

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/3888/F	Committee Meeting Date: 16h January 2024
Proposal: Proposed two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers.	Location: Cathedral Gardens Belfast BT1 2GT
Referral Route: Belfast City Council is the applicant.	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9-21 Adelaide Street Belfast Belfast BT2 8DJ	Agent Name and Address: Belfast City Council 9-21 Adelaide Street Belfast Belfast BT2 8DJ
<p>Executive Summary:</p> <p>This application seeks full planning permission for a two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers. One container will house active travel operators and the other will store bicycles and other equipment. The application is seeking an extension of time due to an offer of additional funding which will enable the continuation of services at the Active Travel Hub as a meanwhile/pilot project within the Cathedral Gardens site.</p> <p>The proposal is a temporary project which seeks to increase active travel and push for modal shift to sustainable modes of transport. As a time limited project, it is in general conformity with the relevant policy and area designations.</p> <p>The key issues are:</p> <ol style="list-style-type: none"> a) Principle of development; b) Impact on the character and appearance of the area including the Conservation Area and adjacent listed buildings; c) Noise, odour and other environmental impacts <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions, for a temporary two year period.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Officer Report

1.0

Drawings

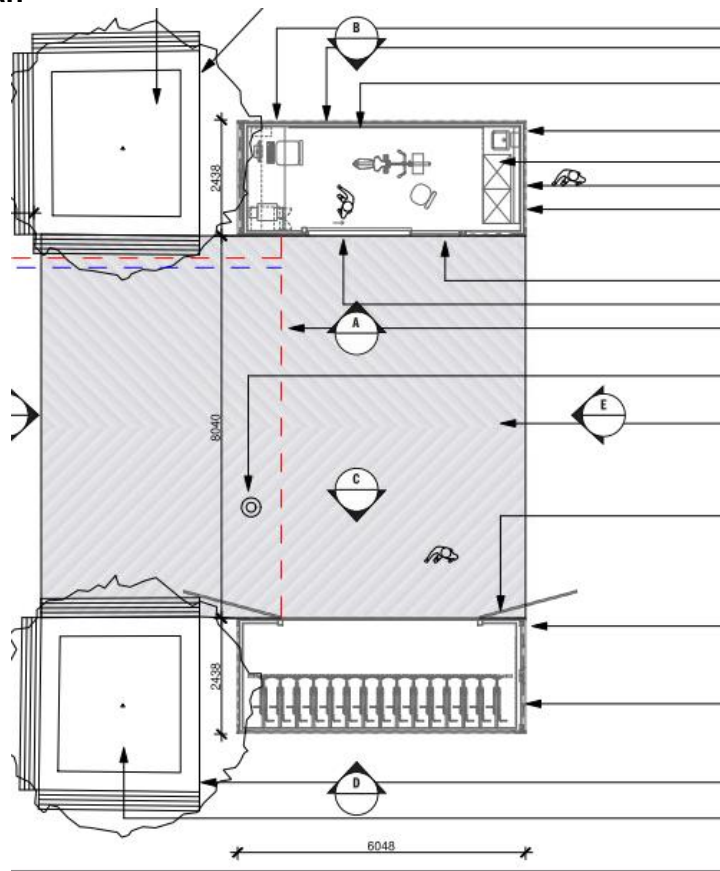
1.1

Site Location Plan



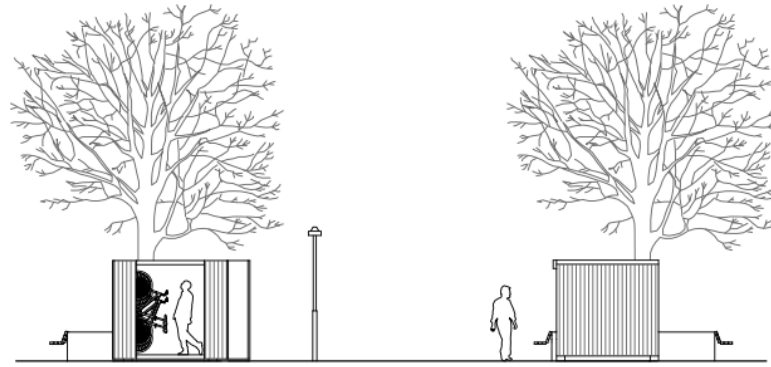
1.2

Site Layout Plan

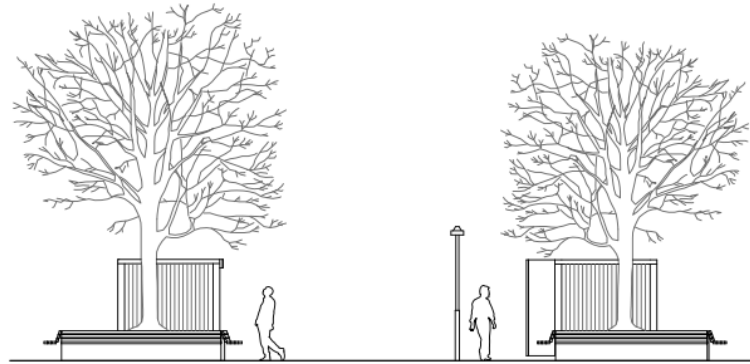


1.3

Proposed Elevations



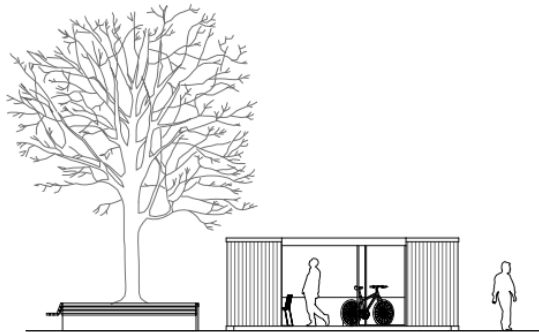
E - ELEVATION WEST



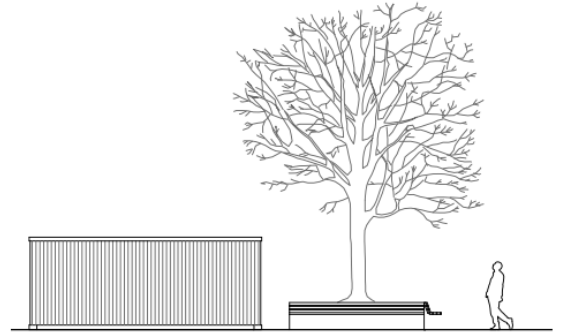
F - ELEVATION EAST

1.4

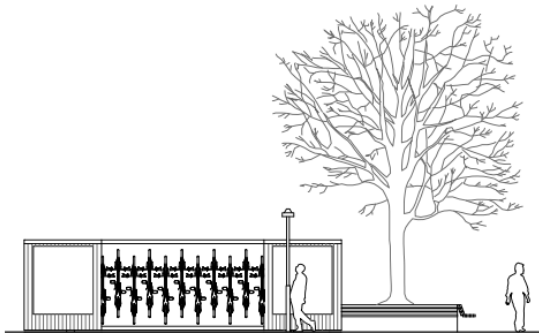
Proposed Elevations



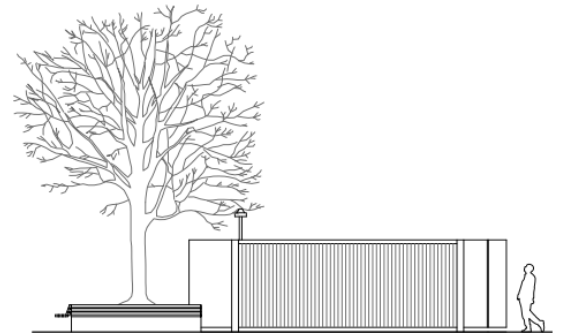
A - CONTAINER 1 ELEVATION NORTH



B - CONTAINER 1 ELEVATION SOUTH



C - CONTAINER 2 ELEVATION SOUTH



D - CONTAINER 2 ELEVATION NORTH

2.0	Characteristics of the Site and Area
2.1	The site is located within an area of public space at Cathedral Gardens within Belfast City Centre and Cathedral Conservation Area. St Anne's Cathedral is located South-East of the proposal and University of Ulster Campus is situated North of the proposal. The 2no. shipping containers already exist on site on a temporary basis, this application seeks to extend the period by a further two years. The surrounding area is characterised by a mix of uses including office, retail, community and educational.
3.0	Description of Proposal
3.1	Proposed two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers.
3.2	The painted shipping containers measure 6m x 2.4m with standard steel container doors.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	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)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Cathedral Conservation Design Guide Belfast Agenda
4.5	Planning History LA04/2015/0184/F - Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral Gardens – Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high-quality natural stone paving, street furniture, trees, lighting, and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens. Permission Granted - 26.11.2015 LA04/2021/1707/F – Cathedral Gardens - Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years Permission Granted – 29.11.2021

5.0	Consultations and Representations
5.1	<p>Statutory Consultations DfI Roads – Content Historic Environment Division – Content</p>
5.2	<p>Non-Statutory Consultations BCC Environmental Health - No objection Conservation Officer - No objection</p>
5.3	<p>Representations The application has been advertised and neighbours notified, no representations have been received.</p>
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context 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>
6.1.2	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.
6.1.3	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
6.1.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.1.5	Proposals Maps – 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.
6.2	<p>Key Issues The key issues are:</p> <ol style="list-style-type: none"> a) Principle of development b) Impact on the character and appearance of the area including the Conservation Area and adjacent listed buildings c) Noise, odour and other environmental impacts

6.3	Principle of development
6.3.1	The principle of a temporary development of this nature on the site has already been established under planning approval LA04/2021/1707/F for an 'Active Travel Hub Comprising 2no. Shipping Containers. 1 Container to House Active Travel Operators, 1 Container to Store Bicycles and other Equipment. Temporary Permission for Two Years'. The Active Travel Hub is a facility for cycling and walking activities and a base to provide information and knowledge on modal shift change to encourage a new outlook on sustainable green travel measures within the city. The 2no. shipping containers house travel operators with office space, cycling storage and workshop capabilities.
6.3.2	The site is located on undesignated land within the city centre boundary, an Area of Parking Restraint and the Cathedral Conservation Area. The Active Travel Hub is compliant with these designations and will remain ancillary to the existing use of the site as public open space and will not impact the urban landscape. The proposal is considered to comply with Policy OS1- Protection of Open Space of Belfast Local Development Plan, Plan Strategy 2035.
6.3.3	This application seeks a two-year extension to planning approval LA04/2021/1707/F. It is considered that allowing the shipping containers to remain in situ for an additional two years would enable the continuation of service at the Active Travel Hub as a meanwhile project. It is considered that this permission for a further two years should be the last temporary permission allowed as the shipping containers would not be deemed an appropriate permanent structure on this site.
6.4	Impact on the character and appearance of the area including the Conservation Area and adjacent listed buildings
6.4.1	The proposal is in close proximity to the following listed buildings which are of special architectural and historic importance and are protected by Section 80 of the Planning Act (NI) 2011: <ul style="list-style-type: none"> • HB26 50 067 The Cathedral Church of St. Anne, Donegall Street, Belfast • HB26 50 279 Cathedral Buildings, 60-68 Donegall Street, Belfast • Historic Environment Division (HED) has considered the impact on the listed buildings and are content with the proposal. A condition was recommended ensuring the containers are below 2.5m. There are scaled drawings accompanying the application which demonstrate that they are 2.4m in height and therefore the condition is unnecessary. The proposal complies with Policy BH1 (Listed Buildings) of Belfast Local Development Plan, Plan Strategy 2035.
6.4.2	The site is within the Cathedral Conservation Area. Section 104 of the Planning Act sets out that where an area is for the time being designated as a conservation area 'special regard must be had in the exercise with respect to any buildings or other land in that area of any powers under this act to the desirability to: - <ol style="list-style-type: none"> a. preserve the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise b. enhancing the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does arise'.
6.4.3	The Conservation Officer has been consulted on the application and has no objection to the proposal. It is considered that the proposal is for a time limited duration and allowing the containers to remain in situ for an additional two years will not cause unacceptable impact on the character and appearance of the area. The proposal is compliant with policy BH2 – Conservation Areas of Belfast Local Development Plan, Plan Strategy 2035.

6.5	Noise, odour and other environmental impacts
6.5.1	Environmental Health have been consulted and have no objection to the proposal subject to a condition.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS:

- The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission.

Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained permanently.

DRAFT INFORMATIVES:

- Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

ANNEX

Date Valid	18.09.2023
Date First Advertised	29.09.2023
Date Last Advertised	N/A

Details of Neighbour Notification (all addresses)

51 YORK STREET TOWN PARKS BELFAST ANTRIM BT15 1AA
76-78 DONEGALL STREET TOWN PARKS BELFAST ANTRIM BT1 2GU
95-97 DONEGALL STREET TOWN PARKS BELFAST ANTRIM BT1 2AH
ART & DESIGN CENTRE 25-51 YORK STREET TOWN PARKS BELFAST BT15 1ED
METROPOL HOUSE 2-10 YORK STREET TOWN PARKS BELFAST BT15 1AQ
ST ANNE'S CATHEDRAL DONEGALL STREET TOWN PARKS BELFAST BT1 2HB