

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 9 <sup>th</sup> April 2019	
<b>Application ID:</b> LA04/2018/2271/F and LA04/2018/2049/LBC	
<b>Proposal:</b> Extension and refurbishment of original 18 & 19 Donegall Sq East, demolition of rear return and infill buildings and the provision of a new rear extension and link to provide accommodation for commercial use to the basement, ground floor and 4th floor with associated roof terrace, and office accommodation on 1st-6th floors with roof top plant, public realm works [amended scheme].	<b>Location:</b> 18-19 Donegall Square East Belfast BT1 5HE.
<b>Referral Route:</b> Referred to Committee by discretion of the Director of Planning and Building Control	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> MJM Pearl Ltd Carnbane Business Park Newry BT35 6QH	<b>Agent Name and Address:</b> Hamilton Architects Hamilton House 3 Joy Street Belfast BT2 8LE
<p><b>Executive Summary:</b></p> <p>This application seeks the extension and refurbishment of the listed buildings at 18 and 19 Donegall Square East, the demolition of rear buildings and the erection as well as a new extension to the rear which fronts onto May Street of 7 storeys in an L-shape. The uses will contain a restaurant and bar as well as offices. A number of amendments have been submitted following negotiations between the applicant and officers, the most recent of these was received on 26<sup>th</sup> February 2019.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> <li>• The principle of demolition of the extensions to the listed buildings;</li> <li>• The principle of office use/restaurant/bar at this location;</li> <li>• The impact on built heritage;</li> <li>• The impact on traffic and parking;</li> <li>• The impact on amenity;</li> <li>• The impact on human health;</li> <li>• The consideration of economic benefits;</li> <li>• The consideration of developer contributions.</li> </ul> <p>The site is located within Belfast City Centre, Area of Parking Restraint, the Civic Precinct Character Area and the City Centre Conservation Area.</p> <p>At present there are two buildings on the site which are listed. They are 3.5 storeys over basement, 4.5 storeys in total. The buildings were built c1830 and have had a number of uses ranging from residential to commercial including offices and restaurant/bars/hotel.</p>	

Transport NI, EHO, NIEA, HED and NIW were all consulted. NI Water are currently outstanding however it is not anticipated that they will raise any significant concerns. Environmental Health are considering the Noise Impact Assessment and delegated authority is sought to resolve final conditions and resolve these matters.

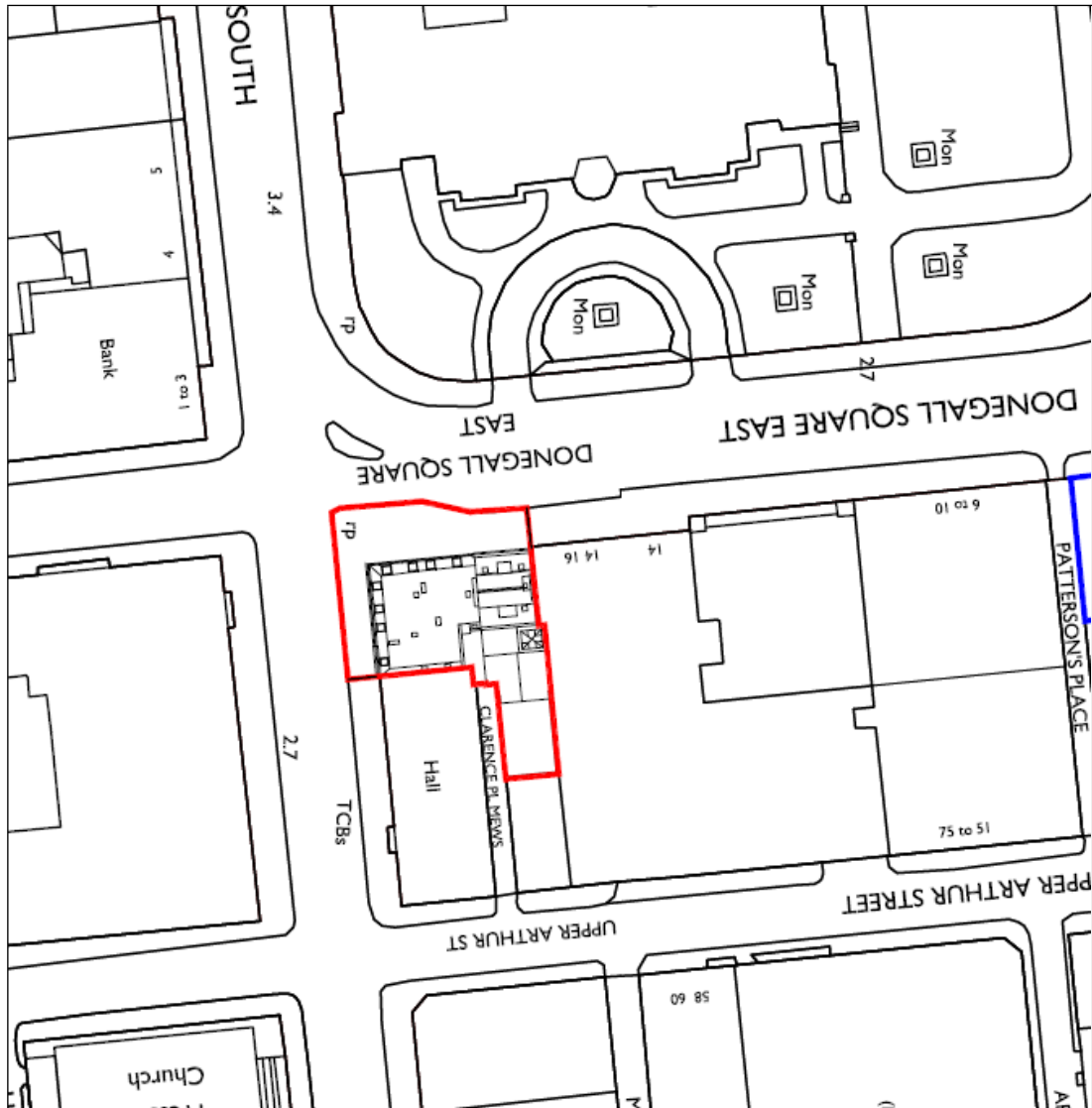
2 representations were received, one from the Belfast Civic Trust and the second from Ulster Bank and their concerns are considered in the main body of the report.

Having regard to all of the submitted information and reports, consultee responses and representations, officers conclude that the proposed design is appropriate to the context of the conservation area and listed buildings, providing an innovative visually interesting development. The proposed scheme will contribute positively to the local environment by enhancing the character and appearance of the conservation area, will result in inward investment and bring this key corner of the conservation area and indeed the listed buildings back into active use. The proposal therefore meets the policy tests outlined in Planning Policy Statement 6.

Having regard to the Development Plan, and other material considerations, the proposed development is considered acceptable. It is recommended that the application is approved subject to conditions and delegated authority is given to the Director of Planning and Building Control to resolve the outstanding matters pertaining to the consultation responses from Environmental Health and NI Water and to finalise the wording of conditions.

### Case Officer Report

#### Site Location Plan/Views





<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	This application seeks the extension and refurbishment of 18-19 Donegall Square East, the demolition of rear returns and the erection of a new glass and brick extension to the rear which fronts onto May Street. The use will be predominantly offices as well as a restaurant bar.
1.2	The new building which will be set behind the pair of listed properties would comprise seven storeys with basement in an 'L' shaped footprint. Along Donegall Square East the new building will be set back from Nos 18 and 19 with an outdoor terrace cantilevering above the mansard roofs of both properties. The demolished infill building to the rear of No. 19 will allow for a three storey link building with level access directly off May Street. The building itself incorporates a faceted glazed façade along the full extent of its Donegall Street East and that visible section of its May Street frontage with red brick incorporated into the façade on lower floors. The stair core around which the building pivots is to be clad in slate grey aluminium.
<b>2.0</b>	<b>Description of Site and Area</b>
2.1	The site is located within the City Centre as defined by BMAP 2015. It is within the City Centre Conservation Area. The area is characterised by Victorian and Edwardian buildings. Its townscape pattern reflects the earlier history of the town, with continuity between past and present expressed through the buildings streetscapes and layout. A variety in frontages, forms and materials are balanced by unifying elements such as height, proportion, scale and grain.
2.2	The site sits within Donegall Square which contains the iconic City Hall. Predominant land-uses in the vicinity are office, retail and tourism (hotels etc.).
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	No relevant site history although there are records of minor applications pertaining to the Basement Bar and signage.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage City Centre Conservation Area document
<b>5.0</b>	<b>Statutory Consultees</b>
	<b>DFI Roads</b> – recommend conditions and informatives <b>NIEA Historic Buildings Unit</b> – no objection subject to conditions <b>NIEA Historic Monuments Unit</b> – no objection subject to conditions

	<p><b>NIEA Natural Environment Division</b> – no objection subject to informatives  <b>NIEA Water Management Unit</b> – no objection  <b>NIW</b> – currently awaiting response</p>	
<b>6.0</b>	<p><b>Non-Statutory Consultees</b>  <b>Environmental Health BCC</b> – awaiting final comments regarding the noise impact assessment, no other concerns  <b>Conservation Officer BCC</b> – no objections  <b>BCC Urban Design Officer</b> – no objections</p>	
<b>7.0</b>	<p><b>Representations</b></p>	
7.1	1 representation was received from Belfast Civic Trust. The representation states that the design of the proposal is inappropriate to the locale and should utilise a more traditional building material rather than the glass proposed.	
7.2	1 representation was received from Ulster Bank citing concern regarding loss of light to side windows adjacent to the proposal.	
<b>8.0</b>	<p><b><u>ASSESSMENT</u></b></p>	
<b>8.1</b>	<p><b><u>Development Plan</u></b></p>	
8.1.1	Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.	
8.1.2	Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.	
8.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.	
8.1.4	The proposed development lies within the development limit for Belfast City Centre (CC001), within the City Centre Conservation Area, the Belfast City Core Area of Parking Restraint (CC102). The Main Office Area (CC109), Primary Retail Frontage (CC008) and within the Civic Precinct Character Area (CC011).	
8.1.5	The Belfast City Centre Conservation Area Guide (1998) states that the “ <i>City Centre Conservation area contains within its boundaries much of the High and Late Victorian commercial architecture of a bustling, self-confident town which expanded rapidly in the 19<sup>th</sup> century from small beginnings to achieve city status in 1888. The magnificent City Hall and the surrounding architecture of Donegall Square completed this important building phase as the city approached the zenith of its commercial power at the turn of the 20<sup>th</sup> century.</i> ”	

8.1.6	The draft BMAP 2015 identifies the extent of the City Centre Conservation Area (CC103) and advises that development proposals within the City Centre Conservation Areas are to be assessed in accordance with Planning Policy Statement 6 Planning, Archaeology and the Built Heritage; however it does not contain any specific policy provisions relevant to these conservation areas.
8.1.7	The application site lies within the Civic Precinct Character Area (CC011). The Character Area Designations specify urban design criteria related to the massing, alignment and scale of buildings. In their report on the Public Local Enquiry into Objections to the BMAP 2015 the Planning Appeals Commission (PAC) explored a number of general objections to all Character Areas and in particular to specific design criteria. The PAC concluded that in general the design criteria were merited and basic expectations of responsive urban design within a City Centre context.
8.1.8	The Urban Design Criteria relating to this character area states that development proposals shall take account of the height of adjoining buildings. It further states that building heights shall be a minimum of 5 storeys and a maximum of 7. It specifies that heights in excess of 7 storeys will not be acceptable in order to maintain the dominance of the City Hall.
8.1.9	Additional design criteria CC103 also apply to the City Centre Conservation Area, stating that the heights, eaves, cornices and ridge heights as well as story height should conform to those in adjoining buildings.
8.1.10	The BUAP contains similar policies with regards to office development in the city centre (CC2) and city centre heritage (CC4) In addition there are policies relating to city centre renewal of buildings and public realm (CC6).
<b>8.2</b>	<b><u>The principle of office development at this location</u></b>
8.2.1	The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
8.2.2	In terms of the proposed office use, the site is within a prime city centre location and proposes approximately 1,500 sq m of office space. It has been assessed against Policy OF1 of Volume 1 of draft BMAP 2015. The policy states that planning permission will be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order within Belfast City Centre. The proposal therefore complies with this policy.
8.2.3	The proposal has been assessed under Policy PED1 of Planning Policy Statement 4: Planning and Economic Development (PPS4). Policy PED1 states that a development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan). Accordingly, the proposal satisfies the requirements of this policy.
8.2.4	The proposal is also considered to satisfy Policy PED9 of PPS4. Criterion (c) requires that proposals do not adversely affect features of the natural or built heritage which is considered in detail in the following section of the report.
<b>8.3</b>	<b><u>The impact of the proposal on the built heritage</u></b>
8.3.3	Section 104 of the Planning (NI) Act 2011 advises that where any area is for the time being designated as a conservation area, special regard must be had to the desirability of (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; or (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.

8.3.2	<p>The Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) is a material consideration. It advises that until councils have adopted a new Plan Strategy any conflicts between the SPPS and existing specified retained Planning Policy Statements (including PPS6) are to be resolved in favour of the SPPS. The SPPS contains a policy direction reflecting Section 104 of the 2011 Act. Paragraph 6.18 of the SPPS advises that in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. It goes on to say that there will be a general presumption against the grant of planning permission for development where proposals would conflict with this principle.</p>
<b>8.4</b>	<p><b><u>The impact of the proposal on the Conservation Area</u></b></p>
8.4.1	<p>The House of Lords in the <i>South Lakeland</i> case decided that the “statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.” The proposed building is considered having regard to the Paras 6.12-6.15 of the SPPS and Policies BH10 and BH12 of PPS 6.</p>
8.4.2	<p>The proposal has been assessed against Policies BH12 and BH14 of PPS 6. The site is located within the City Centre Conservation Area as designated in the BUAP and dBMAP. As detailed previously, the site consists of two listed buildings as well as rear returns and an infill frontage onto May Street. The Conservation Officer notes that <i>“being the sole survivors of Donegall Square and located on a prominent corner site, both buildings retain local importance in terms of their history and Georgian styling. In particular their architectural features and detailing contribute strongly to the diverse and authentic character of the conservation area, and give a strong historical reflection of Belfast’s Victorian heritage. Conversely the rear return and infill building, which are subject to the demolition proposals, form part of a number of latter additions and alterations. Owing to their nature, location and current condition, they are not considered reflective of the historical heritage or character of the original townhouses, or their setting within the streetscape and wider area. Furthermore they do not positively reinforce or present any features of historical or architectural merit that would be worthy of retention.”</i></p>
8.4.3	<p><b>Policy BH 14</b> relates to demolition in the conservation area. Whilst the demolition is considered under the Listed Building Consent application and under Policy BH10, it should be noted that having had regard to Policy BH14 that the buildings to be demolished at the rear are more contemporary and are considered to have no architectural or historic value. Their removal would result in no harm to the character or appearance of the Conservation Area which in that context would be preserved.</p>
8.4.4	<p><b>Policy BH12</b> of Planning Policy Statement 6 (PPS6) details criteria for new development in the conservation area. This policy contains a number of criteria which are applied to proposals in the conservation area.</p> <p><b>(a) the development preserves or enhances the character and appearance of the area;</b></p> <p>The Conservation Officer states that the proposal’s <i>“height, scale and massing would reflect modern extensions to neighbouring buildings, with a minimalist design approach presented through faceted-geometric glazing set above a red brick base”</i> and that <i>“having regard for its wider context in what is undoubtedly a challenging and important location, such an approach is considered an appropriate solution that would positively enhance the existing character and appearance of the conservation area”</i>.</p>
8.4.5	<p><b>(b) the development is in sympathy with the characteristic built form of the area;</b></p> <p>The extension whilst larger in scale to the listed buildings, is similar to other modern buildings within the conservation area. The Conservation Officer states that <i>“the extension</i></p>



	<p><i>would be sympathetic to the scale, style and proportions of modern extensions within the area. Furthermore the visual prominence and historic fabric of the existing listed buildings would be fully retained and preserved. With no direct impact on the historic street pattern, the proposal would sit comfortably within the streetscape and is considered an appropriate introduction for its context and city centre location”.</i></p>
8.4.6	<p><b>(c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area;</b> The proposed materials would not be considered traditional in the area, however the extension is a modern addition and as such, the faceted glass will provide a softer intervention than that of traditional brick and is therefore considered to respect the locale.</p>
8.4.7	<p>The Urban Design Officer summarises the proposal for the canopy/terrace as “<i>a lightweight steel frame and glass canopy system, incorporating a simple horizontal profile to minimise visual impact on the principle elevation, will provide cover to a section of the proposed roof terrace at 4F along Donegall Square East. The glazed canopy will be supported by a triangular structure which picks up on the geometric façade module, as is annotated on the proposed May Street elevation. The openings at roof canopy level will be framed with a lightweight bronze clad reveal to provide a visual break from the main faceted façade in a similar approach to the chamfered bronze entrance reveal along May Street. The setback terrace itself will be enclosed by a glass balustrade again to minimise any visual impact.</i>”</p>
8.4.8	<p><b>(d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;</b> Environmental Health have not raised any concerns regarding contamination. They are currently considering the noise assessment report and delegated authority is sought to resolve any issues around this.</p>
8.4.9	<p><b>(e) important views within, into and out of the area are protected;</b> It is considered that the listed buildings retain primacy on this corner with the proposed extension contributing to a modern backdrop. The Conservation Officer states that “<i>the proposal would not detract from the prominence of historic Georgian terraces fronting onto the square and City Hall, whilst providing a positive contrast and comparable scale to taller buildings in the area. For these reasons there are no concerns relating to impact on key views.</i>”</p>
8.4.10	<p><b>(f) trees and other landscape features contributing to the character or appearance of the area are protected;</b> There are no important landscape features on the site.</p>
8.4.11	<p><b>(g) the development conforms with the guidance set out in conservation area documents.</b> The proposal will not detract from the primacy of the listed buildings and the scale, design and materials are considered acceptable. The proposal includes new public realm improvements around the building including new paving and landscaping. It is considered that the proposals are consistent with the guidance.</p>
8.4.12	<p><b>In conclusion,</b> criteria (a) to (g) of Policy BH 12 have been assessed with input from the Conservation Officer and Urban Design Officer. The proposal is deemed to be acceptable in policy terms as the detailed height, massing and design of the building will create a new visual interest within the Conservation Area and bring vitality back to what currently contains two vacant listed buildings. The proposal is therefore compliant with S104 of the Act.</p>

<p><b>8.5</b> 8.5.1</p>	<p><b>The impact of the proposal on Listed Buildings</b></p> <p>Policy BH11 of Planning Policy Statement 6 (PPS6) relates to development affecting the setting of a listed building. Policy BH8 relates to an extension or alteration of a listed building whilst Policy BH10 relates to demolition of a listed building. Paras 6.12 &amp; 6.13 of the SPPS also apply. The application site contains two listed buildings (HB26/50/172A&amp;B 18 &amp; 19 Donegall Square East) however there a number of listed buildings in the immediate vicinity that would be affected by the proposal. These are:</p> <ul style="list-style-type: none"> <li>• HB26/50/001 A - Belfast City Hall, Donegall Square, Belfast (Grade A)</li> <li>• HB26/50/016 - Ocean House, 1-3 Donegall Square East, 1-5 Chichester Street, Belfast (Grade B1)</li> <li>• HB26/50/019 - Ulster Bank (Former Methodist Church), 11-16 Donegall Square East, Belfast (Grade B2)</li> <li>• HB26/50/020 - Clarence House, 4-10 May Street / Upper Arthur Street, Belfast (Grade B1)</li> </ul>
<p>8.5.2</p>	<p><b>Policy BH8</b> is considered as follows:</p> <p><b>(a) the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;</b></p> <p>The modern design and faceted glass were agreed in principle with HED, furthermore they state with regards to the link block: <i>“HED are willing to consider the redevelopment of this small area of the site and recognise that this new intervention should be distinct and might be of a fundamentally different design and construction to either the existing or adjacent buildings. We are content with the proposal for the link block to continue the façade treatment of the rear extension”</i>.</p> <p>Revisions were negotiated in order to achieve cohesion of the proposal with the listed buildings. In particular:</p> <ul style="list-style-type: none"> <li>- The roofscape and canopy were reduced and the materials revised in order to ensure there was no interruption to the eaves, cornices, ridge heights and general character of the roof. Materials were revised to be as “silent” as possible against the listed building. See also para 8.4.7 above.</li> <li>- The link portion of the site facing onto May Street was negotiated in detail to ensure a continuity of frontage which was appropriate to both the conservation area and listed buildings. Materials and the entrance in particular were revised to HED’s satisfaction.</li> </ul>
<p>8.5.3</p>	<p><b>(b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building</b></p> <p>With regards to technique and detailing, HED require further information but are content to condition this, stating that they “reiterate that a further Listed Building Consent application specific to Clarence House will be required prior to any works being carried out which impact on Clarence House. We also require further details of the junctions between the Link Block and 18 &amp; 19 Donegall Square East.” See also para 8.4.7 above.</p>
<p>8.5.4</p>	<p><b>(c) the architectural details match or are in keeping with the building</b></p> <p>See (a) and (b) above. In addition, conditions have been provided which ensure full detailing both internally and externally is agreed in advance with HED prior to commencement of works.</p>
<p>8.5.5</p>	<p><b>Policy BH11</b> is considered as follows:</p> <p><b>(a) The detailed design respects the listed building in terms of scale, height, massing and alignment;</b></p> <p>HED provides the following advice: <i>“HED notes that these listed buildings have been compromised by recent developments such as the Ulster Bank and other substantial</i></p>

	<p><i>modern buildings in the vicinity. The cumulative effect of such changes means that any further change should demonstrate greater care in relating to the historic character of the location, especially when, as in this case, the proposed development affects the heritage asset directly. We note the height of the rear extension sits at the eaves height of the rear section of the adjacent Ulster Bank building.”</i></p>
8.5.6	<p><b>(b) The works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and</b></p> <p>The design of the proposed building predicated on a contrasting basis seeking to utilise faceted glass within the backdrop of the listed buildings and as a way to bridge the infill section at May Street.</p>
8.5.7	<p><b>(c) The nature of the use proposed respects the character of the setting of the building</b></p> <p>The listed buildings consist of offices - the proposal will also be offices other than the pre-existing use of the bar in the basement and there is considered to be no conflict between the uses that would harm the setting of the Listed Buildings.</p>
8.5.8	<p><b>In conclusion</b>, having had regard to the relevant PPS 6 policy considerations, the proposal is deemed to be acceptable both in terms of the conservation area, listed buildings and their setting. Conditions are recommended with regards to detailed materials and finishes as well as method statements. The proposal is therefore considered compliant with S91 of the Act.</p>
8.6	<p><b><u>Archaeology</u></b></p>
8.6.1	<p>The application site is located within the Belfast Area of Archaeological Potential, designated to protect the above-ground and below-ground archaeological remains associated with early development of the settlement. Historic Environment Division: Historic Monuments Unit (HMU) have been consulted and considered the impacts of the proposal. HMU is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH 4 of PPS 6. Conditions are recommended accordingly.</p>
8.7	<p><b><u>Traffic, Movement and Parking</u></b></p>
8.7.1	<p>Following submission of further information, DFI Roads has recommended conditions and informatives. No parking is to be provided but this is considered acceptable given the central, sustainable location of the site. No adverse impacts on highway safety or the road network are identified.</p>
8.8	<p><b><u>Contaminated Land</u></b></p>
8.8.1	<p>No concerns were raised by Environmental Health or NIEA with regards to contamination.</p>
8.9	<p><b><u>Noise/Air Quality</u></b></p>
8.9.1	<p>The Environmental Health Service requested a Noise Impact Assessment. Delegated authority is sought to resolve any issues around noise.</p>
8.10	<p><b><u>The impact on the amenity of adjacent land users</u></b></p>
8.10.1	<p>It is considered that the proposal would not result in any unacceptable overlooking, loss of light, overshadowing, loss of outlook or other harmful impacts on adjacent land users.</p>

8.10.2	An objection was received from Ulster Bank regarding loss of light to their side windows adjacent to the proposal. There is no legal right to light over adjacent properties and it is evident that the windows in question are not the primary source of light.
8.11 8.11.1	<p><b><u>Developer Contributions</u></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”. The proposal includes enhancements to the public realm immediately abutting the site. This will help enhance the setting of the building and improve connectivity. A condition is recommended which will require full details of the public realm to be agreed and implemented prior to completion.</p>
8.12 8.12.1	<p><b><u>Economic Benefits</u></b></p> <p>Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. It further states that the environment is an asset for economic growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built heritage. In this case, the revitalisation of the listed buildings and the operation of offices, a bar and restaurant, will contribute to job creation and economic vitality locally. The proposal would therefore have a positive impact on the economy.</p>
8.13 8.13.1	<p><b><u>Statutory Consultation</u></b></p> <p>The revised scheme was first advertised on 26<sup>th</sup> and 28<sup>th</sup> September 2018 and neighbours/objectors notified on 24<sup>th</sup> September 2018. The amended scheme was advertised on 22<sup>nd</sup> February 2019 and neighbours notified on 1<sup>st</sup> March 2019.</p> <p>Two objections were received. The first regarding the proposed design and the second regarding loss of light to windows.</p> <p>These are considered in Paras 8.1 – 8.12 of this report.</p>
10.0	<b>Summary of Recommendation:</b>
10.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval is recommended subject to conditions. It is requested that delegated authority is given to the Director of Planning and Building Control to resolve any matters in relation the outstanding consultation responses from EHO and NI Water and to finalise the wording of conditions.

<b>11.0</b>	<b>Conditions (final wording to be delegated to the Director of Planning and Building Control)</b>
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>No part of the structure of the proposed rear extension shall be supported on or built off the walls or roof of the existing listed buildings.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the listed buildings.</p>
11.3	<p>Notwithstanding the submitted details, no works shall commence to the listed buildings until samples of all new materials to be used in the elevations of the building, including samples for the grey aluminium cladding, doors, glass etc. have been submitted to and agreed in writing by the Council. The works shall thereafter be carried out solely in accordance with the approved details. A sample of each material shall be retained on site until the project is complete.</p> <p>Reason: To ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the Listed Buildings.</p>
11.4	<p>No works shall commence to the listed buildings until Method Statements addressing the following have been submitted and agreed in writing by the Council:</p> <ol style="list-style-type: none"> <li>a. Demolition of historic returns and internal demolitions in the Listed Buildings including means of supporting and protecting the retained structures and fabric.</li> <li>b. Construction of foundation structures and piling including means of supporting and protecting the retained structures and fabric.</li> <li>c. Internal downtakings and new openings in external walls of the Listed Buildings including means of supporting and protecting the retained structures and fabric.</li> <li>d. Stone repairs and cleaning. We note that 'a low-pressure abrasive cleaning method' is proposed in the D&amp;AS but we feel that the nature of this stonework may require a more sensitive approach.</li> <li>e. Repairs and restoration of historic fabric including windows, doors, metalwork, steps etc.</li> </ol> <p>All works thereafter be carried out solely in accordance with the approved details.</p> <p>Reason: To ensure that the development is not detrimental to the character, appearance or interest of the Listed Buildings.</p>
11.5	<p>No works shall commence to the listed buildings until the following details have been submitted and agreed in writing by the Council:</p> <ol style="list-style-type: none"> <li>a. Restoration of the historic stairs in No 19 and further details of the proposed repair of the staircase in No. 18.</li> <li>b. All new partitions, doors, windows, glazed screens.</li> <li>c. Junctions of new construction with the listed buildings, including structure, curtain walling, etc.</li> <li>d. Roof terrace – all details of the new deck and balustrade and the historic fabric affected including details of proposed demolitions to third floor eaves level and the interface between the existing chimneys and the roof terrace.</li> <li>e. Proposed materials for the Ground Floor Entrance Lobby.</li> <li>f. Proposed Landscape plan for the area to the front of the Link Block.</li> </ol> <p>All works thereafter be carried out solely in accordance with the approved details.</p>

	<p>Reason: To ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the Listed Buildings.</p>
11.6	<p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p>
11.7	<p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p>
11.8	<p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>Doors shall not open out over surfaces adopted by the Department for Infrastructure (Clarence Place Mews).</p>
11.9	<p>Reason: In the interests of pedestrian safety.</p> <p>The development hereby permitted shall not become operational until a Travel Plan has been submitted to and approved in writing by the Council. The Travel Plan shall generally accord with the framework Travel Plan uploaded to the Planning Portal 27<sup>th</sup> March 2019. The approved Travel Plan shall be implemented on first occupation of the development hereby approved and thereafter at all times.</p>
11.10	<p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>The development hereby permitted shall operate in accordance with the Service Management Plan uploaded to the Planning Portal 27<sup>th</sup> March 2019.</p>
11.11	<p>Reason: In the interests of road safety and the convenience of road users.</p> <p>The development hereby permitted shall not become operational until sheltered cycle parking facilities have been provided to serve the development.</p>
11.12	<p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawing Number 02A received on 25 February 2019 have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> <li>1. Surface materials; and</li> <li>2. The design and provision of underground ducting.</li> </ol>

11.13	<p>The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the Conservation Area, the setting of the Listed Building, and to enhance connectivity to and from the development.</p> <p>No table, chairs, railings, structures, awnings or other paraphernalia shall be placed on the roof terrace of a height of 1.5m or above as measured from floor level of the terrace unless shown on the approved drawings.</p> <p>Reason: Reason: In order to safeguard the special architectural and historic interest of the listed buildings and the character and appearance of the Conservation Area.</p>
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<b>ANNEX</b>	
<b>Date Valid</b>	4th September 2018
<b>Date First Advertised</b>	28th September 2018
<b>Date Last Advertised</b>	1st March 2019
<p><b>Details of Neighbour Notification (all addresses)</b></p> <p>The Owner/Occupier, 1 Donegall Square South,Belfast,Antrim,BT1 5JA, The Owner/Occupier, 12 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, 14 Donegall Square East,Belfast,Antrim,BT1 5HD, Patrick Greer 34, Dungloe Crescent, Belfast, Antrim, Northern Ireland, BT11 9HZ The Owner/Occupier, 7 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, 8 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, 9 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Associated Employers (N I) Ltd,4-10 ,May Street,Belfast,Antrim,BT1 4NJ, The Owner/Occupier, Bank Of Ireland,1 Donegall Square South,Belfast,Antrim,BT1 5LR, The Owner/Occupier, Barclays Bank Plc,8 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Basement Bar,18 Donegall Square East,Belfast,Antrim,BT1 5HE, The Owner/Occupier, Belfast Barbering Company,2 May Street,Belfast,Antrim,BT1 4NJ, The Owner/Occupier, Campbell Hearing Aids Ltd,Offices Ground Floor,19-20 Clarence Chambers,Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Canada Life Assurance Co,Suite 9,19-20 Clarence Chambers,Donegall Square East,Belfast,Antrim,BT1 5HE, The Owner/Occupier, Cuba Cafe,7 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Cuba,9 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Estates Management, Belfast City Council, 6th Floor, 9 Adelaide C/O Cecil Ward Building 4-10 Linenhall Street The Owner/Occupier, Ground Floor Front,5 Donegall Square South,Belfast,Antrim,BT1 5AN, The Owner/Occupier, Ground Floor Rear,5 Donegall Square South,Belfast,Antrim,BT1 5AN,</p>	



The Owner/Occupier,  
Irish Nationwide Building Society, 18 Donegall Square East, Belfast, Antrim, BT1 5HE,  
The Owner/Occupier,  
Irish Permanent Plc, Offices Ground Floor, 19-20 Clarence Chambers, Donegall Square East, Belfast, Antrim, BT1 5HE,  
The Owner/Occupier,  
Lambert Smith Hampton Group Ltd, 4-10, May Street, Belfast, Antrim, BT1 4NJ,  
The Owner/Occupier,  
Northern Ireland Housing Executive, The Housing Centre, 2 Adelaide Street, Belfast, Antrim, BT2 8PB,  
The Owner/Occupier,  
The Belfast Energy Efficiency Advice Centre, 1-11, May Street, Belfast, Antrim, BT1 4NA,  
The Owner/Occupier,  
Translink, Basement, 19-20 Clarence Chambers, Donegall Square East, Belfast, Antrim, BT1 5HE,  
The Owner/Occupier,  
Ulster Bank Ltd, 11-16, Donegall Square East, Belfast, Antrim, BT1 5UB,  
The Owner/Occupier,  
Wylie Property, 19-20 Clarence Chambers, Donegall Square East, Belfast, Antrim, BT1 5HD,

**Date of Last Neighbour Notification**

1st March 2019

**Date of EIA Determination****ES Requested**

No

**Planning History**

Ref ID: Z/1999/2444

Proposal: Alterations to fenestration of front elevation at basement level. (Increase in size of window opening)

Address: 18 Donegall Square East, Belfast, BT1.

Decision: PERMISSION GRANTED

Decision Date: 14.01.2000

Ref ID: Z/1999/2445

Proposal: Alterations to fenestration of front elevation at basement level (increase in size of window opening). (Listed Building Consent)

Address: 18 Donegall Square East, Belfast BT1

Decision: PERMISSION GRANTED

Decision Date: 27.01.2000

Ref ID: Z/2010/0945/LDE

Proposal: Existing Lounge Bar and Restaurant at 18 Donegall Square East Belfast known as Basement Bar.

Address: Basement Bar, 18 Donegall Square East, Belfast,

Decision: GRANTED

Decision Date: 21.10.2010

**Notification to Department (if relevant) N/A**

Date of Notification to Department:  
Response of Department: