

Planning Committee

Tuesday, 28th July, 2020

PRE DETERMINATION HEARING
HELD REMOTELY VIA MICROSOFT TEAMS AT 3.00PM

Members present: Councillor Hussey (Chairperson);
Councillors Brooks, Carson, Collins,
Garrett, Groogan, Hanvey, Hutchinson,
Maskey, McCullough, McKeown,
Murphy, Nicholl and O'Hara.

In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were received.

Declarations of Interest

No declarations of interest were reported.

**Pre Determination Hearing re: LA04/2017/2341/O –
Demolition, redevelopment and part change of use to create
a mixed use development comprising retail, offices,
cafe/restaurant, residential, hotel, cultural/community
space, parking, servicing, access and circulation arrangements,
the creation of new streets, the configuration of Writers Square,
public realm works, landscaping and associated site and road
works including works to alter listed buildings, restoration of
retained listed buildings and facades, and partial demolition of
North Street Arcade, retaining its facades on land bounded by
Royal Avenue, York Street and Church Street to the North; North
Street to the west; Rosemary Street to the south and High Street
to the south; and Donegall Street to the east. The site is located
approximately 300m west of Laganside Bus Station, 300m
northeast of City Hall and 900m northwest of Central Train Station.**

The Chairperson welcomed the Members to the Pre-Determination Hearing for the outline application. The Committee was reminded that a Pre-Determination Hearing was to hear the views of interested parties and statutory consultees, and for Members of the Committee to seek clarification from these parties on the facts surrounding the development. The Committee was reminded that no decision may be reached at the

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

Hearing, as Committee Members and planners might wish to consider the views made prior to making a determination at the scheduled Committee meeting which would held later that evening.

The Senior Planning officer explained that the application had been considered by the Planning Committee at its meeting on 21st January, 2020, following a Pre Determination Hearing on 16th December, 2019. At that meeting, the Committee had resolved to approve the application, with conditions and a Section 76 Planning Agreement, and had delegated power to the Director of Planning and Building Control to finalise the wording. She explained that, under the Planning (Notification of Applications) Direction 2017, it had been necessary to notify the Department for Infrastructure (DFI) of the decision, as the resolution to approve was contrary to the views of a statutory consultee, namely, the Historic Environment Division (HED).

The Committee was advised that, on 6th May, the DFI had advised the Council that it did not consider it necessary for the application to be referred to it for determination. It also confirmed that the associated applications for Listed Building Consent and Conservation Area Consent did not need to be referred. The DFI had advised that it was important that the Council satisfied itself that, before determining the application, it had fully assessed all required details pertaining to the listed buildings and that all necessary expert advice in relation to built heritage matters had been duly considered.

The Senior Planning officer explained that the DFI had also advised that the Council should ensure that, in the event the application was to be approved, all conditions proposed, particularly in relation to the listed buildings proposals, were necessary and reasonable, as well as enforceable, precise and relevant to planning and to the development as advised in the Development Management Practice Note 20. The response also highlighted the Minister's view on the importance of maximising the delivery of social and affordable housing particularly for projects of this nature where a housing need existed.

She advised that the application had therefore been returned to the Planning Committee for a decision, and that Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 required it to hold a Pre-Determination Hearing to give the applicant and interested parties the opportunity to be heard. She added that further representations had been received in the intervening period, and that she would also deal with various points of clarification further to the Planning Committee meeting of 21st January, 2020.

She provided the Committee with a detailed presentation of the outline application for a mixed-use scheme comprising offices, 367 residential units, restaurants/cafes, a hotel, retail units on the ground floor and cultural and community space. She explained that the proposal also sought to reconfigure Writer's Square, to pedestrianise North Street, the creation of new public squares ("Central Square" and "Assembly Square" at the junction of North Street and Rosemary Street) and the creation of new pedestrian links between North Street and Donegall Street.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

The Committee was advised that the currently approved scheme for the site, which had been granted permission in 2012, hereafter known as the extant scheme, was for a larger site than the current proposals. She explained that the extant scheme was an important material consideration in the determination of the current application and was given significant weight as it was capable of being implemented. The Senior Planning officer explained that Phase 1 of the extant scheme had already commenced and was therefore live in perpetuity.

At the Planning Committee of 21st January, an objector had requested that the Committee imposed a planning condition to remove Block 1 from any permission due to concerns regarding the perceived impact of the proposed block on New Cathedral Buildings. The Planning officer explained that officers had discussed this with the applicant, who was not willing to remove Block 1 from their application. Legal Services had advised that it would not be lawful to impose such a condition, as to do so would take away what the applicant had applied for. The relationship between Block 1 and New Cathedral Buildings had been assessed and was considered to be acceptable.

In relation to the number of proposed residential units, the Members of the Committee were advised that the maximum number of residential units could vary marginally depending on the detailed design proposals which would be submitted at reserved matters stage. The Senior Planning officer confirmed that it would not exceed 36,000sqm and that a potential increase in the number of residential units above 367units would also result in an increase in the total number of social (10%) and intermediate housing units (10%).

She advised the Committee that officers had reconsidered the Active Ground Floor Uses within zones A, B and C, and had considered that the inclusion of “retail use” within these zones was unlikely to support an active night time economy given that city centre shops typically opened only one night per week until 9pm. Officers had therefore recommended that ‘retail’ was removed from the list of uses within Zones A-C and that an active night time economy would be achieved primarily through café and restaurant uses.

The Members were advised that, since the Planning Committee meeting of 21st January, 109 additional objections and one letter of support had been received. The Senior Planning officer provided the Committee with the detail of issues which had not previously been raised. With respect to the installation of artwork within the development, including into the reconfigured Writer’s Square, she confirmed to the Committee that the developer had agreed to provide an in-kind contribution to a maximum value of £350,000 towards the provision of public art within the development.

With regards to the potential for “piecemeal” development and demolition, she pointed out that the demolition and development of the site would be required to be carried out in accordance with the Indicative Phasing Plan submitted to ensure that the impact on the Conservation Areas was minimised.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

The Committee was reminded that, unlike the extant scheme, underground parking was no longer proposed and that there would be no impact on the Streets Ahead project in that regard.

In relation to the parking levels, which were significantly reduced compared to the extant scheme, she explained that they were supported by a range of sustainable transport measures including travel plans, travel cards and the introduction of a car club. She added that DFI Roads had raised no objections to the proposed development and that the proposed parking and existing infrastructure were considered satisfactory to serve the development.

The Senior Planning officer drew the Committee's attention to the Late Items pack which sought to clarify that the developer's contribution towards the Belfast Bikes scheme would amount to £45,000 and not £95,000 as stated in the case officer's report.

The Committee was advised that, since the Committee meeting of 21st January, officers had reviewed and refined the proposed conditions for the outline application in discussion with the applicant and were included within the case officer's report.

The Members were advised that Planning officers had been working alongside the Legal Services Team to develop the Section 76 Agreement to secure the following planning obligations:

- 10% Intermediate Housing within the application boundary (which the applicant has to enter into an agreement to transfer to a Registered Housing Association before 50% of the overall residential units have been occupied);
- 10% Social Housing at (a) Academy Street, (b) an alternative location within the city centre within 300m of the application site or (c) within the application site (which the applicant has to enter into an agreement to transfer to a Registered Housing Association prior to occupation of any residential unit);
- Relocation of the existing Choice facility (SHAC) (Nos. 32-40 Donegall St) to provide 50 fit for purpose replacement units at (a) Academy Street, (b) an alternative location within the city centre within 300m of the application site or (c) within the application site;
- Travel Plan to promote the sustainable transport measures;
- Travel Cards providing 100% subsidised public transport around the Greater Belfast area for each residential unit for 3 years;
- A financial contribution of £90k to provide a 25 dock Belfast Bikes Station;
- Provision of six car club spaces and discounted membership fees for residential units for three years;
- Public Realm works at Writers Square, Long Lane, North Street, Central Square, Assembly Square and Mews Lane (Braddells Entry);

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

- Employment opportunities in both construction and operational phases which will be identified through the Employability and Skills Plans; and
- Delivery of Public Art.

The Senior Planning officer confirmed that the existing Choice Facility would not be demolished until such times as the relocation premises had been constructed and passed to Choice Housing Association. She explained that NIHE was considering the applicant's proposal to provide both the relocated Choice Facility (50 units) and the 10% social housing at Academy Street.

The Committee was advised that NIHE had raised concerns about density and management of this number of units in a single location and that discussions were ongoing between NIHE and the applicant which may lead to a resolution of those issues. She pointed out that if Academy Street was unsuitable, the developer had the option to provide it within 300m of the site in the City Centre, subject to approval of the site by the Council. An alternative fall-back would be the provision of the social housing within the application site itself. She confirmed to the Members that there was appropriate contingency built into the Section 76 Agreement to ensure that the social housing and relocation of the Choice facility was delivered within close proximity to the site, or within the site itself.

The Urban Design Officer presented a number of detailed slides which demonstrated the urban design aspects of the scheme. He outlined that the design approach, including the retention of a much higher number of facades in the proposals, would keep the historic plot widths of the area. He provided the Committee with example extracts of the Design Code for the scheme, including the materials used, and with details of the 11 parameter plans which had been submitted by the applicant. The Members were also provided with the details of the permeable routes through the site.

He highlighted a number of the changes between the extant scheme and the proposed outline application.

In relation to Open space provision, the Senior Planning officer advised the Members that Policy OS 1 of PPS 8 set out a presumption in favour of retaining existing open space and, at present, Writer's Square was the only area of public open space within the development, comprising 3,637 sqm. The Committee was advised that the current proposal included the creation of new pedestrianised areas at Assembly Square, Central Square, part of North Street, Long Lane and the Mews Lane adjacent to Braddells. The definition of open space as set out in PPS 8 included 'civic spaces, including civic and market squares and other hard surface areas designed for pedestrians' and that the new pedestrianised areas fell within the definition. As such the proposal would result in a net increase of 3,135 sqm (86%) of open space (total 6,772 sqm) across the site. The creation of additional open space also contributed to the requirement in Policy OS 2 to provide it as an integral part of the proposed residential development.

The Chairperson then welcomed Ms. N. Golden, Historic Environment Division, as a statutory consultee, to the meeting. She highlighted to the Committee that:

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

- there were significant changes in terms of height, scale and massing between the extant scheme and the current proposal;
- the Conservation Area, named after the cathedral, was one of the oldest parts of the city and a key tourist attraction, despite neglect in some parts. The area had retained much of its character, distinguished by 3-5 storey buildings and narrow plot widths, where the Grade A listed Cathedral was clearly dominant and that HED considered that hierarchy should remain clear and unequivocal as a result of any new proposal;
- while the current proposal sought to reintroduce narrow passageways from east to west, the consequence of improved permeability was increased height at a number of locations, to the extent that the taller elements, in particular the residential tower, Block 3.7, and the office block at the junction of North, Rosemary & Waring Streets, Block 9, were visually dominant;
- the residential tower, at 15 stories high, was approximately three times as high as many of the existing buildings in the Conservation Area;
- while the proposed residential use was considered positive and essential to sustain life and vitality in the city centre, HED maintained its advice that no building should exceed the ridge height on the Cathedral;
- the daylight study did not take into account the Assembly Rooms;
- HED's advice remained that the proposal was contrary to PPS6 BH11 criterion (c) in terms of the impact of height, scale and massing of the development in the setting of listed buildings;
- at previous meetings the argument had been made that the scale of development proposed was required to make the scheme financially viable. Due to the significant adverse impact imposed on the listed buildings, HED's advice was that evidence should be sought to support that argument before making a final decision on this important historic part of the City Centre.

The Chairperson then welcomed Mr. A. Cahoon, Director of Killycrot Estates, to the meeting, who was objecting to the application and who was also speaking on behalf of Save CQ, the Cathedral Quarter Trust and the Belfast Cathedral.

He advised that he felt it would be prudent for the Committee to consider the decisions made in respect to the development in the context of Covid-19 pandemic, and the changing needs of commercial, leisure, tourism and public open spaces. He stated that:

- the organisations that he represented today had a shared interest in accessible public space, housing for balanced communities, successful retail, leisure, tourism, arts and creative economies and the heritage of the Cathedral Quarter and that they shared specific

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

concerns about overshadowing, right to light and the redevelopment of open space;

- he was the owner of New Cathedral Buildings, a commercial building directly adjacent to Writers' Square, and that the application would have significant implications for its sole tenant, the Police Ombudsman for Northern Ireland.;
- he felt Strategic Planning Policy Statement for Northern Ireland (SPPS) paragraph 4.12 in respect of 'Safeguarding Residential and Work Environs' covered loss of light and overshadowing for commercial buildings and that the potential for loss of light and overshadowing on New Cathedral Buildings should have been included in any Daylight, Sunlight and Overshadowing study undertaken;
- a Daylight, Sunlight and Overshadowing study, added to the Council's Planning Portal after the Planning Committee of 21st January, clearly illustrated that the front elevation of New Cathedral Buildings would be negatively impacted by loss of light and overshadowing from Block 01 and Block 02 all year round;
- the proposal failed to satisfy the provisions of PPS 8 OS 1, in that the loss of Writers' Square as currently proposed would have significant detrimental effects on the amenity and character of the area and the substitute was smaller and less useful than Writers' Square;
- the proposed area of open space was dependent upon the pedestrianisation of North Street which was not included in any of the Department for Communities 'Belfast: Streets Ahead' schemes; and
- he welcomed the opportunity to work constructively with the Planning Service, the Planning Committee and Castlebrooke Investments to resolve their differences, whether to do with existing or proposed buildings or heritage or tourism assets.

The Chairperson welcomed Mr. S. Hamilton, Chief Executive of Belfast Chamber of Trade and Commerce, Mr. C. O'Brien, Planning Agent, Mr. D. Stelfox, Architect, to the meeting.

Mr. S. Hamilton stated that Belfast Chamber represented over 400 businesses in the city. He advised the Members that the current proposal addressed many of the previously raised concerns around public space and heritage. He welcomed the redevelopment of the North Street Arcade, additional public space, additional residential accommodation and the additional connectivity throughout the scheme. He stated that that part of the city centre had seen better days and, particularly as the City dealt with the impact of the coronavirus pandemic, the rejuvenation that the scheme would bring, and the jobs it would create both in construction and on completion, was exactly the sort of positive vision that the city and its people needed.

Mr C. O'Brien advised the Committee that, since the meeting of 21st January, where the Committee had approved the scheme, they had been working with the Planning

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

officers to finalise the conditions and the Section 76 Agreement. The Section 76 agreement set out the legal obligations for the applicant to provide a range of benefits, including 10% intermediate housing on-site, an additional 10% social housing (at Academy Street, within 300m, or on-site) and the re-provision of the existing Choice social housing to a fit-for-purpose accommodation at Academy Street.

In addition to the Section 76 obligations which were outlined in the Case officer's report, he added that the heritage-led scheme would also create:

- 600 construction jobs and 1,600 full-time jobs once operational;
- a GVA of £213million per annum, and £23million in rates generation over 20 years;
- a significant increase in city centre living, with up to 400 units, including affordable housing, and thereby helping towards the aims of the Belfast Agenda;
- a range of sustainable and green travel measures to improve air quality and to reduce congestion and CO2 emissions; and
- £17.5m of investment in the public realm which would be in public use 24/7.

He advised the Members that they had offered to meet with Killycrot Estates but they had declined. He requested that the Committee would re-confirm its support for one of the biggest private sector investments ever to be made in Belfast, enabling the regeneration of a part of the city centre that had been allocated for development since the 1990s.

Mr D. Stelfox explained that he had spent the last 30 years restoring the built heritage of Belfast. He advised that he felt that the design was driven by the historic buildings within the conservation area, resulting in an eclectic variety of building plots and heights which reflected the existing character of the area. He highlighted to the Members that all of the buildings that made a positive contribution to the character of the area were being retained in part or in whole, restored and brought back into active use, and that HED had confirmed they were content with the proposals for both the listed Assembly Rooms and Braddells.

He added that:

- the reinstatement of the arcade was a highly positive aspect, which emerged as a direct response to consultations, and brought wider benefits of connectivity and opportunities for small traders;
- the improved pedestrian connectivity both existing north-south, and new east-west connections, would better tie together the Cathedral Quarter, the University and Royal Avenue;
- the reconfiguration of Writer's Square into a more inclusive, usable and active space would ensure that it continued to be a hub for gatherings. The scheme would almost double the quantum of usable public realm compared to the existing site, and provided much more than the extant scheme.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

During discussion, a number of Members asked questions regarding the social housing element of the scheme, particularly regarding the number of potential sites within the 300m boundary, and whether there would be any zoning issues associated with those sites; whether the applicant had spoken to NIHE regarding a firm proposal; the SHAC site; the size, mix and final location of the social/affordable units and the Choice Housing relocation.

Mr. C. O'Brien advised the Committee that there was a need to deal with the relocation of Choice, and that the Academy Street site fitted well with providing social housing, with the critical mass of private sector housing on site. He confirmed that Choice Housing had been engaged in that process for a long time and had indicated that it was happy with the arrangements. He emphasised that it was an important timing issue.

He advised the Members that he understood that NIHE was happy with that arrangement but they had recently voiced concerns about the management issue of having social housing and the number of units in one location. He explained that NIHE had stated they would consider this a few weeks ago but they had not replied as yet.

He explained that the Section 76 Agreement stated that, if NIHE couldn't agree with the Academy Street proposal, then it had to be within 300m within the boundary of the site, and, again, if a suitable site was not available within that boundary, then it had to be on site.

The Chairperson advised the Members that Ms. F. McGrath, NIHE, was in attendance. She explained that NIHE was broadly content with the three proposals but was not quite ready to sign off on Academy Street, as there were some issues still to be resolved in terms of the house types. She advised that the proposal would assist them in the provision of 10% social housing and explained that NIHE would respond to the applicant on the issue as soon as possible.

The officers advised that they would provide clarification on the key points at the Committee meeting.

A number of speakers referred to the ongoing Covid 19 pandemic and questions were raised regarding the future need for office and commercial space in the city centre. In response, Mr. C. O'Brien explained that the application would comprise Grade A office space to the most modern standards, including, for example, door sensors.

In relation to a Member's question regarding the pedestrianisation of North Street, the Chairperson advised the Committee that Mr. C. Dickinson, DFI Roads, was in attendance. Mr. Dickinson advised the Members that North Street would remain an adopted road and that it would be fully pedestrianised. However, he explained that the recent Primark fire had illustrated the need for an adaptable road network in the event of an emergency situation. The Director of Planning and Building Control advised that DFI and the applicant had been working together on this issue.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

In response to a further question regarding Policies OS 1 and 2, in relation to open space, Mr O'Brien advised that the application provided more open space than the policy requirement and that the policy stated that less than 15% was acceptable in city centre locations.

A Member highlighted that a children's play area was no longer included. Mr O'Brien confirmed that there was private open space within the scheme and expected that play facilities would be included as part of that. He also added that the scheme would predominantly be 1 or 2 bedroom flats.

A further Member stated that the Council had passed a motion in January 2019, calling on Castlebrook Investments not to use the name "Tribeca" for the scheme.

A further Member raised concerns regarding the balancing of the scheme with the economic viability; the height of the residential block and the block on the corner of Rosemary Street; the overshadowing of the Cathedral giving it the dominance that it deserved; overshadowing of North Street arcade; and the main residential courtyards of A3, A4 and A5 which breached the guidelines.

Mr O'Brien provided clarification on a number of the questions. He also advised the Committee that they did not believe the scheme was acceptable because it was the only way of making it economically viable, but rather that they had designed a scheme to enhance the conservation area, after months of discussion with consultees, and which included numerous benefits, including £17million of public realm investment.

Mr. Stelfox advised that he felt that the proposed scheme improved the current setting of the Cathedral and pointed out that Writer's Square, in its current form, had a less than ideal layout.

Further clarification was provided by the agent and architect in response to Members' questions on issues including the car club scheme, the significantly reduced amount of parking in the current scheme, public use of Writer's Square for rallies etc, the setting of Block 9 and the management of noise.

The Chairperson then invited Members to ask the officers any further questions.

A Member asked a number of questions regarding the open and amenity space figures, whether the figures in the report included areas in the curtilage of buildings, and further questions on the pedestrianisation of North Street and the possible pedestrianisation of other areas of the city centre.

The Director of Planning and Building Control advised that it might be useful if officers were to answer these questions at the subsequent Planning Committee meeting, which would allow them time to consider the points in the intervening period.

A further Member requested further information on what work had been undertaken by DFI Roads in respect of car clubs. Mr Dickinson, DFI, advised that research had been undertaken and that he was content that it was a viable approach and

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

that it would be secured through the Section 76 Agreement. It was suggested that the issues of car clubs be included in a future Planning Workshop with DfI invited to attend.

A further Member requested further information from officers relating to the 300meter buffer zone in relation to the potential location of the social housing and whether development land existed in that area.

A further Member requested further information on the Gross Value Added (GVA) figure of £213million per annum. He stated that, as it was presented as fact in the Case officer's report, he would like to know when the estimate was taken, in that it was presumably before the Covid-19 pandemic, as well as who carried out the work and on what basis was it calculated. In response, Mr O'Brien advised the Committee that in terms of the Economic Impact Assessment, they applied the typical densities for new Grade A office accommodation and for residential units and shops in order to work out how many people would be employed, living and working in the space.

The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

(The Committee adjourned for a ten minute break at this point)

Pre Determination Hearing re: LA04/2018/2097/F and LA04/2018/2034/LBC - Change of use & refurbishment of Wilton House to provide 8 apartments including alterations to rear & side elevation of Wilton House and demolition of existing rear return & erection of new build 5 storey residential development to provide 23 dwellings (15 new build) including entrance lobby, courtyard, bin storage and new ramped access off College Square North

The Planning Manager (Development Management) provided the principal aspects of the planning application and of the Listed Building Consent application to the Committee. He explained that they were previously considered by the Planning Committee at its meeting in December 2019, where the Committee resolved to grant consents to the application with conditions, contrary to the officers' recommendation.

At the December 2019 meeting, it was confirmed that, under the Planning (Notification of Applications) Direction 2017, it was necessary to notify the application for Listed Building Consent to the Department for Infrastructure (DFI) as the resolution to approve the application was contrary to the views of a statutory consultee, namely, HED.

The DFI had since advised the Council that it did not consider it necessary for either of the applications to be referred to it for determination. The DFI had advised that it was important that the Council satisfied itself that, before determining the application, it had fully assessed all required details pertaining to the listed buildings and that all necessary expert advice in relation to built heritage matters had been duly considered.

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

The Chairperson advised the Committee that Ms. J. Stokes, HED, was in attendance and she was welcomed to the meeting. She outlined to the Members that:

- when a building is listed, it is listed in its entirety, internally and externally and, with care, most listed buildings could be extended and adapted to accommodate some degree of change, while ensuring that the essential character of the building was retained and its features of special interest intact;
- unlike a normal planning process, a plan and an external elevation was not enough to show how a new use would work internally. A new use would require new services including plumbing, fire proofing and safe escape, for example;
- HED welcomed a new use to the listed building which was on the Buildings at Risk register, but its reuse and any development must balance in the listed building's favour as it was protected by legislation;
- Wilton House formed part of a late Georgian terrace of note in Belfast;
- the development of the listed building was insufficiently detailed and therefore failed to address policy and that only two drawings had been submitted to address the building and these were schematic only without any relevant detail;
- the development to the rear failed to take account of the setting of the listed building;
- the bulk of the existing proposal was too great and represented overdevelopment of the setting – including issues with amenity/ancillary requirements; and some windows at 45degree oriels.

A Member sought clarification from Ms. Stokes regarding the development to the rear and how realistic it was to expect a developer to incorporate something akin to the former stables which would have been situated there. Ms. Stokes advised the Committee that HED would expect to see a structure which respected the dominance of the listed building and which stepped down towards the rear.

The Committee then welcomed Mr P. Stinson, agent, to the meeting. In addressing the refusal reasons as detailed within the Case officer's report, they advised the Committee that:

- weight should be afforded to the fact that the proposal would secure the future of a currently vacant Listed Building, which was on the At Risk register;
- significant amendments had been made to the proposal since submission – focusing on improving the relationship between the new build and the existing building;
- HED had accepted the principle of a separate new building on the site and considered that the separation distance went some way in

**Planning Committee,
Pre Determination Hearing,
Tuesday, 28th July, 2020**

achieving subservience and providing an acceptable relationship between old and new;

- in considering the acceptability of the design, the unsightly appearance of the existing rear return and the contribution it made to the character and appearance of the conservation area should weigh in the planning balance;
- balance was required in respect of the private amenity space, and that, due to its city centre location, the proposal was around 300 metres from the public grounds of the City Hall and that a park was close by on Durham Street;
- 80% of the units would face away from the Courtyard and that all units met the recommended internal space standards in Addendum PPS7, even though there was no such requirement for a city centre development; and
- The Travel plan included providing residents with membership of the Belfast Bikes scheme, taking advantage of the nearby hub.

A Member asked the agent and architect to explain why details relating to the current condition of the building and the historic fabric, as requested by HED, had not been submitted. Mr H. McConnell, architect, advised that they had provided drawings detailing which walls were to be demolished or retained, and which windows were being reinstated. He advised the Committee that a conditions survey only provided a picture of the building at a point in time and that there had been significant anti-social behaviour on the site, including fires. He explained that the application was coming forward on the basis of a refusal, and that it was being brought forward by a local, Belfast-based developer who had already incurred significant expense on the project to date.

The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

Chairperson