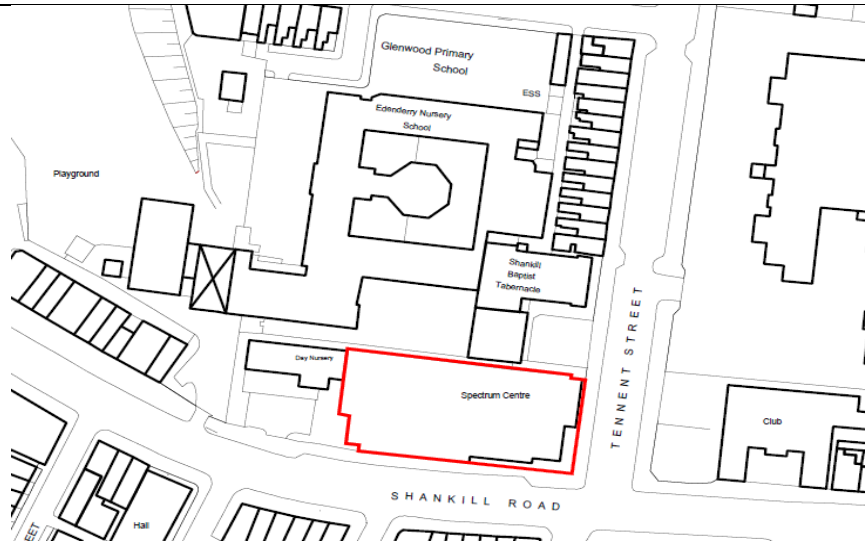


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Date:</b> 16 <sup>th</sup> August 2022	<b>Item Number:</b>
<b>Application ID:</b> LA04/2022/0683/F	<b>Target Date:</b>
<b>Proposal:</b> Awning installed to front of existing building.	<b>Location:</b> Spectrum Centre, 331 Shankill Road, Belfast, BT13 3AB
<b>Referral Route:</b> The proposal is funded by Belfast City Council	
<b>Recommendation:</b>	<b>APPROVAL</b>
<b>Applicant Name and Address:</b> Spectrum Centre 331 Shankill Road Belfast BT13 3AB	<b>Agent Name and Address:</b> OGU Architects Flax Art Studios Havelock House Belfast BT17 1EB
<p><b>Executive Summary:</b></p> <p>Planning permission is sought for an awning installed to front of existing building.</p> <p>The site is located within the development limits for Belfast and is un-zoned white land within the adopted BUAP 2001. In draft BMAP 2015 – 2004 version the site is located within the proposed Area of Townscape Character BT 069 and BT 052 in the 2015 version.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of development and use;</li> <li>• Impact on the listed building and proposed area of townscape character;</li> <li>• Impact on amenity;</li> </ul> <p>The application was neighbour notified and advertised in the local press. No third-party representations have been received.</p> <p>DFI Roads and Historic Environment Division have all been consulted and have no objection to the proposal.</p> <p><b>Recommendation:</b> Having regard to the policy context and other material considerations, it is recommended that the application is approved.</p>	

## Case Officer Report

### Site Location Plan



### Consultations:

Consultation Type	Consultee	Response
Statutory	DFI Roads - Hydebank	Content
Statutory	Historic Environment Division (HED)	Content

### Representations:

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

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The proposal is for full planning permission for an 'awning installed to front of existing building'. The proposed awning is located on the Tennent Street elevation, and measures 8.75 m in length with a depth of 2.0 when fully extended. The proposed awning can be retracted into a box under the existing fascia when it is not in use. This is located approximately 3.5 m off the ground.
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is the front elevation of the Spectrum Building located at the junction of Shankill Road and Tennent Street. The site is an arts and cultural and multi-purpose venue.
2.2	The surrounding area is defined by mixed use, with a mix of commercial units and residential dwellings off surrounding side streets.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	Z/2009/0475/F - External roller shutters to ground floor windows – Granted
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (2004 Version)
4.3	Draft Belfast Metropolitan Area Plan 2015
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 6: Planning, Archaeology and the Built Environment
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	Historic Environments Division – No objection.
5.2	DFI Roads – No objection.
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	N/A
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
<b>8.0</b>	<b>Other Material Considerations</b>

8.1	The adopted Belfast Urban Area Plan 2001 shows the site as white un-zoned land.
8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2004 version:  The site is located within the city centre boundary and the Scotch and Cathedral quarter character area.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2015 version (previously adopted and now subsequently quashed):  The site is located within the city centre boundary and the Scotch and Cathedral quarter character area.
8.5	Development Control Advice Notice (DCAN) 15: Vehicular Access Standards
<b>9.0</b>	<b>Assessment</b>
9.1	The Key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>• Principle of development and use;</li> <li>• Impact on the listed building;</li> <li>• Impact on amenity;</li> </ul>
9.2	<b><u>Development Plan Context / SPPS</u></b> The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.
9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.
9.5	Under the adopted BUAP 2001 the site is un-zoned white land. The site is located within the city centre limit and the Scotch and Cathedral quarters for Belfast as designated by both iterations of Draft Belfast Metropolitan Area Plan 2015 the 2004 and 2015 versions.
9.6	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
9.7	Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the

	development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance
9.8	<p><b><u>Principle of development and use</u></b></p> <p>The proposal, by reason of its form, scale, layout, design and materials, is considered in keeping with the existing building and surrounding area, and would not harm the amenity of the area. The proposed addition of an awning is considered minor.</p>
9.9	<p>The proposal is acceptable having regard to the Belfast Urban Area Plan 2001, draft Belfast Metropolitan Area Plan 2004 and 2015, Strategic Planning Policy Statement for Northern Ireland (SPPS) and all other relevant material considerations, including BH11 of Planning Policy Statement 6 Planning, Archaeology and the Built Heritage.</p>
9.10	<p><b><u>Impact on the Listed Building and Proposed Area of Townscape Character</u></b></p> <p>The application site is located in close proximity to Shankill Baptist Church, a Grade B2 listed building. HED were consulted and advise that there is sufficient separation distance between the proposal site and the listed building, ensuring the proposal will not detrimentally impact on the setting of the listed building. Consequently, the proposal complies with policy BH11 of PPS 6 and paragraph 6.12 of the SPPS. In terms of the proposed Area of Townscape Character the proposal complies with paragraphs 4.26 and 6.21 of the SPPS (NI).</p>
9.11	<p><b><u>Impact on Amenity</u></b></p> <p>In terms of amenity the proposal will not detract from the visual amenity of the area, nor will it impact on the amenity of neighbours.</p>
9.12	<p><b><u>Other issues</u></b></p> <p>DFI Roads were consulted on the proposed development and offered no objections.</p>
<b>10.0</b>	<p><b>Summary of Recommendation:</b></p> <p>Having regard to the policy context and other material considerations noted above, the proposed development is considered acceptable and planning permission is recommended. It is requested that final wording of conditions is delegated to the Director of Planning and Building Control.</p>
<b>11.0</b>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</li> </ol> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p><b><u>Informatives</u></b></p> <ol style="list-style-type: none"> <li>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, 01 published on the Planning Portal NI on the 6th May 2022 and 02B published on the Planning Portal NI on the 14<sup>th</sup> July 2022.</li> </ol>
<b>Notification to Department (if relevant)</b>	
N/A	
<b>Representations from Elected members:</b>	

None

**ANNEX**

<b>Date Valid</b>	4th May 2022
<b>Date First Advertised</b>	13th May 2022
<b>Date Last Advertised</b>	13th May 2022
<b>Details of Neighbour Notification (all addresses)</b>	
<p>The Owner/Occupier, 1a ,Lawnbrook Avenue,Belfast,Antrim,BT13 2QB</p> <p>The Owner/Occupier, 1st &amp; 2nd Floor,320 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 1st &amp; 2nd Floor,330 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 2 Upper Riga Street,Belfast,Antrim,BT13 3GW</p> <p>The Owner/Occupier, 252 Shankill Road,Belfast,Antrim,BT13 2BL</p> <p>The Owner/Occupier, 314 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 314a ,Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 316 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 318 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 322 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 324 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 326-328 ,Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, 331-333 ,Shankill Road,Belfast,Antrim,BT13 3AA</p> <p>The Owner/Occupier, 4-22 Glenwood Primary School,Upper Riga Street,Belfast,Antrim,BT13 3GW</p> <p>The Owner/Occupier, Day Nursery,333 Shankill Road,Belfast,Antrim,BT13 3AF</p> <p>The Owner/Occupier, Ground Floor,320 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, Ground Floor,330 Shankill Road,Belfast,Antrim,BT13 3AB</p> <p>The Owner/Occupier, Restaurant,331-333 ,Shankill Road,Belfast,Antrim,BT13 3AA</p> <p>The Owner/Occupier,</p>	

Shankill Baptist Tabernacle, Tennent Street, Belfast, Antrim, BT13 3GB  
 The Owner/Occupier,  
 Spectrum Centre, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 The Spectrum Centre, 333 Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 The Spectrum Centre, 333 Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 1 Gf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 1-3 Ff, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 2 Gf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 2 Sf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 3 Gf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 3-4 Sf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 4 Ff, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 4 Gf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 5 Ff, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 5 Gf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 6 Gf & Unit 6-7 Ff, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 6 Gf, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA  
 The Owner/Occupier,  
 Unit 6-7 Ff, 331-333 , Shankill Road, Belfast, Antrim, BT13 3AA

<b>Date of Last Neighbour Notification</b>	25th May 2022
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<b>Date of EIA Determination</b>	N/A
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<b>ES Requested</b>	No
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<b>Drawing Numbers and Title</b>
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01 Site Location and Existing Plans 02B Proposed Site Layout and Elevations
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