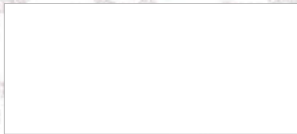




**APPROVAL OF PLANNING PERMISSION**

**Planning Act (Northern Ireland) 2011**



Application No: **LA04/2020/1623/F**

Date of Application: **23rd August 2020**

Site of Proposed  
Development:

**Lands at nos 6-7 Donegall Quay  
96-108 Ann street and 40 Princes Street  
bounded to the north by Donegall Quay Car Park  
Belfast  
BT1 3FG**

Description of Proposal:

**Proposed change of use from rear service yard to beer  
garden associated with the Topsy Bird Public House,  
including outside bar area and all associated works  
(amended plans including new wall)**

Applicant: Glendola Leisure (Holdings) Ltd  
Address: 364 High Street Harlington  
Heathrow  
Hayes  
UB3 5LF

Agent: TSA Planning  
Address: 20 May Street  
Belfast  
BT14NL

Drawing Ref: Architects Drawing No. 00-01 uploaded on the Planning Portal on the 24-8-20 (Site location plan) (Portal no. 01)  
Architects Drawing No. 01-03 uploaded on the Planning Portal on the 24-8-20 (Proposed canopies, bar plans, elevations and sections) (Portal no. 04)  
Architects Drawing No. 01-01 Rev B uploaded on the Planning Portal on the 14-12-20 (Proposed ground floor plan) (Portal no. 02B)  
Architects Drawing No. 01-07 Rev C uploaded on the Planning Portal on the 17-5-21 (Proposed bar details) (Portal no. 07C)

The Council in pursuance of its powers under the above-mentioned Act hereby

**GRANTS PLANNING PERMISSION**

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.



Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No more than 120 patrons shall be permitted within the hereby permitted beer garden at any one time as outlined in the summary of the updated FR Mark Noise Impact Assessment dated May 2021.

Reason: Protection against adverse noise impact.

3. The height of the boundary wall between the hereby permitted beer garden and the neighbouring Translink Control Room shall be constructed in accordance with the RMI Architects drawing titled: 'Proposed Bar Details', Rev C (07C uploaded to portal on 17.05.21) and to a minimum surface density of 25 kg/m<sup>2</sup> (as recommended in the FR Mark May 2021 Noise Impact Assessment)

Reason: Protection against adverse noise impact.

4. No entertainment music or other amplified music shall be permitted in the beer garden until the applicant submits to the planning authority, for review and approval in writing, an updated noise impact assessment which demonstrates that a maximum music noise limit has been robustly assessed and determined in agreement with Translink.

Reason: Protection against adverse noise impact.

5. To minimise the potential cumulative noise impact, associated with patron noise, the already approved existing first floor rear beer terrace shall incorporate and retain in place an 'acoustic barrier' to a minimum height of 1.8m as referred to in the FR Mark Noise Impact Assessment, dated May 2021 (page 1) such that patrons using it are fully screened from the neighbouring control room.

Reason: Reason: Protection against adverse noise impact.

6. No noise generating plant and equipment such as a generator shall be in use in the hereby permitted smoking area unless approved prior to use and supported by a noise impact assessment.

Reason: Reason: Protection against adverse noise impact.

Informatives: -

1. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
2. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
3. The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at <https://www.planningni.gov.uk/index/tools/public-access-info.htm>.



4. This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority



**Authorised Officer**

**Dated: 20<sup>th</sup> May 2021**