

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 th September 2023	
Application ID: LA04/2020/1901/F LA04/2020/1899/LBC LA04/2022/1677/F LA04/2022/1679/LBC	
Proposal: LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second	Location: Former Good Shepherd Centre, Lands at No's 511 and 511A Ormeau Road, Belfast, BT7 3GS

floor of existing Good Shepherd Centre to office accommodation (Class B1).	
Referral Route: Councillor referral under paragraph 3.8.1 of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Choice Housing Association Ireland Ltd Leslie Morrell House 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>The applications seek full Planning Permissions and Listed Building Consents for an Office development at Former Good Shepherd Centre.</p> <p>The relevant applications are:</p> <ul style="list-style-type: none"> • LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) • LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) • LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). • LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). <p>Officers have discussed the need for this second Listed Building Consent application given that it seems to propose the works covered under application LA04/2020/1899/LBC. The applicant has verbally confirmed that the works are covered by the earlier application and it is expected that the second application will be withdrawn.</p> <p>The key issues in the assessment of the proposals are:</p> <ul style="list-style-type: none"> • Principle of office development • Impact on the Listed Building 	

- Impact on Residential Amenity
- Access, road safety and parking
- Impact on Trees
- Other environmental considerations

With respect to LA04/2020/1901/F, the Council has received 121 objections and for LA04/2020/1899/LBC, the Council has received 6 objections. Issues raised relate to transport / access / parking, trees, environment, principle of development, existing office use, built heritage, residential amenity, working patterns and procedural matters. There have been no objections received in relation to LA04/2022/1677/F and LA04/2022/1679/LBC.

Statutory Consultations

DfI Roads – No objection, subject to conditions

DfC Historic Environment Division (HED) – No objection, subject to conditions

DAERA NIEA – No objection, subject to conditions

Non-Statutory Consultations

BCC Environmental Health – No objection, subject to conditions

BCC Tree Officer – Awaiting further advice

BCC Building Control – No objection

Planning Service Plans and Policy team – Advice received (See main assessment)

Policy EC6 of the Plan Strategy relates to 'office accommodation' and Policy RET2 relates to 'out of centre development'. Outside designated areas, such as the city centre and district centres, the policy requires that development proposals must comply with the sequential approach. However, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to 'Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic'. The CLEUD establishes an office use for much of the building. The proposal includes a relatively modest extension to that previously approved by the CLEUD. Furthermore, the proposal secures the maintenance and use of a listed building which has been vacant for the last 5 years. Having regard to these considerations, the proposed office use is considered acceptable in principle.

The application site is located directly adjacent to a city corridor, known as Ormeau Road (arterial route, designated in the Draft Belfast Metropolitan Area Plan 2015). The proposed access is directly from the Ormeau Road. This access has been amended from the original proposed access directly from Carolan Road, which attracted a consideration number of objections. The revised proposal also includes the blocking off of the existing Carolan Road access. The existing gates at this access will be kept shut and a bollard erected to prevent any vehicle using the gate. DFI Roads have provided comments on the amended proposal and raises no objection subject to conditions.

The application site is covered by a Tree Preservation Order (TPO). The proposed development results in the loss of 14 no. existing trees from the site, due to changes to the existing layout. The Council's Tree and Landscaping Officer (TLO) has advised no objection to the proposed removal of some trees within the site owing to condition, age or species and is content with the compensatory planting proposed. The TLO has raised issues regarding the impact of the amended site access on protected trees. Additional information has been submitted to address these concerns, with the consultation response outstanding at time of publication. Notwithstanding this, it is considered that the additional information does not fully address the concerns raised as the amended site layout shows the Root protection zones (RPZs) of two trees partially encroaching on to the site access. It is considered that the issue can potentially be addressed by providing appropriate ground protection measures. Delegated authority is sought to resolve matters relating to trees.

The proposed development relates to a Grade B1 Listed Building (ref. HB26/01/062A), known as "Good Shepherd Convent". Within the application site, there is another Grade B1 listed building, the Gate Lodge, Good Shepherd Convent Complex (ref. HB26/01/062B) which is not impacted by the proposal. The main building has been vacant since 2018. It is considered that the proposed development will secure the building's upkeep and survival and the character and that the architectural and historic interest of the building will be preserved. DfC Historic Environment Division (HED) offers no objections.

The site is located next to two existing apartment buildings (directly to the west of the site). The proposed development does not include any new windows, alterations to the existing windows or any new lighting on the western elevation of the building. It is considered that the proposal will not give rise to any unacceptable detrimental impacts on existing residents of the apartments. Whilst views of the apartment buildings will be achievable from the offices, this should not result in an unacceptable impact from overlooking. Additionally, it is not considered that the proposal will give rise to significant noise, odour or vermin issues.

An Ecological Statement and Biodiversity Checklist were submitted in support of the proposed development. The ecological statement contained information on bats, indicating that both buildings on site have negligible roosting potential, however, two trees (proposed for retention) have moderate suitability for roosting bats. It is considered that the proposal will not have an unacceptable impact on sites, habitats, species, ecosystems or networks that are important for their nature conservation, biodiversity or geodiversity value. DAERA NIEA offers no objection subject to conditions.

The application is referred to the Committee following a request from Councillor de Faoite. Councillor de Faoite outlined concerns in relation to traffic, access, road safety, impact on trees and concerns regarding a previous appeal decision on the site.

Recommendation

Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.

It is recommended that planning permissions and Listed Building Consent are granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.

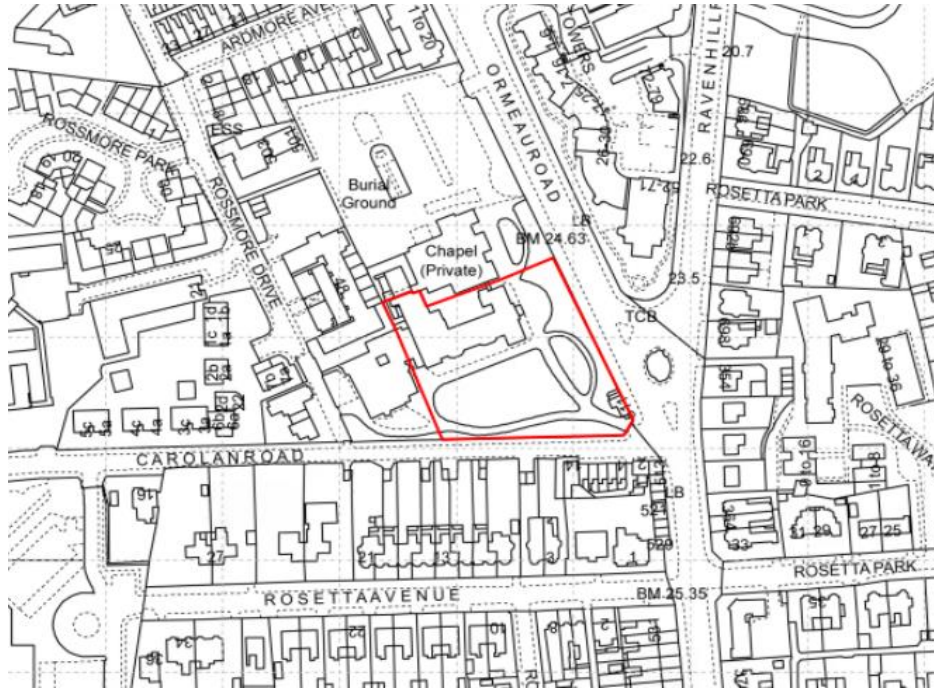
Officer Report

1.0

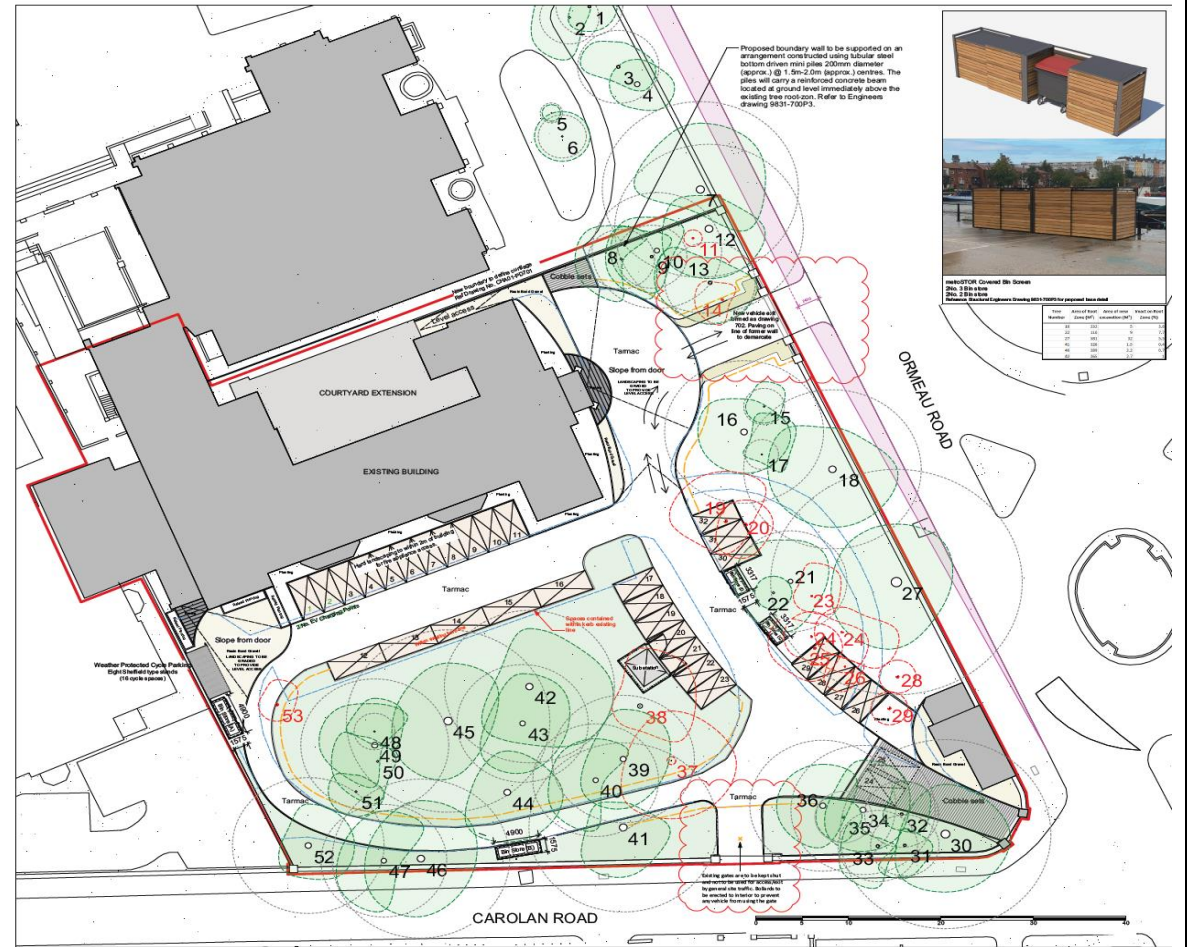
Drawings

1.1

Site Location Plan



Proposed Site Layout



2.0	Characteristics of the Site and Area
2.1	The application site is located at the former Good Shepherd Complex, No's 511 and 511A Ormeau Road. It is situated to the west of the Ormeau Road and North of Carolan Road.
2.2	The site is currently linked to the Good Shepherd Church, immediately to the north. The site is currently accessed via two existing two accesses, from the Ormeau Road (through the car park of Good Shepherd Church) and Carolan Road.
2.3	The building on the site is a Grade B1 listed building (ref. HB26/01/062 A). It is a 3.5 storey building in a Tudoresque Gothic style, finished in red brick with sandstone detailing. Within the wider site, there is also a two storey gate lodge and a car parking area to the south and east of the building. The site is also defined by several mature trees, along the southern and eastern portions of the site. These are subject to a group Tree Preservation Order. The southern and eastern boundaries of the site are defined by stone walls, with iron fencing on top, with two iron gates on the Carolan Road and junction of Carolan / Ormeau Road. The western boundary is defined by a brick wall, with the northern boundary undefined.
2.4	The surrounding area is characterised primarily by residential development, with a mix of apartments, terraced, semi detached and detached dwellings. Wellington College is located in proximity to the site, at the end of Carolan Road, whilst there are commercial uses further along Ormeau Road to the north and adjacent to the site within the listed cottages fronting onto the Ormeau Road.
3.0	Description of Proposal
3.1	This committee report relates to 4 applications (2 applications for full planning permission and 2 for Listed Building Consent). Overall, the applications relate to retention and reconfiguration of existing office and ancillary floorspace across the ground, first and second floors of the building, the provision of a new ground floor extension with mezzanine floor, internal / external works to the building, with external layout reconfigurations and ancillary works.
3.2	<p>The proposal descriptions specify:</p> <p>LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information)</p> <p>LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings)</p> <p>LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).</p>

	<p>LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).</p> <p>Officers have discussed the need for this second Listed Building Consent application given that it seems to propose the works covered under application LA04/2020/1899/LBC. The applicant has verbally confirmed that the works are covered by the earlier application and it is expected that the second application will be withdrawn.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Policies Belfast Agenda</p> <p>Relevant Planning History</p>
4.5	<p>Application Site:</p> <p>LA04/2021/2527/LDE - Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm), as shown on Drawing No. 02 uploaded to the planning portal on 18th November 2021. No use identified for the third floor attic (amended description) – Granted 5th April 2022</p> <p>Z/2009/0377/F - New access incorporating the demolition of a small portion of existing boundary wall on Carolan Road – Granted 22/6/09</p> <p>Z/2008/0887/F & Z/2008/0888/LB - Restoration of vacant listed gate lodge including change of use from dwelling to office accommodation with alterations – Granted</p> <p>Z/1995/1144 - Change of use from convent to offices – Allowed following appeal (Granted)</p> <p>Z/1994/0715 - Change of use from convent to offices – Refused</p> <p>Z/1993/0512 - Change of use of building previously used for voluntary work and associated administration to office use – Refused</p> <p>Z/1993/0200 & Z/1993/0201 - Change of use from convent to offices – Refused</p> <p>Z/1993/0077 - Change of use from convent to offices – Refused</p> <p>Z/1991/0437R – Mixed Housing Development (34 dwellings) with ancillary roads - Granted</p>

5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DfI Roads – No objection, subject to conditions</p> <p>DfC Historic Environment Division (HED) – No objection, subject to conditions</p> <p>DAERA NIEA – No objection, subject to conditions</p>
5.2	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health – No objection, subject to conditions</p> <p>BCC Tree Officer – Awaiting further advice</p> <p>BCC Building Control – No objection</p> <p>Planning Service Plans and Policy team – Advice received (See main assessment)</p>
5.3	<p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p>Representations</p>
5.4	The applications have been advertised and neighbours notified.
5.5	With respect to LA04/2020/1901/F, the Council has received 121 objections and with respect to LA04/2020/1899/LBC, the Council has received 6 objections (note that the objections to the Listed Building Consent are also added to the full application as many of the issues raised are related to the full application, not the works to the listed building).
5.6	There have been no objections received in relation to LA04/2022/1677/F and LA04/2022/1679/LBC.
5.7	<p>The issues raised by objectors include:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> • Proposed new access from Ormeau Road will cause a significant road safety hazard and result in additional traffic delays due to proximity to the roundabout at Ravenhill Road junction and existence of bus lanes at peak times. • More appropriate to allow intensification of existing northern access point. • Transport issues may be compounded by proposals for BRT2 (Rapid Transit) as there is no provision for right turning lane into site. • Existing entrance to site poses a safety risk to pedestrians and road users. • Carolan Road is already congested, particularly in the mornings and afternoons, due to presence of the nearby Secondary school, Primary School and Nursery. • Proposal will exacerbate issues of parking on Carolan Road. The road is already congested with double parking. • Proposed development does not provide adequate parking for number of staff and visitors. • Proposed number of parking spaces is a large underestimation of how many cars are likely to be used, given number of staff in attendance. Choice HA also plan to use the building as a training hub which will increase demand for parking. • Existing junction of Carolan Road and Ormeau Road is a 'blind spot' with potential for serious traffic accident. • Existing entrance on to Carolan Road is rarely, if ever, used and the proposed development should utilise the existing access on Ormeau Road. • Existing entrance on to Carolan Road has only ever been used as an exit. • Proposed 2 way access is located directly opposite and in very close proximity to an existing vehicular access serving a dwelling.

- Proposed car park will be destructive to the area – the proposal should utilise the ample unused parking space within the existing Church car park.
- Transport Engineers' submitted information challenged by objector(s). The Council should demand proper inspection by Dfl. Issues with timing of reports / Assessments during school closures, Covid lockdowns etc.
- Independent body should complete a risk assessment in relation to the applicant's traffic plans.
- Carolan Road is already being operated on a voluntary basis as a one way inward road with egress via Rosetta Avenue.
- Office staff should be encouraged to use bicycles and public transport.
- Parking partnership with the Good Shepherd Church should be considered.
- Site is well served by public transport.
- Local resident has provided a parking survey of traffic movements in the morning, at the junction of Carolan Road and Ormeau Road.
- Choice HA business requires staff to be on site during the day, therefore requiring vehicular transport. Submitted information does not include this detail.
- Potential obstruction of footpath during bin collection.
- Issues raised regarding availability of safety plans from the 1990s and enquiry if these plans are available to view.
- Neighbour's right of way is being restricted as a result of the proposal.

Trees / Environment

- Proposed development will negatively impact on the existing trees within the application site.
- Concerns raised regarding the long term health of the existing mature trees on site.
- Many of the impacted trees are over 100 years old and many have 'conservation orders'.
- Removal of trees cannot be justified.
- Existing trees provide significant amenity value and part of the natural heritage of the area.
- BCC has committed to planting 1 million trees by 2035, therefore existing trees should also be retained.
- Existing trees provide privacy and protection from overlooking.
- Existing trees muffle noise / absorb fumes from the nearby roads / traffic.
- Existing trees provide shade in the summer.
- Existing trees help soften the backdrop to the existing building and provide a backdrop to the adjacent listed cottages.
- Proposed to remove trees to facilitate car parking does not result in a sustainable development.
- Tree Preservation Order (TPO) should be placed on the existing trees on site.
- Existing trees and mature vegetation should be preserved, in light of climate change, particulate pollutants and flooding threats.
- Green spaces should be protected for environmental / biodiversity reasons, as well as positive impact on health and wellbeing.
- Mature trees should be retained – help absorb CO₂, produce oxygen, assist with air quality and retention of carbon.
- Parking could be accommodated on Carolan Road and Ormeau Road, instead of removing trees to facilitate a car park.
- Replacement of the trees / garden with a hard surface will exacerbate flooding issues.

- Existing trees are visible from a number of perspectives, which adds to the historic landmark on the Ormeau Road.
- Trees / Garden Area has been a precious tranquil respite in the area since the Centre was built in the 1850s.
- Detrimental impact on wildlife, such as bats and birds.
- Concern that no Environmental Impact Assessment has been carried out by the developer.

Existing Office Use

- Concern raised regarding the assumption that Good Shepherd Building was used as commercial offices prior to purchase by the developer.
- Limited numbers of people (5-10 max) occupied the offices when previously used by the Down and Connor Diocese.
- Proposal to use the offices as a commercial enterprise is clearly a different form of use than use as parish offices.
- Access to the offices was via the Good Shepherd church car park. Proposed access gate on Carolan Road was not used historically until Choice HA have started opening it regularly post purchase of the site.

Built Heritage

- Concerns raised about impact on the character of the gate lodge.
- Detrimental impact of extension on character of the listed building and its surroundings.
- Concern raised regarding potential demolition of the facades of the listed building.
- Existing pillars are one of the most attractive aspects of the listed Building.
- Concerns regarding the removal of detailing / fabric from the building and failure to recycle / re-use.

Residential Amenity

- Potential overlooking towards nearby apartments – if window panes are replaced (patterned glass to transparent glass).
- Potential impact on residential amenity from lighting towards existing apartments.
- Possible amenity issues in relation to noise if outside space is used for socialising / smoking.
- Potential negative impact on infrastructure, such as broadband.
- Proposed bin store will have a detrimental impact on the local area, resulting in odour nuisance and vermin issues.
- Issues raised with the additional noise more housing would bring, particularly during construction.

New working patterns

- No need for new offices with the shift to home working patterns.
- Post Covid working patterns are evolving continually and no guarantee that Choice HA will continue with their flexible / hybrid approach.

Procedural / Technical

- Issue raised with proposal description – requesting clarification regarding ‘associated works’.

	<ul style="list-style-type: none"> • Issues raised with the notification process. • Issues raised regarding lack of bat information on the Planning portal. • Issues raised with availability of documents on the Planning Portal.
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p><u>Operational policies:</u> the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p><u>Proposals Maps:</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.6	<p>The application site is located on undesignated white land, in accordance with all of the above Plans.</p>
6.7	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SP1 – Growth strategy Policy SP2 – Sustainable development</p> <p>Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy BH1 – Listed Buildings Policy BH4 – Works to grounds affecting built heritage assets</p>

	<p>Policy EC6 – Office Development Policy RET1 – Establishing a Centre Hierarchy Policy RET2 – Out of Centre Development</p> <p>Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to Public Roads Policy TRAN8 – Car Parking and Servicing Arrangements</p> <p>Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change</p> <p>Policy NH1 – Protection of natural heritage resources Policy TRE1 – Trees</p> <p>Key Issues</p> <p>6.8 The key issues for consideration of the applications are:</p> <ul style="list-style-type: none"> • Principle of office development • Impact on the Listed Building • Impact on Residential Amenity • Access, road safety and parking • Impact on Trees • Other environmental considerations <p>6.9 Principle of office development The application site is located outside the city centre and any district or local centres. It is also located outside any major or strategic employment locations and any designated office areas / nodes. Consequently, Policy EC6 directs that proposals for use class B1(a) must comply with the sequential approach.</p> <p>6.10 However, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to ‘Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists’ studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic’. The CLEUD establishes an office use for much of the building.</p> <p>6.11 It is noted that the planning history includes an approval for ‘Change of use from convent to offices’ under ref. Z/1995/1144. The development was granted following appeal and was subject to 4 conditions, three of which were conditions precedent, requiring construction of site access, provision of parking and landscaping prior to the change of use taking place. These works were not completed, therefore, it is not considered that this planning approval was lawfully commenced.</p> <p>6.12 Application ref. LA04/2020/1901/F includes a new mezzanine extension at ground floor level, resulting in an increase of 339 sq metres in floorspace. Application ref. LA04/2022/1677/F relates to a Change of use from artist’s studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). This application relates to 169 sq metres of floor space and is required following the grant of the aforementioned CLEUD.</p>
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6.13	The proposed development relates to a Class B1 Use on ground, first and second floor, the same class as previously established on the ground and first floor by the CLEUD. An objection queried whether the proposed use class is different from the previous use as parish offices. From the information submitted, the previous office use was in association with the overall Down and Connor diocese, not just the local parish. It is considered that there is no differentiation in either use class (Use Class B1).
6.14	The submitted drawings show the breakdown of specific use per room within the building, i.e. office, meeting, amenity, circulation, sanitary, store, plant / IT etc. Actual proposed office floorspace accounts for 1,018 sqm within the building. The CLEUD approved 841 sq metres of office floorspace within the building. The proposed development results in an uplift of 177 sqm of office floorspace. It is noted that the proposed development also includes an uplift in terms of amenity, meeting, sanitary and IT / Plant space.
6.15	The proposal relates to the use of an existing listed building as an office (Use Class B1). The existing floorspace of the listed building is approximately 2,931 sqm. The proposal includes a relatively modest extension (339 sq metres) and the use of former artists' studios (169 sq metres) as offices. The proposed extension is an open plan area at ground floor to be used as a 'Community hub' with a meeting room located at mezzanine level.
6.16	Policy EC6 relates to 'office accommodation'. Outside designated areas, such as the city centre and district centres, the policy requires that development proposals must comply with the sequential approach, with those in excess of 1,000 square metres gross floor space accompanied with an impact assessment and an assessment of need (as set out in Policy RET2).
6.17	<p>Policy RET2 relates to 'out of centre development'. It states that proposals for main town centre uses outside of existing centres must:</p> <ul style="list-style-type: none"> a) Demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to a suitable criteria of suitability, availability and viability. b) Submit a retail impact assessment and assessment of need for proposals that have a floorspace of 1000 sq m gross and above.
6.18	The Planning Service's Plans and Policy team were consulted on the application. It advises that as the proposal includes an uplift of office floorspace, a sequential test should be provided to demonstrate compliance with the policy. However, the proposal includes a relatively modest extension to that previously approved by the CLEUD. Furthermore, the proposal secures the maintenance and use of a listed building which has been vacant for the last 5 years. Having regard to these considerations, the proposed use is considered acceptable in principle.
6.19	<p>Access, Road Safety & Parking</p> <p>The application site is located directly adjacent to a city corridor, known as Ormeau Road (arterial route, designated in dBMAP 2015). The proposed access is directly from the Ormeau Road. This access has been amended from the original proposed access directly from Carolan Road, which attracted a considerable number of objections. The midpoint of the proposed access is located approximately 34 metres to the northwest of the existing Ravenhill Rd / Ormeau Rd roundabout. The proposal also includes the blocking off of the existing Carolan Road access. The existing gates at this access will be kept shut and a bollard erected to prevent any vehicle using the gate.</p>
6.20	Historically, it was possible to access the site via two accesses: the main church gate on Ormeau Road and the aforementioned access gate on Carolan Road (previously approved under ref. Z/2009/0377/F).

6.21	<p>The proposed development includes parking for a total of 32 no. cars. The Transport Assessment Form (TAF) and Framework Travel Plan (FTP) give an indication of how trips to and from the development will be managed and undertaken. Choice Housing Association (HA) currently employs approx. 256 staff which utilise offices across NI. Choice HA have adopted a hybrid working policy which has changed staff working patterns in relation to the number of days staff are required to attend the main office (the proposed development) or one of the remote offices, with the expectation that most staff will work from home. The TAF indicates that this will continue as part of the HA's current and future working practices and it is expected that approx. 68 staff will attend Carolan Road on a daily basis. The TAF also shows a breakdown of the multimodal trips, with 29% of daily visitors using the car to attend the office. As noted previously, a FTP has been submitted which aims to encourage staff / visitors to use more sustainable forms of travel, encourage flexible working arrangements and reduce need to travel by single car occupancy. DfI Roads have suggested imposition of a condition requiring the development to operate in accordance with the FTP. This would be of benefit, noting that the existing lawful use of the building with offices is unfettered and not subject to a FTP.</p>
6.22	<p>DfI Roads has provided comments on the latest amended drawings showing the proposed revised access onto Ormeau Road. The consultation response details conflicting information within the submitted drawings in relation to visibility splays and how the access will be formed (lowered kerbs / return kerbs). DfI advises that the visibility splay issue is not relevant as the splays are over a currently adopted footway and the discrepancy regarding kerbs at the site access can be resolved appropriately by imposition of planning condition. DfI also confirm that a Private Streets Determination is not required.</p>
6.23	<p>DfI has suggested a number of planning conditions in relation to the proposal, including the complete closure of the existing gates of the vehicular access onto Carolan Road. The site layout indicates a bollard to be erected to prevent any vehicles from using the gate. Given the concern is about vehicular use of this access rather than use by pedestrians, it is considered more appropriate for the planning condition to relate to the erection of the bollard to prevent its use for vehicular traffic. This would also mean that the gate could potentially remain open for pedestrian and cycle access.</p>
6.24	<p>Throughout the planning application, the proposed access arrangements have evolved from use of the existing Carolan Road access (with alterations) to the current proposed access from Ormeau Road. DfI Roads had objected to the use of the Carolan Road access on road safety grounds. As previously noted, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to 'Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic', which represents a legitimate 'fall-back' for the applicant. A significant volume of objections were received in relation to the originally proposed Carolan Road Access. One further objection has been received in relation to the proposed revised access, however, it is considered that the proposed access directly on to the Ormeau Road is an improvement in terms of accessibility and road safety. Crucially, DfI Roads has no objection to the proposed revised access arrangements.</p>
6.25	<p>It is noted that a number of objections suggested the possibility of using the existing northerly access to the existing church car park, however, this is outside the red line boundary of the application, and is also not within the ownership of the applicant.</p>
6.26	<p>The proposed development includes weather protected cycle parking for 16 bicycles, with safe and convenient access for both cyclists and pedestrians. Public transport links are located nearby along the Ormeau Road, as well as close proximity to a Belfast Bikes station. Whilst the main access to the building is stepped, the proposal includes level</p>

	access via two other entrances. Internally, the proposed development includes two lifts to the upper floors.
6.27	The proposed means of access and parking arrangements are considered acceptable. It is advised that the proposal accords with Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN8.
6.28	<p>Impact on Listed Building</p> <p>As noted previously, the proposed development directly relates to a Grade B1 Listed Building (ref. HB26/01/062A), known as Good Shepherd Convent. Within the application site, there is another Grade B1 listed building, the Gate Lodge, Good Shepherd Convent Complex (ref. HB26/01/062B) which is not impacted by the proposal. Directly to the north of the site lies another Grade B1 listed building, the Chapel, Good Shepherd Convent Complex (ref. HB26/01/004). The amendment to the proposed site access has resulted in an additional opening within the stone wall surrounding the application site.</p>
6.29	The building has been vacant since 2018. It is considered that the proposed development will secure the building's upkeep and survival and the character, and that the architectural and historic interest of the building will be preserved. In this regard, the proposal is welcomed. It is considered that the proposed development will not impact detrimentally on the character of the listed gate lodge within the grounds of the site.
6.30	DfC Historic Environment Division (HED) has offered no objections. HED raised a number of issues within their original consultation response. Following submission of additional information, they advised that all the issues had been addressed. The architectural and historic qualities of the Listed Building would be safeguarded. It is considered that the proposed development complies with tests of Policy BH1.
6.31	<p>Residential Amenity</p> <p>The site is located next to two existing apartment buildings (directly to the west of the site). The proposed development does not include any new windows, alterations to the existing windows or any new lighting on the western elevation of the building. The windows on the first and second floor are proposed to serve offices, a meeting room, a staff amenity room and circulation space. The existing floor plans show offices and staff amenity room on the first floor with artists' studio and store room on the second. Furthermore, a new emergency exit door is located at the back of the building which grants access to an existing courtyard. There is currently a door accessing this courtyard but it is proposed to be closed up and replaced. It is not considered that the proposal will give rise to any unacceptable detrimental impacts on existing residents of the apartments. Whilst views of the apartment buildings will be achievable from the offices, this should not result in an unacceptable impact from overlooking.</p>
6.32	BCC Environmental Health (EHO) notes that the Service Management Plan (SMP) dated September 2020 states that the proposal includes additional on-site sanitary and amenity areas including an on-site gym / work out area for staff. Consequently, EHO has advised conditions limiting the use of the area from 18:00 – 08:00 and not permitting the use of amplified music. It is noted that the latest SMP dated July 2022 does not refer to the use of any on-site gym / work out area, therefore there, it is unnecessary to impose the conditions as suggested by EHO.
6.33	The proposal includes several bin stores within the proposed layout. Following consultation with EHO and BCC Building Control (BC), it is not considered that this will result in an unacceptable detrimental impact in terms of odour or vermin.

	<p>Impact on Trees</p>
6.34	<p>The application site is covered by a group Tree Preservation Order (TPO). The proposed development results in the loss of 14 no. existing trees from the site, due to changes to the existing layout. 6 no. of the 14 no. trees proposed for removal are contained within the TPO, specifically tree numbers 14, 19, 25, 28, 29 and 53. The below information relates to the trees proposed for removal and their condition, according to the submitted tree survey:</p>
6.35	<p>Tree 11 – Dead Tree 14 – Fair (TPO) Tree 19 – Fair (TPO) Tree 20 – Poor Tree 23 – Fair Tree 24 (Group) – Poor Tree 25 – Fair (TPO) Tree 26 – Fair Tree 28 – Fair (TPO) Tree 29 – Fair (TPO) Tree 37 – Poor Tree 38 – Poor Tree 53 – Fair (TPO)</p>
6.36	<p>The Council's Tree and Landscaping Officer (TLO) has advised that <i>'the trees to be removed are mainly evergreen grouped as high hedging, poor condition, or young in age typically less than 5m in height and limited in terms of visual amenity offering in contrast to trees being retained as part of the application'</i>.</p>
6.37	<p>The proposed layout has been amended during the process of the application. As noted in Para 6.17, the revised layout shows a new proposed access directly on to the Ormeau Road. Following submission of this amended drawing, the TLO advised of concerns regarding the impact on the protected trees in proximity to the access. The TLO stated that construction of the access should not reduce existing grass levels as that may potentially result in root severance and root compaction. Use of ground protection measures were recommended, whereby ground surface should be finished in a porous material to allow passage of water and nutrients. The TLO also provided advice in relation to foundations of the proposed wall and paving areas. The agent has provided additional information following these comments, advising that no reductions in ground level are required (topographical information submitted) and that only the footpaths either side of the new entrance road encroach on Root protection zones (RPZs). In the event of approval, the applicant is content that a condition is applied requiring surfacing in a permeable material. The applicant also advised that there is no new wall proposed, however, a section of existing wall will be taken down to accommodate the new access. The applicant also clarified that the only paving proposed is at the entrance to the building, away from RPZs. The TLO has been consulted following submission of the additional information and a response has not been received prior to publication. Delegated authority is sought to resolve any outstanding tree matters.</p>
6.38	<p>The site layout includes provision for parking of 32 cars, bin stores, substation and additional landscaping. The latest plans indicate that Trees 21 and 22 are to be retained, which is welcomed as they both offer existing amenity value and provide opportunities for wildlife to flourish. Furthermore, the parking layout has been amended, which will help to reduce any future impacts on the adjacent tree 42. A condition is recommended to require the installation of protective measures such as raised ropes to prevent cars parking on the grass and encroaching the RPZs.</p>

6.39	<p>9 no. semi-mature trees are proposed as part of the application planted at heights of 4.25m + comprising of field maple, Norway maple, oak, birch and tulip trees planted across the site along with 13 no. ornamental / topiary proposed trees consisting of holly and bay laurel complemented with a large mix of shrub planting. The TLO advises that <i>'mature existing trees of various species along with proposed landscaping (if managed and maintained to establish in healthy form) should help continue to create future amenity value within the site, promote biodiversity and offer a sense of place-making'</i>.</p>
6.40	<p>Subject to resolution of the outstanding issues and further comments from the TLO, the proposal is considered to satisfy Policy TRE1.</p>
<p>Other environmental issues</p>	
<p><i>Ecology:</i></p>	
6.41	<p>An Ecological Statement and Biodiversity Checklist were submitted in support of the proposed development. The ecological statement contained information on bats, indicating that both buildings on site have negligible roosting potential, however, two trees on site have moderate suitability for roosting bats. DAERA NIEA Natural Environment Division (NED) are content that the two trees are proposed for retention as part of the development. Information has been submitted in relation to external lighting within the site. NED are content with the lighting proposals, recommending that the proposed lighting measures are implemented fully. With regard to impact on breeding birds, NED recommend that any tree felling and vegetation clearance within the site should be completed outside of the bird breeding season. NED have no objections to the proposed development, subject to conditions. It is considered that the proposal will not have an unacceptable impact on sites, habitats, species, ecosystems or networks that are important for their nature conservation, biodiversity or geodiversity value. The proposal complies with Policy NH1.</p>
<p><i>Environmental Impact Assessment:</i></p>	
6.42	<p>The proposed development has a site area of 0.57 Ha and therefore falls within Schedule 2, Part 10 (b) 'Urban development projects, including the construction of shopping centres and car parks' of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as the area of site would exceed 0.5 Ha.</p>
6.43	<p>Consequently, the proposed development was screened in accordance with the above Regulations. It is considered that the proposal does not have the potential for significant environmental impacts by reason of size, nature and location therefore an Environmental Statement was not required.</p>
<p><i>Sewage / Drainage:</i></p>	
6.44	<p>NI Water (NIW) confirms that there is available capacity to serve the proposed development, however, they advise that the developer should consult with NIW at an early design stage by means of a Pre development enquiry (PDE) to obtain details of availability of existing water / sewerage infrastructure. The proposal accords with Policy SP1a.</p>
<p><i>Climate Change:</i></p>	
6.45	<p>The proposal provides a sustainable and long term use for an existing vacant listed building which will secure the maintenance and upkeep of an important heritage asset. The proposal has been sensitively designed to ensure retention of existing fabric. The proposal includes permeable parking bays throughout the car park and largely retains the majority of existing soft landscaped areas within the site. It is considered that the proposal includes</p>

6.46	<p>measures to manage surface water effectively on site and reduce water runoff. The proposal is considered to accord with Policies ENV2, ENV3 and ENV5.</p> <p><i>Waste management:</i></p> <p>Further to receipt of objections regarding proposed waste management, BCC Building Control (BC) were consulted and they advise that the proposal has sufficient development opportunity to comply with the Building Regulations in this regard. Furthermore, BC also advised that the proposal had sufficient development opportunity to comply with Regulations in respect of fire safety and access / facilities for disabled people.</p>
7.0	Recommendation
7.1	Having regard to the statutory development plan and material considerations, the proposed development and works are considered acceptable.
7.2	It is recommended that planning permissions and Listed Building Consent are granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.
<p>CONDITIONS:</p> <p>LA04/2020/1901/F</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. The vehicular access onto Ormeau Road shall be constructed in accordance with PSD Drawing No 7002 Rev P01, prior to the commencement of any other works or other development hereby permitted. <p>Reason: To ensure safe and convenient access to the development.</p> <ol style="list-style-type: none"> 3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans. <p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <ol style="list-style-type: none"> 4. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times. All such areas must be permanently retained in accordance with the approved plans. <p>Reason: To ensure adequate car parking within the site.</p> <ol style="list-style-type: none"> 5. The access gradient to the Ormeau Road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. 	

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan dated Jul 2022.

Reason: In the interests of road safety and convenience of road users.

7. The development hereby approved shall not be occupied or operated unless in accordance with the approved workplace Framework Travel Plan dated July 2022.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

8. Prior to the occupation of the proposed development, the proposed bollard located in front of the Carolan Road Access gates shall be constructed as per Drawing No. 14G and permanently retained as such.

Reason: To prevent vehicular use of the access in the interests of road safety.

9. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

10. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

11. Prior to any works commencing on site, protective barriers (fencing) and ground protection measures shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. If roots are accidentally damaged, the Council must be notified immediately in writing and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing vegetation.

13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

14. Prior to occupation of the hereby approved development, the Lighting Plan shall be implemented in accordance with the approved details and retained permanently, unless otherwise agreed in writing by the Council. The Plan shall conform with the methodology set out in the Arup Technical Note dated 29th January 2021. There shall be no external lighting unless in accordance with the approved details.

Reason: To minimise the impact of the proposal on bats and other wildlife.

15. No demolition/tree felling/clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition/tree felling/clearance works and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

16. A soft-felling approach shall be implemented for the felling or arboricultural works on any tree assessed as having low bat roost potential. Should any bats be discovered during felling, the Council must be contacted immediately.

Reason: To protect bats

17. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All car parking spaces shall be constructed using permeable materials, in accordance with the approved plans.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

19. Notwithstanding the submitted details, the development hereby approved shall not be occupied or operated unless details of the proposed pedestrian footways on either side of the site access has been submitted to and approved in writing by the Council. The footways shall be constructed with permeable materials. The development shall not be carried out unless in accordance with the approved scheme, which shall be retained as such thereafter.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

20. The development hereby approved shall not be occupied or operated unless timber bollards have been constructed in accordance with the approved Drawing No. 14G and the submitted details. The timber bollards shall be permanently retained.

Reason: To prevent cars parking on the grassed areas so as to safeguard the setting of the Listed Building and prevent damage to trees.

LA04/2020/1899/LBC

1. The works hereby granted must be begun within five years from the date of this consent.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

LA04/2022/1677/F

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The vehicular access onto Ormeau Road shall be constructed in accordance with PSD Drawing No 7002 Rev P01, prior to the commencement of any other works or other development hereby permitted.

Reason: To ensure safe and convenient access to the development.

3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

4. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times. All such areas must be permanently retained in accordance with the approved plans.

Reason: To ensure adequate car parking within the site.

5. The access gradient to the Ormeau Road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan dated Jul 2022.

Reason: In the interests of road safety and convenience of road users.

7. The development hereby approved shall not be occupied or operated unless in accordance with the approved workplace Framework Travel Plan dated July 2022.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

8. Prior to the occupation of the proposed development, the proposed bollard located in front of the Carolan Road Access gates shall be constructed as per Drawing No. 14G and permanently retained as such.

Reason: To prevent vehicular use of the access in the interests of road safety.

9. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

10. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

11. Prior to any works commencing on site, protective barriers (fencing) and ground protection measures shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. If roots are accidentally damaged, the Council must be notified immediately in writing and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing vegetation.

13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

14. Prior to occupation of the hereby approved development, the Lighting Plan shall be implemented in accordance with the approved details and retained permanently, unless otherwise agreed in writing by the Council. The Plan shall conform with the methodology set out in the Arup Technical Note dated 29th January 2021. There shall be no external lighting unless in accordance with the approved details.

Reason: To minimise the impact of the proposal on bats and other wildlife.

15. No demolition/tree felling/clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition/tree felling/clearance works and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

16. A soft-felling approach shall be implemented for the felling or arboricultural works on any tree assessed as having low bat roost potential. Should any bats be discovered during felling, the Council must be contacted immediately.

Reason: To protect bats

17. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All car parking spaces shall be constructed using permeable materials, in accordance with the approved plans.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

19. Notwithstanding the submitted details, the development hereby approved shall not be occupied or operated unless details of the proposed pedestrian footways on either side of the site access has been submitted to and approved in writing by the Council. The footways shall be constructed with permeable materials. The development shall not be carried out unless in accordance with the approved scheme, which shall be retained as such thereafter.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

20. The development hereby approved shall not be occupied or operated unless timber bollards have been constructed in accordance with the approved Drawing No. 14G and the submitted details. The timber bollards shall be permanently retained.

Reason: To prevent cars parking on the grassed areas so as to safeguard the setting of the Listed Building and prevent damage to trees.