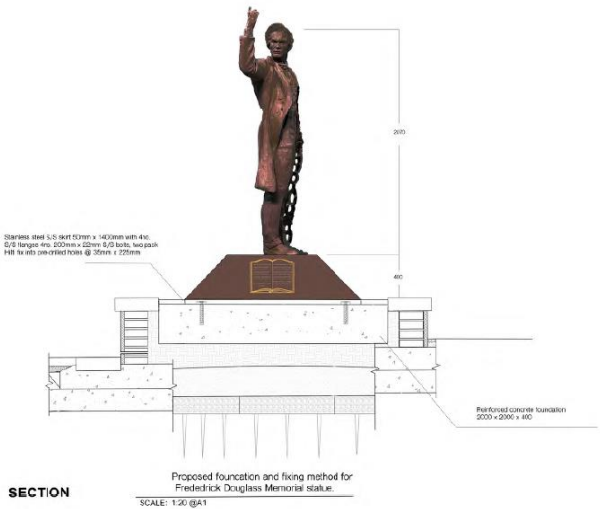
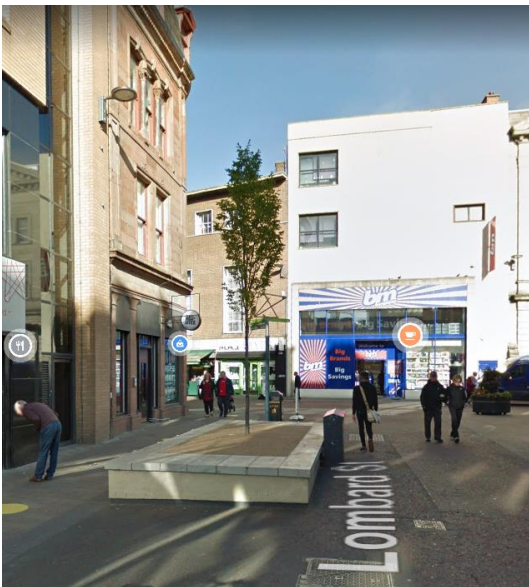
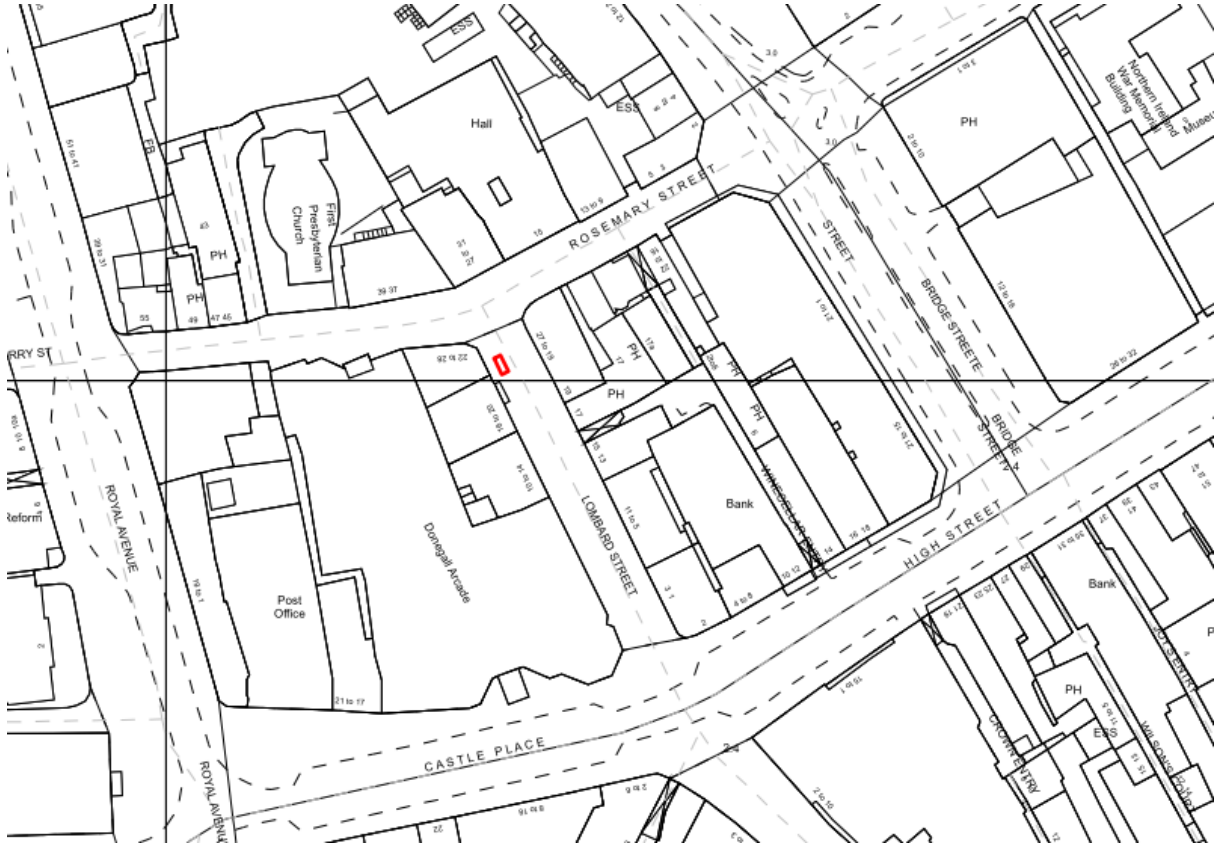


## Development Management Officer Report Committee Application

| <b>Summary</b>   |   |
|--|---|
| <b>Committee Meeting Date:</b> 14 <sup>th</sup> April 2023   | <b>Item Number:</b>   |
| <b>Application ID:</b> LA04/2023/2701/F  | <b>Target Date:</b>   |
| <b>Proposal:</b> Erection of life size bronze sculpture of Frederick Douglass.   | <b>Location:</b><br>Existing Planter located approximately 2.5m east of No.10-20 Lombard Street (amended) |
| <b>Referral Route:</b> Belfast City Council is the applicant   |   |
| <b>Recommendation:</b>   | Approval  |
| <b>Applicant Name and Address:</b><br>Belfast City Council<br>9 Adelaide<br>Adelaide Street<br>Belfast<br>BT2 8GA  | <b>Agent Name and Address:</b>  |
| <p><b>Executive Summary:</b><br/>The application is seeking full planning permission for the erection of a life size sculpture of Frederick Douglass, using an existing planter base on Lombard Street.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> <li>- Impact on amenity and general characteristics of the area</li> <li>- Impact on setting of the listed building and conservation area.</li> <li>- Impact on public safety.</li> </ul> <p>The site is located at approximately 2.5m east of No.10-20 Lombard Street; the existing planter sits on the largely pedestrianised street. The surrounding area is a mix of retail, commercial and hospitality properties.</p> <p>The proposal will be assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP), PPS6: Planning, Archaeology and the Built Environment and all other relevant material planning considerations.</p> <p>Recommendation: Seeking delegated authority to determine the application upon receipt of the consultation responses.</p> |   |

# Case Officer Report

## Site Location Plan



| <b>Characteristics of the Site and Area</b>                            |   |
|--|---|
| <b>1.0</b>   | <b>Description of Proposed Development</b>  |
| 1.1  | The application is seeking full planning permission for the erection of a life size sculpture of Frederick Douglass, using the existing planter base on Lombard Street. The proposed sculpture will measure approximately 2.43m in height including the plinth on which it will sit. The proposed statue will be cast in bronze and be a dark brown colour. |
| <b>2.0</b>   | <b>Description of Site</b>  |
| 2.1  | The application site is located approximately 2.5m east of No.10-20 Lombard Street in the city centre. It is an existing raised planter which is located on the street. The neighbouring properties along Lombard Street and nearby Rosemary Street are of a retail, commercial and hospitality nature.   |
| <b>Planning Assessment of Policy and other Material Considerations</b> |   |
| <b>3.0</b>   | <b>Relevant Site History</b>  |
| 3.1  | There is no relevant site history.  |
| <b>4.0</b>   | <b>Policy Framework</b>   |
|  | <u>Development Plans</u>  |
| 4.1  | Belfast Urban Area Plan (BUAP) 2001   |
| 4.2  | Draft Belfast Metropolitan Area Plan (dBMAP v2004)  |
| 4.3  | Draft Belfast Metropolitan Area Plan (dBMAP v2014)  |
| 4.4  | Draft Belfast Local Development Plan 2035 – Draft Plan Strategy   |
|  | <u>Regional Planning Policy</u>   |
| 4.5  | Regional Development Strategy (RDS) 2035  |
| 4.6  | Strategic Planning Policy Statement (SPPS)  |
| <b>5.0</b>   | <b>Consultations:</b>   |
| <b>5.1</b>   | <b>Statutory Consultee Responses</b>  |
| 5.1.1  | Conservation Officer – Awaiting response<br>Historic Environment Division – Awaiting response   |
| <b>5.2</b>   | <b>Non-Statutory Consultee Responses</b>  |
| 5.2.1  | None  |
| <b>6.0</b>   | <b>Representations</b>  |
| 6.1  | No representations have been received to date.  |
| <b>7.0</b>   | <b>Assessment</b>   |
| 7.1  | <u>Policy Context</u><br>Section 6(4) of the Planning Act (Northern Ireland) 2011 states that: <i>‘Where, in making any determination under this Act, regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.’</i>                                 |
| 7.2  | Section 45(1) of the Act states that the council must <i>‘...have regard to the local development plan, so far as material to the application, and to any other material considerations...’</i> .   |

|     |  |
|-----|--|
| 7.3 | Following the Court of Appeal decision on BMAP, the extant development plan is the BUAP. However, dBMAP remains an important material consideration. Given the stage at which the draft BMAP (v2014) had reached pre-adoption through a period of independent examination, it is considered to hold significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.   |
| 7.4 | 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. |
|     | <u>Key Issues</u>  |
| 7.5 | The key issues relevant to consideration of the application are: <ul style="list-style-type: none"> <li>- Impact on amenity and general characteristics of the area</li> <li>- Impact on setting of the listed building and conservation area.</li> <li>- Impact on public safety.</li> </ul>  |
| 7.6 | The proposal is within the development limits as set out in both BMAP documents. It sits within the City Centre Conservation Area. The Conservation Officer has been consulted regarding the proposal; subject to their comments, it is not thought that the proposal would have a significant adverse impact on the character of the wider conservation area.   |
| 7.7 | The proposal will be considered under PPS 6: Planning, Archaeology and the Built Environment. Policy BH11: Development affecting the setting of a Listed Building and Policy BH12: New Development in a Conservation Area will provide the relevant policy criteria in this instance. Historic Environment Division have been consulted in regards to the impact on the setting of the listed building, whilst the Conservation Officer has been consulted in regards to the impact on the City Centre Conservation Area.  |
| 7.8 | In terms of the impact on public safety, the proposal is located on Lombard Street. Given the planter base already exists and will be retained, with the statue erected on it, it is not thought that the proposal would have a significant adverse impact on public safety.   |
| 8.0 | <b>Conclusion</b>  |
| 8.1 | Approval is recommended subject to final consultations responses being received Delegated authority is being sought to apply conditions as appropriate on receipt of the HED and Consultation Officer comments.  |

| <b>ANNEX</b>  |                             |
|---|-----------------------------|
| <b>Date Valid</b>   | 10 <sup>th</sup> March 2023 |
| <b>Date First Advertised</b>  | 24 <sup>th</sup> March 2023 |
| <b>Date Last Advertised</b>   | As above                    |
| <b>Date of Last Neighbour Notification</b>  | 28 <sup>th</sup> March 2023 |
| <b>Date of EIA Determination</b>  | <b>N/a</b>                  |
| <b>ES Requested</b>   | No                          |
| <b>Drawing Numbers and Title</b><br>01 – Site Location Plan<br>02 – Block Plan<br>03A – Proposed Elevations<br>04 – Existing Elevations |                             |
| <b>Notification to Department (if relevant) N/A</b><br>Date of Notification to Department:<br>Response of Department:                   |                             |