

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/4592/F	Committee Meeting Date: 13 th February 2024
Proposal: Temporary period for a change of use from Retail (A1) to Community facility (D1)	Location: Ground Floor 102 Royal Avenue, Belfast, BT1 1D
Referral Route: Referral to the Planning Committee under Section 3.8.5. (d) of the Scheme of Delegation i.e. Council having an estate in the land.	
Recommendation:	Approve with Conditions
Applicant Name and Address: Colin Hayburn Extern 188-122 Royal Avenue Belfast BT1 1DL	Agent Name and Address: Megan Ross Ostick & Williams 14 Edgewater Road Belfast BT3 9JQ
<p>Executive Summary: This application seeks full planning permission for the Change of use of the ground floor of 102 Royal Avenue from Retail (A1) to Community Facility (D1). The change of use will facilitate a temporary harm Reduction Centre. The unit is currently vacant. This will bring a temporary use to a vacant building.</p> <p>There are no physical alterations or works proposed to the building and all installations are internal and temporary. The site is adjacent to the Cathedral and City Centre conservation areas.</p> <p>There is an associated advertisement consent under planning reference LA04/2024/0056/A.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> - Acceptability of the use in the city centre location. <p>The site is located within Belfast City Centre as designated in the BUAP and both versions of draft BMAP 2015 (2004 and 2014).</p> <p>Due to the nature of the proposal i.e. change of use no consultations were considered necessary.</p> <p>Recommendation 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.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.</p>	

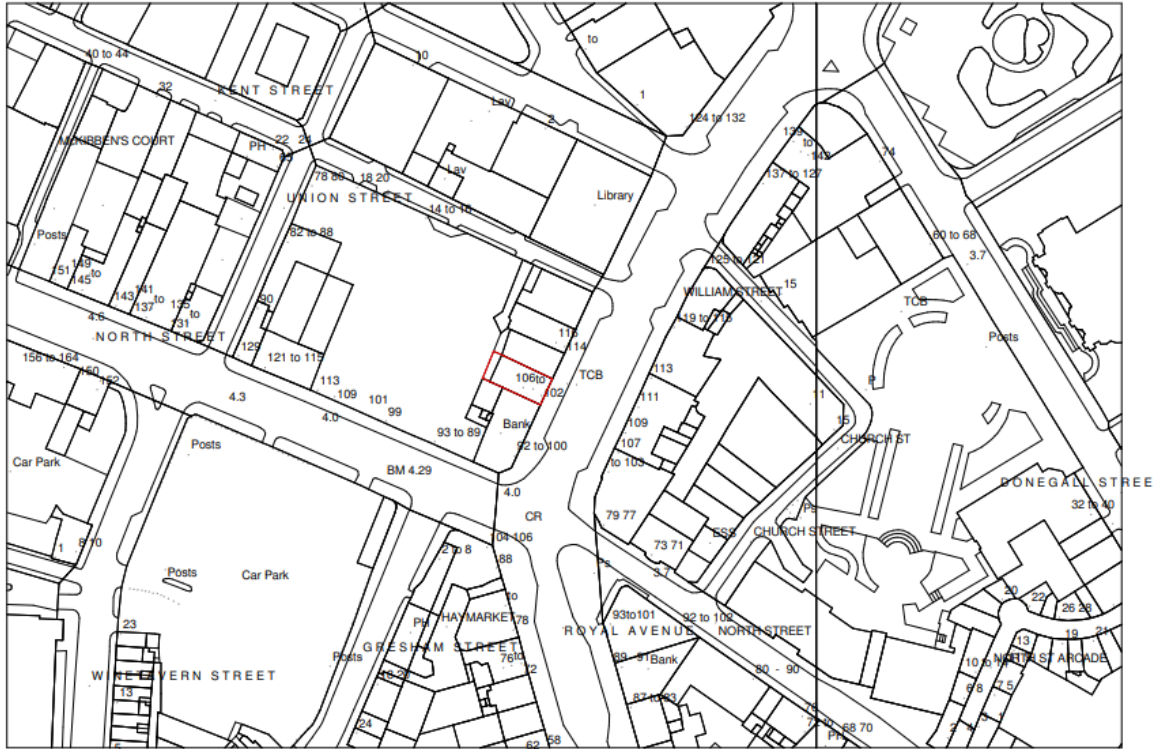
Officer Report

1.0

Drawings

1.1

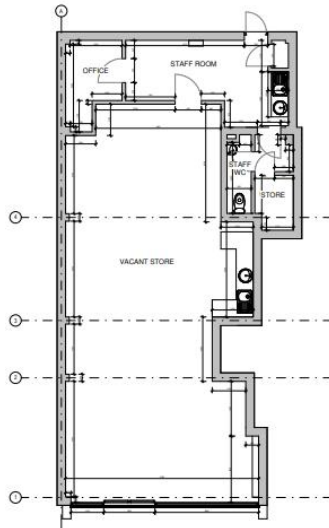
Site Location Plan:



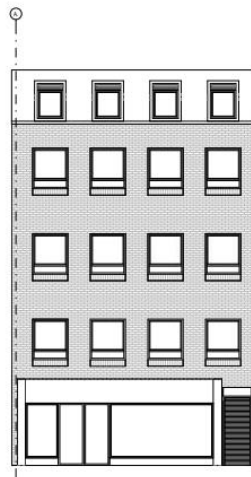
SITE LOCATION PLAN

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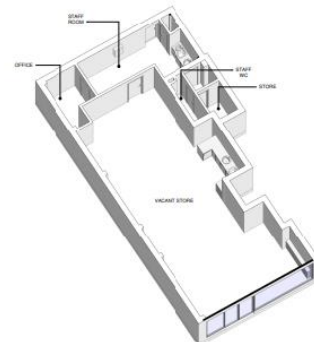
Existing Floor Plans and Elevations:



Existing Floor Plan.



Existing Shop Front Elevation.



Existing Axonometric

PROJECT: [illegible]
 DRAWN BY: [illegible]
 DATE: 01-01-2023
 SCALE: 1:500
 SHEET NO: 1 OF 1
OSTICK + WILLIAMS
 ARCHITECTS
 100, [illegible]
 [illegible]

	<p>Proposed Floorplans and Elevations</p> <p>Proposed Floor Plan</p> <p>Proposed Shop Front Elevation</p> <p>Proposal Axonometric</p> <p>ROLLER SHUTTER RETENTION MADE GOOD PAINTED RAL 5003</p> <p>WINDOW FRAMES RAL 7035</p> <p>SEMI-OBSCURE TRANSLUCENT FILM</p> <p>MANUAL SINGLE LEAF DOOR</p> <p>FIXED SCREEN</p> <p>SEMI-OBSCURE TRANSLUCENT FILM</p> <p>OFFICE</p> <p>CONSULTATION ROOM 01</p> <p>CONSULTATION ROOM 02</p> <p>MEDICAL ROOM</p> <p>STAFF WC</p> <p>STAFF ROOM</p> <p>STORE</p> <p>ENABLED WC FEMALE</p> <p>ENABLED WC MALE</p> <p>HINGED COUNTER ACCESS</p> <p>RECEPTION</p> <p>NEEDLE EXCHANGE</p> <p>OFFICE</p> <p>MEDICAL ROOM</p> <p>STAFF ROOM</p> <p>STAFF WC</p> <p>STORE</p> <p>ENABLED WC FEMALE</p> <p>ENABLED WC MALE</p> <p>CONSULTATION ROOM 01</p> <p>CONSULTATION ROOM 02</p> <p>HINGED COUNTER ACCESS</p> <p>RECEPTION</p> <p>NEEDLE EXCHANGE</p> <p>OSTICK + WILLIAMS</p>
<p>2.0</p>	<p>Characteristics of the Site and Area</p>
<p>2.1</p>	<p>The site is part of an office/retail development which was granted permission in the 1970s. The five-storey vacant mixed-use building is characterised by red brick and directly adjoins the modern extension to the Listed Bank of Ireland Building (92- 100 Royal Avenue) (Grade B+) The site is located within the city centre boundary designation CC 001.</p>
<p>3.0</p>	<p>Description of Proposal</p>
<p>3.1</p>	<p>Temporary period for a change of use of the ground floor from A1 retail to Community Facility (D1) for a harm reduction centre.</p>
<p>4.0</p>	<p>Planning Policy and Other Material Considerations</p>
<p>4.1</p>	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
<p>4.2</p>	<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>
<p>4.3</p>	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
<p>4.4</p>	<p>Other Policies Belfast Agenda</p>

4.5	<p>Relevant Planning History</p> <p><u>Application Site</u></p> <ul style="list-style-type: none"> - Z/1975/0533 - 102-106 Royal Avenue - Erection of Shop and Offices – Decision: Permission Granted. - Z/1976/0812 - 102-106 Royal Avenue - Erection of Shop and Offices – Decision: Permission Granted. - Z/1979/0035- 102-106 Royal Avenue - Erection of Shop and Offices – Decision: Permission Granted. - Z/1980/1362 – 102 Royal Avenue – Shop Fascia Sign – Decision: Permission Granted - Z/1996/2357 – 102 Royal Avenue - Erection of illuminated fascia sign and projecting sign- Decision: Permission Granted – 16/10/1996. - Z/1996/2361 – 102 Royal Avenue – Replacement Shopfront – Decision: Permission Granted- 22/10/1996. - LA04/2020/0354/PAN - 92-106 Royal Avenue, 89-129 North Street + 78-90 Union Street - The proposed mixed use re-development of the site, ranging between 5-9 stories over ground, will comprise new build floorspace of Class B1(a) office, Class C1 residential apartments, a hotel (sui generis), active ground floor uses including retail (A1), restaurants, cafes and bars (sui generis), with associated parking and related access for the redevelopment. – 05/02/2020.
5.0	<p>Consultations and Representations</p>
5.1	<p>Statutory/Non-Statutory Consultations Due to the minor nature of the proposal consultations were not sought.</p>
5.2	<p>Representations The application has been advertised in the local press and neighbours notified. The Council has received no written representations to date.</p>
6.0	<p>PLANNING ASSESSMENT</p>
	<p>Development Plan Context</p>
6.1	<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 Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.</p>
6.4	<p>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</p>

	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 Spruce field which remain contentious.
6.5	Key Issues
6.5.1	The key issues are: <ul style="list-style-type: none"> - Acceptability of the proposed use in the city centre location <p>The key issue is assessed below.</p>
6.6	Acceptability of the proposed use in the city centre location
6.6.1	The SPSS sets out five core planning principles for the planning system, including improving health and wellbeing, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The site is located with Belfast City centre boundary in the BUAP and draft BMAP (v2014). The site falls outside the primary retail core and primary retail frontage as designated in draft BMAP (v2014). The proposed community use is a main town centre land use and is considered acceptable principle in this city centre location. Further assessment of the proposal is set out below.
6.6.2	Policy CI1- Community Infrastructure] of the Plan Strategy states that the council will seek to protect and provide development opportunities for community, health, leisure, nurseries and educational facilities based on local need in line with the projected population growth over the plan period.
6.6.3	The policy further states that ' <i>Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area subject to consideration of the nature and location of any proposals. All proposals shall ensure that there is no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements are provided for access to all, including pedestrians, cyclists and public transport.</i> The site is not located near residential properties and there will be no unacceptable impact on residential amenity. The site sits adjacent to the listed Bank of Ireland building however there are no external amendments proposed and there will be no impact on the adjacent built heritage features. There are no natural heritage features within or adjacent to the site. The site is located within the city centre and is easily accessible by pedestrians, cyclists, and public transport. The proposal complies with Policy CI1.
6.6.4	The building façade is to be maintained with no external alterations beside the associated signage which is the subject of a separate advertisement consent (LA04/2023/LA04/2024/0056/A).
6.6.5	The development proposes the sustainable re-use of a vacant unit in the city centre and the proposed use seeks to improve the wellbeing of citizens through the provision of a community facility serving the needs of the city.
6.6.6	In summary the proposed change of uses complies with policy and is considered acceptable.
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 conditions and deal with any other matters which may arise.
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none">1. The use hereby granted shall be discontinued to the satisfaction of the Local Planning Authority on or before 31st January 2027. <p>Reason: Temporary permission</p> <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none">1. This decision relates to the following approved drawing numbers 01,03 & 04 published to the Northern Ireland public Register on 15/01/2024.2. 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.3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.	