

# Development Management Report

| <b>Summary</b>  |  |
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| <b>Committee Date:</b> 11 <sup>th</sup> February 2025   |  |
| <b>Application ID:</b> LA04/2024/1551/F   |  |
| <b>Proposal:</b><br>Public Realm Environmental Improvement scheme.  | <b>Location:</b><br>Cathedral Gardens (Buoy Park),<br>Donegall Street,<br>Belfast,<br>BT1 2GT                                    |
| <b>Referral Route:</b> Section 3.8.5 (c) of the Scheme of Delegation. Belfast City Council is the applicant.  |  |
| <b>Recommendation:</b> Approval subject to conditions   |  |
| <b>Applicant Name and Address:</b><br>Michael O'Donnell<br>Belfast City Council<br>Property & Projects Department<br>3rd Floor, 9 Adelaide<br>9-21 Adelaide Street<br>Belfast<br>BT2 8DJ  | <b>Agent Name and Address:</b><br>Tony Quinn<br>Braniff Associates<br>5 Windsor Avenue North<br>Malone Road<br>Belfast<br>BT96EL |
| <b>Date Valid:</b> 26/09/2024   |  |
| <b>Target Date:</b> 09/01/2025  |  |
| <b>Contact Officer:</b> Lisa Walshe, Principal Planning Officer, Development Management.  |  |
| <p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for a public realm scheme within Cathedral Gardens (Buoy Park), sited along Donegall Street. The proposal includes the following:</p> <ul style="list-style-type: none"> <li>• An interactive lighting experience in the form of catenary lighting on feature columns, including a canopy covered digital tile play zone and projector provision for digital art displays;</li> <li>• A public plaza capable of accommodating small to modestly sized events;</li> <li>• An urban forest / woodland garden area to function as a quiet place and to promote wildlife;</li> <li>• A lawn area next to the university to soften this urban environment and complement university café culture;</li> <li>• A WWII Blitz memorial; and</li> <li>• Retention of Rinty Monaghan (champion boxer) statue.</li> </ul> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Design, character and appearance.</li> <li>• Health and wellbeing</li> <li>• Access, movement, and transport</li> <li>• Environmental considerations</li> </ul> |  |

- Landscaping, green infrastructure and trees
- Built heritage
- Amenity

The site is within the settlement limits and zoned within the city centre as detailed in the BUAP and within the draft Belfast Metropolitan Area Plan 2015 (v2004) and dBMAP (2014v).

The proposed public realm scheme is considered acceptable within this sustainable city centre location and complies with design, environmental, transportation, built and natural heritage and community infrastructure policies contained within the LDP Plan Strategy.

The Planning Service has received 2 no third-party neutral comments.

DFI Roads, DFI Rivers, BCC Landscape Planning and Development, Historic Environment Division, BCC Conservation, BCC Trees, BCC Urban Design, BCC Culture, Northern Ireland Environment Agency (NIEA) have been consulted and provided feedback on the proposal. All of the listed consultees have returned no objections, subject to conditions and informatives.

BCC Environmental Health were also consulted and in their initial response on 31/10/2024 they requested a Quantitative Risk Assessment or a Remediation Strategy. On 17/01/2025, following receipt of a Remediation Strategy, Environmental Health were re-consulted to provide comment.

### **Recommendation**

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise a response from Environmental Health, finalise the wording of the conditions and deal with any other issues that arise, provided that the issues are not substantive.

# Case Officer Report

## DRAWINGS AND IMAGERY

### Site Location Plan:



### Site Layout Plan:



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| <p><b>1.0</b></p> <p>1.1</p> <p>1.2</p> <p>1.3</p> | <p><b>Characteristics of the Site and Area</b></p> <p>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 surrounding area is characterised by a mix of uses including office, retail, community and educational.</p> <p><b>Description of Proposed Development</b></p> <p>The application is seeking full planning permission for a public realm environmental improvement scheme.</p>  |
| <p><b>2.0</b></p> <p>2.1</p> <p>2.2</p> <p>2.3</p> | <p><b>PLANNING HISTORY</b></p> <p>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 &amp; 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</p> <p>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</p> <p>LA04/2023/3888/F - Proposed two-year extension to planning approval LA04/2021/1707/F for an Active Travel Hub Comprising 2no. Shipping Containers. Permission Granted – 09.02.2024</p> |
| <p><b>3.0</b></p> <p>3.1</p>                       | <p><b>PLANNING POLICY</b></p> <p><b>Development Plan – Plan Strategy</b></p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies</i></p> <ul style="list-style-type: none"> <li>• Policy SP1A – managing growth and supporting infrastructure delivery</li> <li>• Policy SP2 – sustainable development</li> <li>• Policy SP3 – improving health and wellbeing</li> <li>• Policy SP5 – positive placemaking</li> <li>• Policy SP6 – environmental resilience</li> <li>• Policy SP7 – connectivity</li> </ul> <p><i>Operational Policies</i></p> <ul style="list-style-type: none"> <li>• Policy SP3 – Improving health and wellbeing</li> <li>• Policy SP5 – Positive Placemaking</li> <li>• Policy DES1 – Principles of urban design</li> </ul>   |

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| <p>3.2</p> <p>3.3</p> <p>3.4</p> | <ul style="list-style-type: none"> <li>• Policy BH1 – Listed buildings</li> <li>• Policy BH4 – Works to grounds affecting built heritage assets</li> <li>• Policy HC1 – Promoting healthy communities</li> <li>• Policy CI1 – Community Infrastructure</li> <li>• Policy CC1 – Development opportunity sites</li> <li>• Policy TRAN1 – Active travel – walking and cycling</li> <li>• Policy TRAN2 – Creating an accessible environment</li> <li>• Policy TRAN8 – Car parking and servicing arrangements</li> <li>• Policy ENV1 – Environmental quality</li> <li>• Policy ENV2 – Mitigating environmental change</li> <li>• Policy ENV4 – Flood risk</li> <li>• Policy ENV5 - Sustainable drainage systems (SuDS)</li> <li>• Policy OS2 – New open space within settlements</li> <li>• Policy TRE1 – Trees</li> </ul> <p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> <li>• Creating Places</li> <li>• Living Places - An Urban Stewardship and Design Guide for Northern Ireland</li> </ul> <p><b>Development Plan – zoning, designations and proposals maps</b></p> <p>Belfast Urban Area Plan (2001) BUAP<br/> Draft Belfast Metropolitan Area Plan 2015 (v2004)<br/> Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>Regional Planning Policy</b></p> <p>Regional Development Strategy 2035 (RDS)<br/> Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p><b>Other Material Considerations</b></p> <p>Developer Contribution Framework (2020)<br/> <i>Belfast Agenda</i> (Community Plan)</p> |
| <p>4.0</p> <p>4.1</p> <p>4.2</p> | <p><b>CONSULTATIONS AND REPRESENTATIONS</b></p> <p><u>Statutory Consultees</u></p> <ul style="list-style-type: none"> <li>• DfI Roads – No objections, recommended informatives.</li> <li>• DfI Rivers – Content, recommended informatives.</li> <li>• NI Water – consulted, no response yet received.</li> </ul> <p><u>Non-Statutory Consultees</u></p> <ul style="list-style-type: none"> <li>• BCC Environmental Health – awaiting final response (re-consulted with Remediation strategy on 17/01/2025).</li> <li>• HED (Historic Monuments) – Content, subject to conditions.</li> <li>• HED (Historic Buildings) – Content.</li> <li>• NIEA (Water Management Unit) – Content, subject to the applicant referring to and adhering to DAERA standing advice; informatives recommended.</li> <li>• NIEA (Regulation Unit Land and Ground Water Team) – No objection, subject to conditions and informatives.</li> </ul>  |

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| <p>4.3</p> <p>4.4</p> <p>4.5</p> <p>4.6</p> <p>4.7</p>            | <p><u>Internal Advice</u></p> <ul style="list-style-type: none"> <li>• BCC Conservation – Content.</li> <li>• BCC Landscape Planning and Development – Supportive.</li> <li>• BCC Trees – No objections, recommended conditions.</li> <li>• BCC Urban Design – Content.</li> </ul> <p><u>Representations</u></p> <p>The application has been advertised and neighbours notified. The Council has received 2 no. neutral comments from third parties.</p> <p>The first representation voiced concerns in relation to the construction phase of the projected and the impact that it may have on their business. They detail that there needs parts of it kept accessible for the public during the construction period. The Design and Access Statement details that “it is anticipated that there will be no road closures during construction. There will be closures of the adjacent public footpaths during the works. Site works will not impact the function of the existing University of Ulster bus stop along York Street”.</p> <p>The second comment received was neutral in stance and queried the timeline for the development. The Agent was invited to comment and has confirmed in an email that the mobilisation period for commencement of public realm works is projected for 01/07/2025.</p>   |
| <p>5.0</p> <p>5.1</p> <p>5.2</p> <p>5.3</p> <p>5.4</p> <p>5.5</p> | <p><b>PLANNING ASSESSMENT</b></p> <p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Design, character and appearance.</li> <li>• Community infrastructure</li> <li>• Health and wellbeing</li> <li>• Access, movement, and transport</li> <li>• Environmental considerations</li> <li>• Landscaping, green infrastructure and trees</li> <li>• Built heritage.</li> <li>• Amenity</li> </ul> <p><b>Development Plan Context</b></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> <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> <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</p> |

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|      | <p>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>  |
| 5.6  | <p><u>Operational Polices</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>  |
| 5.7  | <p><u>Proposals Maps</u></p> <p>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 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> <p><b>Belfast Urban Area Plan 2001</b> – The site is located within the designated City Centre and Main Office Area for Belfast.</p> <p><b>Belfast Metropolitan Area Plan 2015 (2004)</b></p> <p><b>Belfast Metropolitan Area Plan 2015 (v2014)</b></p> <p>Main Office Area; Belfast City Core Area of Parking Restraint; City Centre Boundary Belfast City; Cathedral Conservation Area; Character Area: Scotch and Cathedral Quarters; Development Limit.</p> |
| 5.8  | <p><u>Principle of development</u></p>  |
| 5.9  | <p>The SPPS advises that planning permission should be granted for sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance.</p>  |
| 5.10 | <p>The proposals seek to make alterations to the streetscape. In the Design and Access Statement submitted, it details that the proposal aims to provide Belfast City Centre with an innovative, multifunctional, and digitally driven vision for Cathedral Gardens.</p>  |
| 5.11 | <p>The proposed development includes the following schemes:</p> <ul style="list-style-type: none"> <li>• An interactive lighting experience in the form of catenary lighting on feature columns, including a canopy covered digital tile play zone and projector provision for digital art displays;</li> <li>• A public plaza capable of accommodating small to modestly sized events;</li> <li>• An urban forest / woodland garden area to function as a quiet place and to promote wildlife;</li> <li>• A lawn area next to the university to soften this urban environment and complement university café culture;</li> <li>• A Blitz memorial to commemorate this WWII tragedy; and</li> </ul>   |

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|      | <ul style="list-style-type: none"> <li>Retention of Rinty Monaghan statue.</li> </ul>   |
| 5.12 | The principle of this public realm scheme is aligned with overarching policy direction set out in the RDS 2035, SPPS, Belfast Agenda and the Belfast Local Development Plan – Plan Strategy 2035.   |
| 5.13 | <b>Design, character and appearance.</b>  |
| 5.14 | The proposal is centred around a large area of public space in Belfast City Centre. The existing site is a predominantly civic space comprising of hard standing, established trees and raised garden beds; seating integrated into low concrete retaining walls; and open paved surfaces of varied materials which have been repaired and altered over time.   |
| 5.15 | Policy DES1 of the LDP states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking. The sections below will detail the proposed design changes.   |
| 5.16 | The site will be cleared of the conventional bike stands, Belfast Bike stands and travel hubs – these will be repositioned within the site; directional/road/map signs – temporarily removed and to be reinstated within the site (location to be agreed with Belfast City Council); the Rinty Monaghan statue - to be temporarily removed and relocated; area with skate equipment; play equipment will be cleared; the steps adjacent to University of Ulster will be cleared; bins temporarily removed and to be reinstated.   |
| 5.17 | Seating will be a mix of standalone benches and integrated seating to the edge of the raised lawn terrace. Seating will have armrests and backs to ensure compliance with accessibility requirements.   |
| 5.18 | The proposal seeks to create space for seating at selected locations, tree planting, and rain gardens. The main public plaza will be surfaced with a distinct ‘Linen Mix’ granite paving pattern to echo historical roots of the city while creating a contemporary finish which reflects the grey façade of the adjacent university building. Surrounding paving will be a mix of granite and Caithness paving to tie in with the materials used in the wider area for continuity. The winding paths through the Urban Forest will be a coloured porous asphalt to provide a contrasting softer character to the space and assist with the sustainable aims of the project. The sandstone appearance of the asphalt has an appearance that chimes with the environs of St Anne’s Cathedral. Flush drop kerbs will also be used in these areas to create a continuous level surface, prioritising pedestrians whilst still enabling cycle access. |
| 5.19 | The concept seeks to introduce new high quality public realm and opportunities for activities within the area. It also seeks to activate entrances from the surrounding major streets to entice people in. This will be achieved through a combination of introducing planting and seating, creating flexible spaces for new or changing activities, functional lighting, and layering historic narratives through the scheme.  |
| 5.20 | The project site currently contains a memorial statue of the boxer John ‘Rinty’ Monaghan. The statue will be retained in a location facing on to York Street and this location will enhance and ensure it remains a valued part of the scheme and contributes positively to the character of the project.   |
| 5.21 | A memorial to the Belfast Blitz will be respectfully developed in conjunction with the Northern Ireland War Memorial Museum and sensitively located within the scheme to provide a fitting permanent location for remembrance. This piece takes the form of a   |



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|      | bronze frieze facing out to York Street and a mirrored wall facing into the Cathedral Gardens to provide a contemplative and reflective space.  |
| 5.22 | BCC Landscape Planning and Development team have no objections stating that the proposal will create a high quality, multifunctional civic space at Cathedral Gardens.  |
| 5.23 | The proposed development aligns with the key principles of Policy SP5 of the LDP and design criteria (a-k) of Policy DES1. The proposal is deemed acceptable with regards to design, character, and appearance.   |
| 5.24 | BCC Urban Design acknowledges that the design approach generally reflects what was advocated within the Masterplan.   |
| 5.25 | <b>Health and wellbeing</b>   |
| 5.26 | Policy SP3 – Improving health and wellbeing and Policy HC1 – Promoting healthy communities require proposals to promote healthy and active lifestyles. The public realm scheme enhancements will assist active travel i.e. walking and cycling are easily achieved and that the surface area caters for people with mobility issues. The proposal will improve accessibility to/within the locality and city centre, reducing the use of private car travel, and improve provision of public open space The proposal is acceptable in relation to these policies.                               |
| 5.27 | <b>Access, movement, and transport</b>  |
| 5.28 | Unauthorised vehicle access from York Street or Academy Street onto the open paved area will be prevented through the installation of trees at suitable spacing to prevent vehicle accessing at any point from the public road. The path accesses from Donegall Street are 1.0m wide and therefore will not permit unauthorised vehicle access, and suitable placement of kerbing, trees and feature boulders will prevent unauthorised vehicle access within the woodland understorey area.  |
| 5.29 | There is an existing restricted vehicle access point off Academy Street. This access will be maintained, at approximately the same location, to provide access for BCC maintenance vehicles, event vehicles, and emergency vehicles. Specific vehicle requirements will be agreed with BCC at detailed design.  |
| 5.30 | Works to redevelop the existing access point to form a 7m wide access point will involve the installation of a dropped kerb and transition kerbs along the existing public footway, and collapsible bollards to restrict unauthorised vehicle access.   |
| 5.31 | There will be minor reinstatement works required on the public footpaths during the works being carried out. This will not impact the function of the existing University of Ulster bus stop along York Street. The proposed pedestrian access will be provided from all sides of the development at various locations due to the open design of the area. New 1.0m wide pathways will be constructed within the woodland area surfaced with porous asphalt, and pedestrian access will be available through the main paved area. Gradients of all paths and paved areas will be DDA compliant. |
| 5.32 | Existing on street parking spaces are not impacted by the scheme and no additional parking is proposed as part of the scheme. It is anticipated that there will be no road closures during construction.  |
| 5.33 | DFI Roads have no objections to the proposal and recommend informatives. The proposal is situated in a highly accessible location with public transport links. The  |

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|      | proposal will create an accessible environment for residents and members of the public, enhancing active travel via walking and cycling. The proposal is compliant with Policy TRAN 1 of the LDP.   |
| 5.34 | Existing on-street parking spaces are not impacted by the scheme and no additional parking is proposed as part of the scheme. Whilst the site will be cleared of the conventional bike stands, Belfast Bike stands and travel hubs – these will be repositioned within the site to encourage cycling.   |
| 5.35 | Appropriate servicing arrangements have been demonstrated to the satisfaction of DFI Roads and therefore the proposal is in compliance with Policies TRAN 1, TRAN 2, and TRAN 8 of the LDP.   |
| 5.36 | <b>Environmental considerations</b>   |
| 5.37 | Currently 0.45 Ha of the application site is comprised of impermeable areas comprising hardstanding / walls / play areas, with the remaining 0.10 Ha developed as permeable areas comprising tree pits, grass landscaping, and hedging.   |
| 5.38 | The proposal seeks to enhance the permeability of the site by reducing impermeable areas within the Cathedral Garden area and introducing sustainable urban drainage systems, methods, and materials. The drainage strategy directs surface runoff from impermeable surfaces including roads and footpaths to proposed rain garden reducing pressure on the existing drainage system capacity by attenuating and slowing water flows. There will also be SuDS to manage surface water runoff, for example through tree pits.  |
| 5.39 | DFI Rivers have appraised the drainage layout and drainage details plans alongside the drainage strategy provided by the applicant and have no objections based on the supporting information.  |
| 5.40 | The Drainage Strategy indicates that the flood risk to and from a portion of the development will be managed using SuDS. Commenting on the efficacy of the proposed SuDS is outside Rivers Directorate area of knowledge and expertise therefore Rivers cannot advise.  |
| 5.41 | Belfast City Council: Environmental Health Service have considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. In their initial response on 31/10/2024 they requested a Quantitative Risk Assessment or a Remediation Strategy. On 17/01/2025, following receipt of a Remediation Strategy, Environmental Health were re-consulted to provide comment. As of 04/02/2025 no response has been received. Delegated authority is requested to finalise BCC Environmental Health's response and impose conditions and informatives based on the plans and information provided. |
| 5.42 | In drawing number 08A (Planting Plan) it is detailed that 9 no existing mature trees will be retained and incorporated into the scheme. There will also be new trees and shrub/herbaceous planting and a lawn planted within the application site which is referred to as an urban forest along Donegall Street. BCC Trees have no objections to the scheme subject to conditions.  |
| 5.43 | The proposal is considered acceptable in relation to Policies ENV1, ENV2, ENV4 and ENV5 of the LDP.   |

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| 5.44 | <b>Landscaping, green infrastructure and trees</b>  |
| 5.45 | As mentioned above in this report, most of the application site (approximately 0.45 Ha of 0.55 Ha) is comprised of impermeable areas such as hardstanding / walls / play areas resulting in public realm which is dominated by hard landscaping.  |
| 5.46 | The proposal seeks to introduce visual breaks in the street scene introducing green spaces and pockets of new public open space which will improve visual amenity and public realm in the area. The proposals reflect relevant criteria as set out within of the LDP. The introduction of a rain garden supports biodiversity within the area. Rain gardens including tree planting are proposed. Tree planting plans have been provided to the council and are deemed acceptable. BCC Trees have no objection to the scheme subject to conditions. The proposal is compliant with Policy OS2 and TRE1 of the LDP as it will result in net gain of open space trees within Policy and. The proposal is also acceptable regarding landscaping, green infrastructure, and trees in that the materials and landscaping proposed are compliant with Supplementary Guidance as set out in Creating Places and Living Places. |
| 5.47 | <b>Built Heritage</b>   |
| 5.48 | This application site is located within the development core of 17th century Belfast. Previous excavations within this area have uncovered substantial structural and artefactual remains associated with this period. The application site is located within an Area of Archaeological Potential and a Battle Site. Also within the site is an industrial heritage record – IHR ref: IHR 10069:000:00. The proposal is also 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: HB26 50 067 The Cathedral Church of St. Anne, Donegall Street, Belfast and HB26 50 279 Cathedral Buildings, 60-68 Donegall Street, Belfast.   |
| 5.49 | Historic Environment Division have no objections to the proposal, they are satisfied that listed buildings, their settings and archaeological assets will not be adversely affected subject to conditions. The proposal is considered compliant with Policies BH1 and BH4 of the LDP, taking account of the response from HED.  |
| 5.50 | <b>Conservation Area</b>  |
| 5.51 | The application 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: -<br>a. preserve the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise.<br>b. enhancing the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does arise'.  |
| 5.52 | The BCC Conservation Officer has been consulted on the application and they are content that the works proposed will result in a largely neutral impact on the character and appearance of the Conservation area.   |
| 5.53 | The Conservation Officer noted a few observations in relation to the scheme. The Agent was made aware of these and have provided amended drawings to address the comments. The BCC Urban Design team in their response stated that, "Consideration should be given to DfC's Belfast City Centre 'Public Realm - Materials Palette Guidance 2020' which provides strategic guidance on a palette of surface materials for all streets in   |

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|  | <p>Belfast City Centre and helps to inform future public realm improvements.” The Conservation Officer has not been re-consulted as officers are content that the comments have been successfully addressed, these are summarised below:</p> <ul style="list-style-type: none"> <li>• On both the general arrangement drawing (drawing number 02A) and the landscape layout drawing (drawing number 07A) the defined square is in a chevron pattern. The chevron pattern is comprised of proposed linen mix natural stone paving sett.</li> <li>• There has been clarification given of the stone, scale of paving module and bonding pattern to the scheme on the landscape layout drawing.</li> </ul> <p>5.54 Officers consider that the proposal has demonstrated consideration of the surface materials of the surrounding areas in its scheme. Including that the main public plaza will be surfaced with a distinct ‘Linen Mix’ granite paving pattern to echo historical roots of the city while creating a contemporary finish which reflects the grey façade of the adjacent university building. Surrounding paving will be a mix of granite and Caithness paving to tie in with the materials used in the wider area for continuity. The winding paths through the Urban Forest will be a coloured porous asphalt to provide a contrasting softer character to the space has an appearance that chimes with the environs of St Anne’s Cathedral. The Agent has also clarified that the materials proposed in the scheme have regard to those recommended in the Streets Ahead proposal by Department for Communities for this location.</p> <ul style="list-style-type: none"> <li>• Benches within the scheme are now shown on both the general arrangement drawing and the landscape layout.</li> <li>• It was queried by both BCC Conservation and BCC Urban Design that successful open spaces use security through active frontages and that it may be queried if the layout at the building edge would permit spill out cafes and popup style uses.</li> </ul> <p>5.55 The agent has responded that the proposed ground levels along the University of Ulster building have been set to allow level access between the building and the adjacent path / raised lawn area, thereby creating opportunity for spill out cafes and popup style uses.</p> <p>5.56 BCC Conservation have concluded in their response that aside from the observations detailed above, it is considered that it could not be concluded that the proposal will result in harm to the character and appearance of the Conservation Area or the setting of listed buildings in the vicinity. BCC Conservation have not been re-consulted to confirm the observations have been addressed as officers are content that they have been addressed.</p> <p>5.57 <b>Amenity</b></p> <p>5.58 The proposal seeks to introduce visual breaks in the street scene introducing green spaces and pockets of new public open space with seating at selected locations which will improve visual amenity and public realm in the area. The civic space will change and adapt to align with the program of activities occurring in the public plaza.</p> <p>5.59 Lighting will comprise catenary columns with high catenary mounted lighting, high column mounted spotlights at select locations within the woodland area and interactive play zone, and other feature up-lights, strip lighting, and decorative lighting. Architectural lighting shall be provided to enhance the built elements. The proposed lighting will achieve varying effects depending on the type and nature of the activities within the public plaza for visual assistance, wayfinding, and personal safety.</p> |
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| <p>5.60</p> <p>5.61</p> <p>5.62</p> <p>5.63</p> <p>5.64</p> <p>5.65</p> | <p>Interactive digital tile play features and Gobos shall be provided under the covered area, the structure of which, shall provide locations for digital art projections to adjacent building facades. Digital art via Gobo projectors integrated with the wire catenary over the primary public space will provide a diversity of creative vibrancy to Cathedral Gardens.</p> <p>BCC Urban Design noted that digital interactive surfaces can suffer from general inactivity once the initial ‘novelty’ factor has subsided. This has not been responded to by the Agent but Planning Officers note that BCC Urban Design note in their own response that the large area of public space proposed is flexible in its size and configuration to cater for a range of needs and user requirements including the potential to host city events. Therefore its flexibility can adapt with the changing requirements and demands of the site.</p> <p>Management and programming of the Audio-Visual services across the site shall be developed in co-ordination with BCC and UU at detailed design.</p> <p>A brief for new CCTV across the site shall be developed in co-ordination with BCC, PSNI, and UU at detailed design as an active form of security surveillance.</p> <p><b>Developer Contributions</b></p> <p>Para 5.69 of the SPPS states that ‘Planning authorities can require developers to bear the costs of work required to facilitate their development proposals’. No developer contributions are required however, due to the nature of the development, which is providing public realm improvements in the public interest.</p> |
| <p><b>6.0</b></p> <p>6.1</p> <p>6.2</p>                                 | <p><b>Recommendation</b></p> <p>It is considered that the proposal will have no significant impact on residential amenity or the character of the surrounding area and will provide community benefits through enhanced public realm and open space improvements. The proposal is compliant with relevant policy provisions in the LDP, and approval is recommended.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the response from Environmental Health, finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>   |
| <p><b>7.0</b></p>   | <p><b>DRAFT CONDITIONS</b></p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> <li>• The identification and evaluation of archaeological remains within the site;</li> <li>• Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;</li> <li>• Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and</li> <li>• Preparation of the digital, documentary and material archive for deposition.</li> </ul>  |

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 02.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 02. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

5. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which 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

6. All landscaping works shall be carried out in accordance with approved details on drawing no 08A, uploaded to the Public Register on 20 December 2024 under planning application LA04/2024/1551/F. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme 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.

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

7. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site & on along the public streetscape 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.

8. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

9. In the event that new contamination or risks to the water environment are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. After completing any remediation works required and prior to operation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use