

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 13 October 2020	
Application ID: LA04/2020/0865/RM	
Proposal: Proposed erection of a Mixed-Use building ranging from 3 no. to 5 no. storeys (plus roof plant) comprising ground floor retail/food and beverage/office uses, and offices above. Development includes associated public realm, landscaping and all other associated site works.	Location: Lands at existing surface level car park between Nos 108 North Street/1 Gresham Street and No. 25 Gresham Street; and adjacent to Nos. 13 - 23 Winetavern Street Belfast
Referral Route: Major application	
Recommendation:	Approval
Applicant Name and Address: Bywater and Ashmour 46 James Street Marylebone London W1U 1EZ	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
<p>Executive Summary:</p> <p>Outline planning permission was granted in February 2020 for Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). The permission comprises basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above (LA04/2018/2470/O).</p> <p>This application seeks the approval of Reserved Matters for part of the outline permission with a Mixed Use building ranging from 3 no. to 5 no. storeys (plus roof plant) comprising ground floor retail/food and beverage/office uses, and offices above. The proposed development includes associated public realm, landscaping and all other associated site works.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Impact on Built Heritage - Scale, Massing and Design - Public Real Improvements 	

- Impact on setting of nearby Conservation Areas
- Traffic and Parking
- Contaminated Land
- Impact on Air Quality
- Impact on Amenity
- Drainage and Flooding
- Impact on Protected Sites

The principle of the proposed uses and form of the development have already been established through the recent outline planning permission (LA04/2018/2470/O). This Reserved Matters application seeks approval for the detailed plans and elevations.

The site lies within the northern part of the city centre, which is considered poorly defined in terms of land use and built form. The site is zoned as an opportunity site in the Draft Belfast Metropolitan Area Plan (Draft BMAP 2004 and 2015), and it is considered that the proposal will develop part of a surface level car park with a piece of high quality architecture heavily influenced by the industrial heritage of the area, creating a well-defined public space and providing a landmark building on one of the main arterial routes into the city centre (North Street).

The mix of office, restaurants/cafes and retail will add to the diversity of the City Centre whilst bringing much needed regeneration of this area. The built form will be located on an expansive surface level car park thus introducing a landmark building, creating a sense of place and defining a vacant space within what is a previously developed part of the City Centre. This northern section of the city centre has suffered from lack of investment and dereliction, with many areas being cleared and sites being left undeveloped. The proposal should help stimulate the wider regeneration of this part of the city, which has recently been boosted with the arrival of the Ulster University's city centre campus, and proposals to redevelop the former Royal Exchange. High quality finishes and subtleties in design are considered to pay homage to the historical context and will combine with the adjacent proposal (LA04/2020/0325/F) to create a landmark cluster, high quality public realm and a sense of place within a currently undefined part of the city centre.

Consultees & Representations

DFC Historic Environment Division – Further information requested

Shared Environmental Services – No objection

DFI Roads – No objection subject to conditions

Rivers Agency – No objection

Environmental Health and DAERA Waste Management Unit – No objection subject to conditions

Building Control – No objection

Urban Design Officer – No objection

No objections or third party representations have been received.

Recommendation

Having regard to the extant Development Plan, the draft Development Plan, relevant planning policies, planning approvals in the area including the extant outline planning permission on the same site, economic benefits, regeneration and other material considerations, the proposed development is considered acceptable.

It is recommended that delegated authority is given to the Director of Planning and Building Control to approve the reserved matters, and finalise the wording of conditions.

Signature(s):

Case Officer Report	
Site Location Plan and 3D visual	
<p>1.0</p> <p>1.1</p>	<p>Description of Proposed Development</p> <p>Outline planning permission was granted in February 2020 for Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). The permission comprises basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above (LA04/2018/2470/O).</p>

1.2	This application seeks the approval of Reserved Matters for part of the outline permission with a Mixed Use building ranging from 3 no. to 5 no. storeys (plus roof plant) comprising ground floor retail/food and beverage/office uses, and offices above. All matters have been reserved although a planning condition on the outline permission sets the height parameters for the buildings. The wider proposal is for redevelopment of part of a vacant surface level car park to facilitate the erection of a Mixed-Use building ranging from four to nine storeys in height (plus roof plant) comprising ground floor retail/restaurant/coffee shop/business uses with 'Grade A' offices above. The proposal includes associated public realm, landscaping and other associated site works. The total floor area of the building is approximately 6,160sqm. The ground floor consists predominantly of retail and cafes (400 sqm) with the upper floors entirely office space (approx. 4,000sqm).
1.3	The proposal also includes approximately 890 sqm of proposed public realm running immediately north of the proposed building between Winetavern Street and Gresham Street. An additional 295 sqm of footway and public realm improvements are proposed in a narrow strip along the east and south of the proposed building. This area includes paving, planting and seating and will provide a pedestrian link through the site and service access. A stretch of pink pearl/brown and silver grey granite blocks are proposed along the entire Gresham Street frontage of the building. A section of grey granite paving (skinnies) is proposed to the footpath north of the Gresham building, denoting the threshold and entrance point to the courtyard off Gresham Street and picks up on the silver grey reconstituted stone paving within the courtyard itself. Bands of dark grey textured reconstituted cobble setts align all building edges within the yard, within which a number of lighting columns are proposed. A second section of grey granite paving (skinnies) is also proposed at the opposite (western) end of the courtyard area at the threshold/entrance point off Winetavern Street.
1.4	The proposal is a single building with two distinctive interlocking blocks in an inverted L shape. One fronting onto Gresham Street with an annex to the rear fronting onto an internal courtyard/ public realm. The Gresham Street block is 5 storeys with the top two floors set back by approximately 3m. The building has a total height of 20.95m (excluding plant) with a shoulder height of 12.75m. Facing materials proposed include buff multi-brick (including sections of hit and miss pattern), aluminium framing to windows/doors (bronze finish), aluminium perforated spandrel panels (bronze finish), bronze finish handrail and an anodised aluminium plant enclosure (bronze).
1.5	The Annex to this building (referred to as the Sawtooth Building) is 4 storeys and has an overall height of 15m with a shoulder height of 12.75m. Apart from the buff brick finish on the ground floor the building material is predominantly bronze coloured zinc cladding.
1.6	The site layout is the same as that granted outline planning permission for a wider scheme on 4th February 2020, comprising two interlocked 'L' Blocks between which a central yard space is formed. The remainder of the application site is the subject of a full application LA04/2020/0325/F, the details of which are provided at paragraph 3.2.
1.7	Commercial and food and beverage units are located along Gresham Street and onto the public realm space to the west of the building with plant and service rooms located

<p>1.8</p>	<p>internally adjacent to the Sawtooth Building. The Sawtooth building is entirely office space with a frontage to the north onto the area of public realm which links Winetavern Street and Gresham Street.</p> <p>External terraces are proposed at first floor level (north west elevation) at the Sawtooth Building and at third floor level to the east elevation of the Gresham building.</p>
<p>2.0 2.1 2.2</p>	<p>Description of Site</p> <p>The site is an existing surface level car park. There is a three storey Listed 'Butchers Building' located in the north-east corner of site on the junction of North Street and Gresham Street (listed in April 2016 as a result of a Building Preservation Notice served by the Council).</p> <p>The following zonings apply to the site:</p> <ul style="list-style-type: none"> - Belfast Urban Area Plan – the eastern part of the site is located within the Main Office Area. - Draft Belfast Metropolitan Area Plan (2004) – all but a small section of the North Street frontage located within a Development Opportunity Site (CC035), within the Main Office Area and Primary Retail Core. The site also lies within the 'Old City' Character Area CC012. - Draft Belfast Metropolitan Area Plan (2015) – the site is located within a larger development opportunity site (CC016) and within the 'Old City' Character Area CC009.
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0 3.1 3.2</p>	<p>Planning History and current planning applications on the site</p> <p>LA04/2018/2470/O - Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works. Decision: Approval (February 2020)</p> <p>Indicative building heights were approved as follows:</p> <ul style="list-style-type: none"> - North Street – 23.8m to shoulder of building (26m including plant) - Gresham Street – 13.3m to shoulder of building, 22.5 to roof (25m including plant) - Winetavern Street – 35.4m to shoulder of building, (38.7m including plant) <p>LA04/2020/0325/F - Proposed redevelopment of vacant surface level car park to facilitate the erection of a Mixed-Use building ranging from 4no. to 9no. storeys in height (plus roof plant) comprising ground floor retail/restaurant/coffee shop/business uses with 'Grade A'</p>

<p>3.3</p> <p>3.4</p>	<p>offices above. Development includes associated public realm, landscaping and all other associated site works. Decision: Current</p> <p>LA04/2018/2464/F – Alteration and extension of existing listed building including change of use from retail (all floors) to café/restaurant at ground floor and office at first and second floors with all associated site works. Decision: Approval</p> <p>LA04/2018/2445/LBC - Internal and external alterations to existing building to facilitate a change of use and extension. Decision: Approval</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015 Draft Belfast Local Development Plan Strategy (Draft LDP) Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area' Developer Contribution Framework (adopted January 2020)</p>
<p>4.2</p>	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage 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 Planning Policy Statement 13 – Transportation and Landuse Planning Policy Statement 15 – Planning and Flood Risk</p>
<p>5.0</p>	<p>Statutory Consultees Historic Environment Division – Further information requested DFI Roads – No objections subject to conditions DAERA – No objections subject to conditions Rivers Agency – No objections Shared Environmental Services – No objections</p>
<p>6.0</p>	<p>Non-Statutory Consultees Environmental Health BCC – No objections subject to conditions Urban Design Officer – No objections Belfast City Council Regeneration and Development Team – No objections</p>
<p>7.0</p>	<p>Representations No public objections or representations have been received.</p>
<p>8.0</p>	<p>Other Material Considerations The Belfast Agenda</p>

	Inner North-West Masterplan Belfast City Centre Regeneration and Investment Strategy (2015)
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Impact on Built Heritage - Scale, Massing and Design - Public Realm Improvements - Impact on setting of nearby Conservation Areas - Traffic and Parking - Contaminated Land - Impact on Air Quality - Impact on Amenity - Drainage and Flooding - Impact on Protected Sites
9.2	<p>Principle of Development</p> <p>The principle of development has been established on the site through the granting of the recent and extant outline permission. Only the reserved matters are before the Planning Committee for consideration. The only matter determined at Outline stage was the scale and massing of the proposed buildings, with maximum heights conditioned, as above. The following matters were reserved: siting, design, external appearance of buildings, means of access and landscaping.</p>
9.3	<p>Draft BMAP (2004 and 2015) designations</p> <p>In the draft Belfast Metropolitan Area Plan 2015 (2014 version) the site lies within a Development Opportunity site (C0016) and within the Old City Character Area (CC009). In the 2004 version of Draft BMAP, the site is also located within a development opportunity site (CC035) and Old City Character Area (CC012).</p>
9.4	<p>Draft BMAP 2015 sets out a number of Urban Design Criteria for the Old City Character Area:</p> <ul style="list-style-type: none"> - The density of development in the area shall be maintained and increased where appropriate, through high site coverage and high plot ratio; <i>Officer response: this is a brownfield development opportunity site and thus something of a blank canvas. The concept revolves around the creation of a public space bounded by landmark buildings, as opposed to covering the site. Although not ensuring high site coverage, this promotes legibility and helps create a space, defining an area in terms of architecture and land-uses where there is currently little in the way of a strong built character or sense of place. The proposal is consistent with the indicative layout provided at the outline application stage.</i> - Development proposals shall take account of the height of adjoining buildings;

Officer response: this will be discussed further below under 'Scale, Massing and Design'. As stated above this is a development opportunity site. A high quality scheme as proposed, with a strong conceptual approach, with a shoulder height almost identical to the height of the adjacent listed building will re-introduce a sympathetic built form which pays homage to the industrial heritage of the area. The building steps down in scale from the main 'Mill Building' (LA04/2020/0325/F) to reflect the more domestic scale of development on Winetavern Street and Gresham Street. The scale and height have been established through the extant outline permission.

- **New development shall respect the established building line;**
Officer response: the building fronts onto the footpath and respect the established building lines along Gresham Street. Moreover, the building line is consistent with the indicative layout provided at the outline application stage.
- **Building heights shall be a minimum of 3 storeys and a maximum of 5 storeys with use of articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected;**
Officer response: Taller buildings have been committed to the site through the granting of outline approval. The building has a shoulder height of three storeys onto Gresham Street rising to five storeys with a 3m setback.
- **Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units;**
Officer response: the setting back of the upper two floors ensure the massing of the building is broken up to respect the three storey context along Gresham Street. The building arrangement within the proposed layout takes cognisance of the general plot widths and urban grain of the surrounding area. These principles were considered at the outline application stage.
- **Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt.**
Officer response: the site layout includes a central yard space. This yard space is accessible from both Winetavern Street and Gresham Street, forming a continuous and permeable link through the block. It is also noted that both entrances to the yard would be flanked by one new building and one historic building, namely the three storey terrace (Nos. 5-23) in the case of Winetavern Street and the Butchers Building at Gresham Street. The proportions of both entrances pick up contextually on the old entries of Belfast with the yard space itself providing spill out space for proposed GF uses.

Objections to Designations in Draft BMAP 2015
Character Areas

9.5

	<p>There were both general and more specific objections raised in relation to the draft Character Areas. The PAC recommended no change to the Plan as a result of the general objections. In terms of the specific objections to the Old City Character Area, within which the site is located, they commented that the Department (DoE) were willing to amend the second bullet point (minimum height of 3 storeys and maximum of 5 storeys) to allow departure from specified heights in exceptional circumstances, where a design statement and visual impact assessment were submitted. The PAC recommended that under the 'Elsewhere' Key Site Requirements the following should be added:</p> <p><i>'Within the area bounded by North Street, Millfield, Berry Street and Royal Avenue, comprehensive development proposals will be acceptable subject to an enhanced public realm and the creation of streets which reinstate the historic urban grain and secure east/west and north/south linkages, including links through Castlecourt'.</i></p> <p>Impact on Built Heritage</p> <p>The proposal has been assessed against Policy BH11 of PPS6 in that the application impacts upon a listed building at 108 North Street & 1 Gresham Street (Grade B1) and it is also in close proximity to and impacts on the setting of the following listed buildings, which are of special architectural and historic interest, protected by Section 80 of the Planning Act (NI) 2011:</p> <p>9.6</p> <p>9.7 HB26/50/068 103-107 Royal Avenue & 77-79 North Street, Belfast B1 HB26/50/184 76-88 Royal Avenue and 104 North Street, Belfast B1 HB26/50/186B 93-101 Royal Avenue, Belfast B2 HB26/50/317 156-164 North Street, Belfast B2 HB26/50/334 166-174 North Street, Belfast B2</p> <p>9.8 Historic Environment Division, Historic Buildings (HED: HB) has considered the impact of the proposal on the listed buildings and sought further information including clarification of the shoulder height of the Butchers Building in relation to the proposal, including further three dimensional visuals. However, it is clear that the elevations and sections submitted with the application show the shoulder height of the proposed Gresham Street building to be virtually identical to the ridge of the Butchers Building (flat roof).</p> <p>9.9 When considering HED's comments regard should be had to the fact that the outline application was supported by indicative elevations showing building heights of 13.3m to shoulder of building on Gresham Street and (26m including plant) 22.5m overall height, (25m including plant). Given that the proposed building is lower on Gresham Street than approved at outline stage further contextual information is not necessary.</p> <p>9.10 Arguably the listed building affected most by the proposal is the Butchers Building immediately east of the site at the junction of North Street and Gresham Street. The shoulder height of the Gresham Street building is similar to that of the Butchers Building, and with a virtually identical building line, accompanied with a 3m setback at third and fourth floor level the building respects the scale of the listed building, particularly when viewed from Street level on Gresham Street. The potential impacts from longer views from North Street are mitigated by the 3m setback on Gresham Street and also a 2m</p>
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	<p>setback on the northern elevation onto the Butchers Building. The buff coloured finish ensures the building will not compete visually with the predominantly white listed building. A darker brick would present a dominant backdrop with a risk of the butchers building becoming overwhelmed, whereas a white render finish would mean the smaller butchers building could become lost with a larger building of the same tone as a backdrop (from North Street view).</p>
9.11	<p>The butchers building originally existed as part of terraced streetscapes along North Street and Gresham Street. The reintroduction of a built form alongside the listed building, with a similar shoulder height, is considered to be an improvement over its current isolated existence within the corner of a surface level car park, which does little to enhance the setting of the listed building or highlights its positive features.</p>
9.12	<p>Indeed, much of the area has become characterised by surface level car parks, dereliction and modern architectural interventions which have gradually undermined the setting of many of the above mentioned listed buildings. With only fragments of the historic streetscape surviving today, the introduction of a historically influenced landmark building of this nature is considered to enhance the area and the setting of these listed buildings.</p>
9.13	<p>On balance, it is considered that the introduction of a high quality building on this vacant site, sympathetically finished, with a shoulder height no higher than the listed building will have no adverse impact on the setting of the listed Butchers Building and as such is compliant with Policy BH11 of PPS6.</p>
9.14	<p>Scale, Massing and Design</p> <p>The proposal has been assessed against the Strategic Planning Policy Statement for Northern Ireland. It should be noted that the scale and massing have been established in principle at outline stage, with the proposed building and shoulder heights lower than those conditioned as part of the outline approval. The upper height of the Sawtooth Building (15.00m), 2F shoulder height of the Gresham Building (12.75m), its 5F parapet height (20.95m) and upper plant height (23.25m) equate to or in cases are less than those approved as part of the previous outline approval (LA04/2018/2470/O).</p>
9.15	<p>In terms of the larger Gresham Street block the Urban Design Officer comments as follows:</p> <p><i>'The arrangement of windows across the lower three floors of the Gresham building, the height of which generally accords with the upper height of the listed Butcher's building at the corner of North Street/Gresham Street and existing terrace to the south, are provided as single openings at GF with pairings of windows at 1F and 2F.'</i></p> <p><i>'The double height order at 1F and 2F places a vertical emphasis on the façade with sections of hit and miss brick between both floors. Perforated spandrel panels immediately above 2F windows together with the subtle capping at this level help to emphasise the three storey shoulder height. Again a double height order has been applied to the upper two recessed floors with aluminium perforated spandrel panels</i></p>

	<p><i>between floors and above 4F level. It is considered that the articulation of the lower floors of the Gresham building generally reflects that of existing three storey terraces along Gresham Street, albeit in a contemporary manner, and is welcomed with the upper two recessed floors adopting a similar language’.</i></p>
9.17	<p>The more domestic scale of the Sawtooth building, which ranges from one to three storeys in height in response to existing buildings south of the site. The Urban Design Officer notes that this: <i>‘has allowed for a different approach to façade articulation..... Reminiscent of warehouse buildings once common to this area, the Sawtooth building incorporates brick at GF (consistent with that of the Gresham building) with bronze aluminium framing to doors/windows and handrails at 1F, with the notable difference being the bronze standing seam cladding to the upper two floors including its distinctive sawtooth roof profile’.</i></p>
9.18	<p>The Urban Design Officer welcomes the treatment of the building, which is said to ‘reinforce local distinctiveness’. Similarly to the larger ‘Mill Building’ which is the subject of the parallel Full application (LA04/2020/0325/F) there is a nod to the city’s industrial heritage, and as the Urban Design Officer notes this includes: <i>‘...its sawtooth profile which allows for optimal light levels and increased natural ventilation to upper floors. It’s stepped profile at 1F, which sets the upper two floors behind the existing terrace along Winetavern Street, also allows the main bulk of the building to be revealed gradually to pedestrians accessing the Yard area off Winetavern Street while terminating views south through the Yard to pedestrians accessing from Gresham Street’.</i></p>
9.19	<p>In terms of the proposed groundfloor uses the Urban Design Officer has noted <i>‘Non-active elements including a transformer and comms room have been limited to a short GF section (10.0m length out of a total GF length of around 42.0m), with additional service requirements such as switch room and bin store being located on the southern elevation, accessed by way of a gated service laneway off Gresham Street. Similarly the open plan GF nature of the Sawtooth building will also help to animate and provide additional levels of movement and passive surveillance to the courtyard area’.</i></p>
9.20	<p>The design and layout of the scheme, with its architectural nod to the industrial heritage of the city and the area, has been developed and refined on the advice of the Council’s Urban Design Officer, is considered to comply with Paragraphs 4.23-4.27 of the SPPS Policy PED9 of PPS4 and is acceptable.</p>
9.21	<p>Public Real Improvements In accordance with the dBMAP 2015 Character Area and Developer Contribution Framework, there is an identified need for public realm improvements in the vicinity of the site. Public realm provision and improvements to the pavements and footways around the proposed buildings were previously secured through the outline permission by condition. This application also includes an area of public realm immediately north of the building (approximately 890 sqm) referred to in supporting documentation as ‘The Yard’. It serves as a public space that allows daylight to penetrate into the proposed building as well as providing a new external space accessible to the public.</p>

9.22	The hard and soft landscaping for this area includes trees, shrubs, granite paving, dark grey cobble setts, benches and light columns. Granite sets border the yard, defining the two lanes into the courtyard from Gresham street and Winetavern Street. Trees, planters and seating are integrated into the courtyard as two fixtures to the North and South of the yard: each positioned in a way that forms a vista from Winetavern Street and Gresham Street to greenery.
9.23	It also allows access for servicing, delivery, refuse vehicles and fire tenders to the centre of the site. A central 'arcade' has been created through the building that will allow for a public route through the building from North street into the yard. Seating and planters occupy the yard to allow for dwelling spaces and provide a 'green' visual connection from both Winetavern & Gresham Street.
9.24	The provision of this high quality area of urban open space and accompanying public realm improvements, supported by the Urban Design Officer, will enhance the character of the proposed buildings (LA04/2020/0325/F and LA04/2020/0865/RM). It will also contribute to the process of urban regeneration and complies with the Strategic Policy in relation to public open space within the SPPS (paragraphs 4.24 and 6.200) and Policy PED9 of PPS4. The implementation and provision of the hard and soft landscaping within this area of open space will be secured via condition as detailed below.
9.25	<p>Impact on setting of nearby Conservation Areas</p> <p>The proposal has been assessed against Policy BH 12 of PPS6 which states that development proposals for new buildings which impact on the setting of a conservation area, will only be permitted where important views within, into and out of the area are protected.</p>
9.26	The north-east corner of the site is located approximately 20m from the north-western boundary of the City Centre Conservation Area and 50m from the southern boundary of the Cathedral Conservation Area, both of which meet at the end of Royal Avenue close to the landmark Bank of Ireland Building.
9.27	With the scale and massing already established through the granting of outline approval, as discussed earlier, the form, design and materials must be considered in terms of their impact upon the setting of the two conservation areas.
9.28	In terms of the approach towards both the Conservation Areas the main views in affected by the proposal would be from the north-west along North Street. These views however are limited in that the only buildings within the City Centre Conservation Area and Cathedral Conservations Areas visible from this approach are the Sinclair House Building and 103-107 Royal Avenue on Royal Avenue/ North Street junction.
9.29	Given the buildings location on the secondary Gresham Street, distance from the edge of the nearest Conservation Area, and its modest height in relation to the surrounding context, any potential impact on the adjacent Conservation Areas will be limited at best. Upon delivery of the larger building onto North Street (the subject of current application LA04/2020/0325/F), there should be no inter-visibility between the proposed building and

	<p>the Conservation Areas from the westward approach towards the city centre. It is considered that the character and appearance of the Conservation Areas would be preserved.</p>
9.30	<p>Traffic and Parking</p> <p>The proposal has been assessed against Planning Policy Statement 3 and Policy TRAN4 of Draft BMAP. As no parking has been proposed as part of the development any car parking requirements associated with the proposed development site will have to make use of the existing car parking provision on-street and off-street within Belfast City Centre respecting the associated restrictions and charges. It should be noted that the basement parking proposed as part of the overall outline submission was located under the adjacent block on North Street (LA04/2020/0325/F). There was no parking directly linked to the building on Gresham Street or condition requiring provision of the basement car park linked to this building.</p>
9.31	<p>Based on the Gross Floor Area of the proposed development (6,160m²) and the TRAN4 City Centre Core car parking standard of 1no. space per 300m², the proposed development has a maximum car parking requirement of 21no. car parking spaces.</p>
9.32	<p>Policy TRAN 4 provides the following text in relation to the policy: <i>'Reductions in the above standards will be considered in appropriate circumstances where evidence of alternative transport arrangements can be clearly demonstrated, or other material considerations exist that justify an exception to the policy. Proposals involving car parking in excess of the standards will only be permitted in exceptional circumstances.'</i></p>
9.33	<p>The Travel Plan accompanying the Full application (LA04/2020/0325/F) sets out the range of pedestrian, cycling, public transport and private car parking available in the immediate vicinity. It also proposed a number of measures to promote alternatives to the private car, these include:</p> <ul style="list-style-type: none"> • Budget allocations for Travel Plan activities • Appointing a Travel Plan Co-Ordinator • Annual review of Travel Plan and employee travel patterns • Promotion of cycling, public transport and park and ride services.
9.34	<p>The lack of car parking within the development is a welcome approach and demonstrates the potential for accessing existing and more sustainable travel options, but ultimately DFI Roads will advise if the alternatives proposed within the Travel Plan are considered sufficient in terms of justifying a relaxation in the parking standards.</p>
9.35	<p>DFI Roads had requested additional information including: demonstration that facilities exist for people with disabilities, a Travel Plan addressing parking shortfall, cycle parking close to the accesses and a Service Management Plan. The planning agent confirmed that no parking is proposed within these Buildings. A map was submitted in response to DFI Roads comments showing 10 disabled spaces on street within the vicinity of the site, four of which are located within close proximity to the points of access. This is considered sufficient to serve the development.</p>

<p>9.36</p>	<p>The agent also pointed out that Condition 8 of the outline permission requires a Travel Plan to be submitted prior to occupation of the buildings, so this is not something which needs to be addressed at this stage, as is the case with the Service Management Plan. Cycle Parking is provided on the proposed ground floor, with 44 spaces indicated on the floor plans onto the Gresham Street frontage.</p>
<p>9.37</p>	<p>DFI Roads were re-consulted with this information and subsequently offer no objections subject to conditions relating to the provision of cycle parking and provision of hard standing prior to occupation and operation of the site respectively. Conditions were also suggested in relation to a Travel Plan and Service Management Plan, however as stated above, these were the subject of conditions at outline stage and do not need to be repeated.</p>
<p>9.38</p>	<p>Impact on amenity</p> <p>The introduction of a substantial built form such as that proposed will inevitably have an impact on properties within the vicinity of the site. Having said this only one of the adjacent properties, not within the applicant’s control, has a residential use. The Confectionary shop, approximately 2.5m from the proposed Sawtooth building, and arguably the property most impacted by the proposal given its location and orientation in relation to the three storey building. Having said this it is clear that the building has been designed in a manner which acknowledges the proximity to this property and mitigate any potential impact. There is a notable drop in the height of the building from 12.65m to 3.5m adjacent to the Confectionary Shop. This drop, across approximately 2.5m, will ensure that the main bulk of the building is located approximately 5m from the rear of the property. Although some loss of light will be inevitable, the separation distance, accompanied with the reduction in height, should ensure that any potential overshadowing/overbearing impact is not significant, and the amenity of the property is not compromised. It should be noted that the scale parameters of the Sawtooth Building are slightly less than those approved on the indicative plans at outline stage.</p>
<p>9.39</p>	<p>Elsewhere, separation distances of approximately 10m from proposed built form onto street frontage properties on Gresham Street should be sufficient, given the three storey shoulder height and 3m setback to negate any potential dominance. It is important to highlight that this is a city centre location where it is common to find buildings of varying heights within close proximity of one another. Moreover, the principle of the layout, height and massing of the building has been established through the outline permission.</p>
<p>9.40</p>	<p><i>Odour</i></p> <p>The proposal includes food and beverage units on the ground floor. The drawings submitted include three units marked retail/food and beverage. Environmental Health has acknowledged at this stage little is known regarding the eventual tenants and/or extent of the food and beverage activity at the proposed ground floor units. As such, Environmental Health have requested that a condition is attached to ensure the appropriate extraction and odour abatement systems are installed for the proposed end uses within each unit. The condition is detailed below.</p>

9.41	<p><i>Noise</i></p> <p>It is noted that the ground floor is to be comprised mainly of food and beverage units with little detail known at this stage as to the specific end user. The remaining upper floors of the proposal will be office use.</p>
9.42	<p>Environmental Health has advised that the applicant should liaise with a competent acoustic consultant to identify appropriate structural noise insulation for the proposed units at ground floor and upper floors as well as appropriate selection and design of plant and equipment associated with the development. Although no noise impact assessment has been submitted in support of the proposal, in principle, suitable internal noise levels can be achieved so long as appropriate noise insulation measures are identified and incorporated into the proposed development.</p>
9.43	<p>Environmental Health has requested that a condition is attached to any decision requiring the applicant submits a development specific noise report, prior to construction of the development, to confirm what noise insulation measures are to be incorporated into the proposed development. This condition is detailed below.</p>
9.44	<p>As external terraces are proposed at first floor level (north west elevation) at the Sawtooth Building and at third floor level to the east elevation of the Gresham building Environmental Health has also requested that a condition is attached to limit the times of use of the proposed external areas in order to protect the amenity of neighbouring properties. The condition is detailed below.</p>
9.45	<p>Impact on Air Quality</p> <p>It is acknowledged that no gas boilers will be used for heat generation. It is stated by the consultant that cooling and heating will be provided via a variable refrigerant flow (VRF) system, with condenser units located at roof level, capable of providing heating and/or cooling as required. The report advises the potential for emissions impacting on local air quality will not be an issue as might be with individual gas boilers. It is noted that the fifth floor proposed plan has indicated that VRF units are to be located in this area. It is noted that condition 13 of the outline permission requires that 'prior to installation of combustion systems within the development details of the proposed heating system must be provided and an additional air quality report submitted to the local planning authority etc...'</p>
9.46	<p>The report also advises that a diesel generator will be supplied to provide a secondary/alternative electrical supply to safety equipment such as the sprinkler pump and firefighting lift. It is advised that this generator will be located at roof level within an acoustic enclosure. The report goes on to advise instead of using standard diesel it is intended that a biofuel will be used to power the generator which will reduce emissions and increase efficiency.</p>
9.47	<p>Although the report advises that the generator will be standby only and that a biofuel will be used to power the generator Environmental Health has requested a planning condition to ensure that both the standby generator and any other generator proposed, once</p>

9.48	<p>selected for installation, meets with the proposed specification and will not have an adverse impact on the health of relevant receptors. This condition is detailed below. Environmental Health therefore request conditions to ensure that technical information relating to generators is submitted to ensure emissions will not impact negatively on adjacent properties. These conditions are recommended below.</p>
	<p>Drainage and Flooding</p>
9.49	<p>The Strategic Flood Map (NI) indicates that the development <u>does not</u> lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site.</p>
9.50	<p>The proposal has been assessed against Policy FLD3 of PPS15. Rivers Agency has reviewed the Drainage Assessment by Doran Consulting, dated March 2020 and acknowledge the submission of correspondence from NI Water, dated 24th July 2019, consenting to the discharge of stormwater into the existing combined sewer at a maximum rate of 20l/s. On the basis of the information submitted Rivers Agency has offered no objection to the proposal.</p>
	<p>Impact on Protected Sites and Species</p>
9.51	<p>This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p>
9.52	<p>The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.</p>
9.53	<p>DAERA Natural Environment Division (NED) consider that, because of the low levels of bat activity observed on site, the limited suitability for roosting bats and minimal foraging habitat, the development is unlikely to significantly impact the local bat population.</p>
9.54	<p>NED has highlighted that breeding swifts (<i>Apus apus</i>) are a notable species in Belfast City and multiple breeding sites have been recorded within 1 kilometre of the development site. Swifts are a Northern Ireland Priority Species and an Amber listed Bird of Conservation Concern in the UK and Ireland. NED would encourage that swift bricks or nest boxes are incorporated into the building to benefit Swifts and improve the biodiversity of the site. This can be placed as an informative on the decision notice, should approval be forthcoming.</p>
<p>10.0 10.1</p>	<p>Recommendation: Having had regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area and other material considerations, the proposed Reserved Matters are considered acceptable.</p>

10.2	It is recommended that delegated authority is given to the Director of Planning and Building Control to approve the Reserved Matters and finalise the wording of conditions.
11.0	Conditions
11.1	<p>Prior to installation of extraction and odour abatement systems to any of the hereby permitted food and beverage units at ground floor, the applicant shall provide in writing to the Council for approval, full specification details of the proposed kitchen extraction unit(s) and if required odour abatement strategy/system to be employed to suppress and disperse grease, smoke and odours created by cooking operations. The odour abatement system must be designed in accordance with the required level of odour control specified within EMAQ+ Guidance on the control of odour and noise from commercial kitchen exhaust system (dated 2018). Information submitted must be sufficient to demonstrate that there will be no adverse impact on the amenity of nearby premises due to odour. The approved odour extraction/ abatement technology shall be installed prior to the operation of the businesses and maintained thereafter in accordance with the manufacturer's instructions. Extraction and odour abatement systems to cafes/restaurants shall be installed as approved prior to commencement of operation of each food and beverage unit.</p> <p>Reason: Protection of amenity to neighbouring properties.</p>
11.2	<p>Prior to the installation of the hereby permitted standby generator and/or other generator, technical data must be submitted to the Council for review and approval in writing in order to demonstrate that the generators emissions' will not have an adverse impact on the nearby relevant receptors. The generators shall be installed in accordance with the approved details prior to the occupation of any part of the building hereby approved.</p> <p>Reason: Protection of human health.</p>
11.3	<p>Prior to construction of the hereby approved development, the applicant shall submit a development specific noise report to the local planning authority for review and approval. The noise report shall clearly identify what noise mitigation measures are required to mitigate noise breakout from the ground floor units and what noise insulation measures required to achieve suitable internal noise levels in the offices in line with BS8233:2014. The mitigation measures shall include a glazing/alternative ventilation specification for the ground floor uses as well as the upper office floors and recommended design targets for any proposed plant and equipment associated with the proposal (in accordance with BS4142:2014. The noise mitigation measures identified in the hereby approved noise report shall be incorporated into the proposed development and be retained thereafter.</p> <p>Reason: Protection of amenity of the future development and existing nearby premises.</p>
11.4	<p>The roof top and any other external terraces/seating areas shall not be used beyond 07:00am and 23:00hrs.</p> <p>Reason: Protection of residential amenity.</p>

11.5	<p>Prior to the operation of any restaurant/coffee shop, details of the proposed kitchen extraction unit(s) and if required odour abatement strategy/system to be employed to suppress and disperse grease, smoke and odours created by cooking operations shall be submitted to and approved in writing by the Council. The odour abatement system must be designed in accordance with the required level of odour control specified within EMAQ+ Guidance on the control of odour and noise from commercial kitchen exhaust system (dated 2018). Information submitted must be sufficient to demonstrate that there will be no adverse impact on the amenity of nearby premises due to odour. The approved odour extraction/ abatement technology shall be installed prior to the operation of the businesses and retained thereafter at all times.</p> <p>Reason: Protection of amenity to neighbouring properties.</p>
11.6	<p>All hard and soft landscaping associated with the approved public realm works, as indicated on landscape layout and landscaping details drawing Nos. 6321-L-104 and 6321-L-111 respectively, shall be completed in accordance with the approved details prior to occupation of any part of the development hereby approved.</p> <p>Reason: In the interests of visual amenity and to ensure the provision of a high quality of public realm.</p>
11.7	<p>No development shall commence until a detailed specification and samples of proposed external materials have been submitted to and approved in writing by the Council. The details shall include a sample panel of the proposed brick and concrete finishes, which will be retained on site for the duration of the construction. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area and to ensure a high standard of finish.</p>
11.8	<p>The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 1908-FCBS-ZG-ZG-DR-A-0101 Amendment P1 'Proposed Site Plan' published by Belfast City Council Planning Office on 03 June 2020 to provide adequate facilities for parking, servicing and circulating within the site.</p> <p>Reason: To ensure that adequate provision has been made for access and servicing.</p>
11.9	<p>Prior to occupation of any part of the development, 44 No. secure cycle parking spaces shall be provided and permanently retained within the ground floor of the building for use by staff and 6 No. cycle parking spaces shall be provided and be permanently retained close to each of the accesses of the proposed development for use by visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p>

	<p>Informatives</p> <p>Artificial flood lighting design should ensure residents are not disturbed by light nuisance. All artificial lighting connected with the development should follow the recommendations within the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GNOL:2011.</p> <p>The purpose of the Conditions 11.5 and 11.6 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the Land, Soil & Air forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.</p> <p>NIEA recommends that the applicant consult with the Water Management Unit in NIEA regarding any potential dewatering that may be required during the development including the need for a discharge consent. Discharged waters should meet appropriate discharge consent conditions. Further information can be obtained from: https://www.daera-ni.gov.uk/articles/regulating-water-discharges</p> <p>The applicant should ensure that the management of all waste materials onto and off this site are suitably authorized through the Waste and Contaminated Land (Northern Ireland) Order 1997, the Waste Management Licensing Regulations (Northern Ireland) 2003 and the Water Order (Northern Ireland) 1999. Further information can be obtained from: https://www.daera-ni.gov.uk/articles/waste-management-licensing https://www.daera-ni.gov.uk/topics/waste/waste-management-licensing-exemptions https://www.daera-ni.gov.uk/articles/regulating-water-discharges</p> <p>NED would encourage that swift bricks or nest boxes are incorporated into the building to benefit Swifts and improve the biodiversity of the site.</p>
12.0	<p>Notification to Department (if relevant)</p> <p>Not required as this is a reserved matters application only and not an application for planning permission.</p>
13.0	<p>Representations from elected members: None received</p>
<p>Neighbour Notification Checked Yes</p>	

ANNEX	
Date Valid	7 th May 2020
Date First Advertised	5 th June 2020
Date Last Advertised	5 th June 2020
<p>Details of Neighbour Notification (all addresses)</p> <p>1 Smithfield Square North,Belfast,Antrim,BT1 1FN 10-14 ,Gresham Street,Belfast,Antrim,BT1 1JN 108 North Street,Belfast,Antrim,BT1 1LE 11 Winetavern Street,Belfast,Antrim,BT1 1JQ 110 North Street,Belfast,Antrim,BT1 1LE 112 North Street,Belfast,Antrim,BT1 1LE 12 Gresham Street,Belfast,Antrim,BT1 1JN 13 Winetavern Street,Belfast,Antrim,BT1 1JQ 13a Winetavern Street,Belfast,Antrim,BT1 1JQ 16a ,Gresham Street,Belfast,Antrim,BT1 1JN 17 Winetavern Street,Belfast,Antrim,BT1 1JQ 19 Winetavern Street,Belfast,Antrim,BT1 1JQ 2 Smithfield Square North,Belfast,Antrim,BT1 1DD 2-8 Gresham Street,Belfast,Antrim,BT1 1JN 21 Winetavern Street,Belfast,Antrim,BT1 1JQ 22 Gresham Street,Belfast,Antrim,BT1 1JN 23 Winetavern Street,Belfast,Antrim,BT1 1JQ 24 Gresham Street,Belfast,Antrim,BT1 1JN 25 Gresham Street, Belfast,Antrim,BT1 1JL 26a Gresham Street,Belfast,Antrim,BT1 1JN 27 Gresham Street,Belfast,Antrim,BT1 1JL 28 Gresham Street,Belfast,Antrim,BT1 1JN 29 Gresham Street,Belfast,Antrim,BT1 1JL 30 Gresham Street,Belfast,Antrim,BT1 1JN 31 Gresham Street,Belfast,Antrim,BT1 1JL 31 Gresham Street,Belfast,Antrim,BT1 1JL 32 Gresham Street,Belfast,Antrim,BT1 1JN 33 Gresham Street,Belfast,Antrim,BT1 1JL 4-8 Gresham Street,Belfast,Antrim,BT1 1JN 47 Winetavern Street,Belfast,Antrim,BT1 1JQ 5 Winetavern Street,Belfast,Antrim,BT1 1JQ 6-10 Winetavern Street,Belfast,Antrim,BT1 1JQ</p>	

7 Winetavern Street, Belfast, Antrim, BT1 1JQ 8-10 Winetavern Street, Belfast, Antrim, BT1 1JQ 9 Winetavern Street, Belfast, Antrim, BT1 1JQ William Hill, Winetaven Street, Belfast, Antrim, BT1 1JQ	
Date of Last Neighbour Notification	9th June 2020
Date of EIA Determination	N/A (Determined at outline stage)
ES Requested	No