

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 20 September 2016	Item Number:
Application ID: LA04/2016/0559/F	
Proposal: Proposed construction of 4 No separate blocks of office development - Block A 10 No Storeys, Block B 14 No Storeys, Block C and Block D 3 No Storeys. Proposal also includes 4 No retail units, plant and car parking at lower ground floor level with external plaza and associated landscaping	Location: Site at the junction of Stewart Street/East Bridge Street and West of Central Station, East Bridge Street, Belfast
Referral Route: Major Planning Application (>5000 square metres of office floor space)	
Recommendation:	Approve - Subject to Condition and a Section 76 Agreement
Applicant Name and Address: Kilmona Property LTD Adelaide House 1 Falcon Road Belfast BT12 6SJ	Agent Name and Address: Coogan and Co Architects Ltd 144 Upper Lisburn Road Finaghy Belfast BT10 0BG
<u>ADDENDUM REPORT</u>	
<p>This full application was previously listed for Planning Committee on 16 August 2016. The application was not presented, but deferred for a site visit by Committee. The reason for this deferral was to ensure the Committee, given the issues which had been outlined in the case officer's report regarding the height, scale, mass and its potential impact on neighbouring properties, had the opportunity to undertake a site visit to acquaint itself with the application location at first hand, including Stewart Street and Friendly Street before making a decision.</p> <p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>A site visit for elected members took place on 31st August 2016.</p> <p>A total of 62 letters of objection were received on 10 August 2016. A letter of objection was also received on 11 August 2016 from Mairtin O Muilleoir MLA. The content of these objection letters were detailed in the late items dated 16 August 2016. For further clarification these letters raised the following issues:</p> <ol style="list-style-type: none"> <i>1. Amended Plans are inappropriate in terms of scale and dominance which will result in an adverse effect on the community and the residential dwellings nearby;</i> <p>Amendments to the scheme included a reduction in overall floorspace of 2167 square metres.</p> <p>The scale and massing of Block A and Block B have been redesigned to provide one taller building as opposed to two of similar height. The scale and massing to East Bridge Street has been reduced. The architectural composition of the two main blocks has been simplified.</p>	

The height of Block A was originally 13 storeys with plant above at its highest. This then stepped down to 9 storeys and then again down to 5 storeys at the intersection of East Bridge Street with Stewart Street. The amended proposal had reduced the overall height of Block A to 10 storeys at its highest then stepping down to 6 storeys at the intersection of East Bridge Street with Stewart Street.

The height of Block B was originally 13 storeys with plant above at its highest point. This then stepped down to 13 storeys and then down to 5 storeys and then 3 storeys fronting onto Stewart Street. The amended proposal comprises 14 storeys stepping down to 11 storeys and then down to 3 storeys fronting onto Stewart Street.

Block C and Block D were pulled back from the sites edge to allow a more continuous tree planting zone and a more continuous building line and building arrangement. This included amendments to the design and materials of Block C and Block D a more solid brick base is proposed with a simpler lightweight top floor.

An additional landscape buffer is also proposed along Stewart Street and improvements to access to the site including widening the pedestrian entrance from East Bridge Street to give a more generous entrance link into the proposal.

Independent Design Advice was sought on the proposal. Following the submission of amended plans to address concerns raised regarding the scale, massing and design no further objection was offered to the scheme on design grounds from the Independent Design Consultant.

In summary the scale of the proposal has been reduced to take account of the local environment to ensure that the character of the area and residential amenity is not adversely affected. The reduction in scale and massing and proposed separation distances will ensure that neighbouring occupiers should not be adversely affected by the proposal.

2. Detrimental Impact on the physical and mental wellbeing of residents;

It is recognised that well designed buildings and the patterns of movement in the space around the buildings impact on the health and well-being of people. A landscaped plaza is proposed at ground floor level. This will be accessed from Stewart Street and East Bridge Street. This central landscaped shared space is a key element of the proposal which acts to encourage movement of pedestrians through the site to the proposed public spaces around the built form.

3. Such a large development will segregate the community from the city and effectively hem the residents in;

The proposal includes the introduction of a new vehicular access point, replacing the existing access on to Stewart Street. Pedestrian access into the site is proposed from both an upper level directly from East Bridge Street and a lower service level on Stewart Street. This split level approach will enable greater permeability into and through the site – linking all routes around the site. Those accessing from East Bridge Street can either directly enter the office accommodation at this higher level or descend into the lower level, where a sheltered street will be created with an active frontage on both sides by the lower ground level and the Tunnels community project.

4. Access to the Tunnels Project will be prohibited defeating the purpose of this much needed and desired community and Belfast City Council project;

A 10 metre separation distance is proposed between the Tunnels and Block A of the proposal. 4No retail units are proposed at lower ground floor level to create a street between the proposal and the Tunnels Project which in turn will enhance the vitality and viability of this level of the development. Access to the Tunnels Project will be available from East Bridge Street via a set of steps at each

northern corner of the site and also a proposed lift adjacent the site boundary with Central Station. A level access from East Bridge Street is also proposed which will allow site users direct access into the proposed office building or descend to the Tunnels via the proposed steps. In addition, pedestrian access is proposed from Stewart Street across the proposed site to the Tunnels Project.

5. It will be intrusive to dwellings in the immediate vicinity;

Adequate separation distances (25 metres) between the proposal and the residential properties on Stewart Street combined with a 5 metre buffer of tree planting will minimise the potential for overlooking. It is considered that the relationship of the proposed development with the immediate surrounding environment is common to many city centres streets. On balance in a city centre context this relationship is considered to be acceptable in privacy and outlook terms.

6. Loss of light;

A Shadow Analysis was submitted in support of the application which demonstrates that the development will not cause overshadowing to the surrounding environment. The set back and stepped design of the built form will reduce the perception of dominance and loss of light.

7. Invasion of privacy. Protocol 1, Article 1 of the Human Rights Act states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. In addition, Article 8 states that a person has the substantive right to respect for their privacy and family life. The proposed development would have a dominating impact and the right to the quiet enjoyment of their property;

The protection of neighbouring properties from unreasonable loss of amenity is a well established planning consideration. In a city centre location properties will be overlooked to some degree. Adequate separation distances between the proposal and the residential properties on Stewart Street combined with set back and landscaping will minimise the potential for overlooking. As detailed above it is considered that the relationship of the proposed development with the immediate surrounding environment is common to many city centres streets. On balance in a city centre context this relationship is considered to be acceptable in privacy and outlook terms.

8. Adverse noise and disruption;

A Noise and Vibration Impact Assessment was submitted in support of the application. Environmental Protection (BCC) raised no objection to the proposal.

9. Increased level of traffic and parking, compromising safety. The current proposals for car parking are totally inadequate and unrealistic. This will place a massive burden on residential streets and homes whose safety is already compromised by current car parking;

The development will comprise 63 car parking spaces at lower ground floor level. The overall objective of the Travel Plan submitted in support of the application seeks to encourage a shift from car based trips to more sustainable modes of transport. It is proposed to appoint a Travel Co-ordinator responsible for the promotion of cycling, walking and public transport for staff and visitors. This requirement will form part of the Section 76 Agreement with the Developer. Within this context a reduced car parking provision is considered in these circumstances on balance to be acceptable. In addition, the site is well placed in terms of accessibility to a range of alternative and sustainable modes of transport. Transport NI offered no objection to the proposal. The proposal also includes improvements to the footways along Stewart Street surrounding the site.

10. How and where will construction vehicles and staff gain access to the site without causing a hazard and inconveniencing neighbours;

A Construction Traffic Management Plan could be attached as a condition if Committee are minded to approve. This would require that the development shall not commence until this document is submitted and agreed with Transport NI. This would mitigate any potential adverse impacts of construction traffic on the surrounding roads in the interests of road safety and convenience of road users.

The proposal includes the introduction of a new vehicular access point, replacing the existing access on Stewart Street. Pedestrian access into the site is proposed from both an upper level directly from East Bridge Street and a lower service level on Stewart Street. This split level approach will enable greater permeability into and through the site – linking all routes around the site.

11. There is already an oversubscription of office buildings in the vicinity, many of which are empty. Belfast City Centre Regeneration Investment Strategy 2015 states ‘the Belfast office market has become increasingly polarised. There is significant over-supply of secondary office accommodation, with agents estimating the quantum of vacant office space at approximately 1.2 million square feet;

The proposal comprises a total gross floorspace of 30,683 square metres of which 26,309 square metres will include gross office space. The applicant has indicated that this is proposed to be Grade A office space. The Belfast City Centre Regeneration Investment Strategy 2015 states that Grade A office space is undersupplied and there is virtually no Grade A space available.

12. Further recommendations in the Belfast City Centre Regeneration Investment Strategy 2015 include the identification of well-supported, social housing opportunities along the major roads leading into the centre. It further states that planners should remedy key deficiencies in the city centre living environment, through improvement of food shopping, day-care, open space and sense of security. This site is one that should be used for such purposes;

The site is unzoned white land located within the city centre outside the primary retail core. The proposal as submitted is not contrary to the relevant plans and policies for the site. The application does not include social housing and there is no policy requirement to provide social housing at this location. The resulting regeneration must also be considered and balanced in the overall assessment of the application.

13. The proposal does not conform with the SPPS (September 2015) – the proposal would prevent the creation of a place where communities can flourish and enjoy a shared sense of belonging, both now and in the future. In addition, the proposal would not contribute towards sustainable development and would have a detrimental impact on the built and natural environment and on the heritage assets of the area, particularly that of the Tunnels Project, which are the focus of community regeneration;

The proposal would deliver the regeneration of a brownfield site in the city centre. Relevant consultees did not raise any concern regarding detrimental impact on the built and natural environment and on the heritage assets of the area. The proposal includes the creation of a street with retail units facing the Tunnels Project which is considered will enhance the vitality and viability of the Tunnels Project by promoting increased footfall to the area.

14. The proposal is contrary of PPS 1: General Principles as it does not provide sustainable development, mixed use, quality development and design of the site;

PPS1 has been superseded by the SPPS: Planning for Sustainable Development which was introduced in September 2015.

15. Design of the scheme is unacceptable;

As detailed above Independent Design Advice was sought on the proposal. Following the submission of amended plans to address concerns raised regarding the scale, massing and design no further objection was offered to the scheme on design grounds from the Independent Design Consultant.

16. The site is identified within BMAP as a character area under designation CC014 Laganside South and Markets and therefore the site should be designed and developed in a way which allows integration with the existing residential developments and the proposed Tunnels Project;

Please refer to response detailed under point 1, 4 and 15.

17. The proposal would result in demonstrable harm to the character of the area and the residential amenity of nearby residents through inappropriate scale, massing and design;

The resulting regeneration must be considered and balanced in the overall assessment of the application. As detailed in the response to point 1 the scheme has been amended and reduced to take account of the residential properties on Stewart Street to ensure that residential amenity is not compromised. The drop in scale and massing, proposed separation distances and additional landscaping will ensure that neighbouring occupiers should not be adversely affected by the proposal.

18. The proposed development would be overbearing and intrusive to residents of the Market area – it would not respect the established building line of the area exacerbated by little provision for public open space;

Please refer to response detailed under point 5, 6 and 7. Following initial design comments regarding the proposal Block C and Block D fronting Stewart Street were pulled back from the sites edge to allow continuous tree planting and a more consistent building line. A landscaped plaza is proposed at ground floor level. This will be accessed from Stewart Street and East Bridge Street. This central landscaped shared space is a key element of the proposal which acts to encourage movement of pedestrians through the site to the proposed public spaces around the built form.

19. The design of the proposed development limits permeability through the site and prohibit access to the Tunnels project;

Please refer to response detailed under point 3 and 4.

20. The scale of the proposal would exacerbate the issue of commuter parking and would contribute to the health and safety issues;

Please refer to response detailed under point 2 and 9.

21. The scale of the development following amendments remains the same with the reduction of Block A and the addition of a floor to Block B;

Please refer to response detailed under point 1 regarding amendments to the scheme. In terms of Block B for clarification purposes the original proposal included a 13 storey building with plant floor above with a height of approximately 52.3 metres. The amended proposal has relocated the plant to lower ground floor level and Block B now comprises 14 storeys with a height of approximately 54 metres. Whilst the original Block B was advertised as a 13 storey building it also comprised an additional plant floor above. It is acknowledged that the height of the amended Block B has increased however, it does not include the addition of a floor as this already existed on a smaller scale at this level in the form of plant.

22. Height of the proposal is contrary to BMAP;

BMAP is not prescriptive regarding heights at this location however does not states that development proposals shall take account of the height of adjoining buildings. The height of the buildings fronting onto East Bridge Street relate directly to the high-rise commercial buildings to the north of the site. The drop in scale towards Stewart Street responded to the 2 and 3 storeys residential properties along Stewart Street.

A further letter of objection was received on 8 September 2016 from Paula Bradshaw MLA raising the following points.

- The development will totally encroach upon this settled community, in terms of height, mass and density within the site;
- It will also overshadow their homes, the vast majority of which are two stories; and
- The provision of 63 car parking spaces – regardless of planning policy guidelines – seems incredibly short-sighted, and if the development goes ahead, then the residents will be further disadvantaged through the site’s employees parking outside their front doors and impeding local children from playing close to their homes.

All of these matters have already been considered throughout this Addendum Report.

Following the Members site visit on 31st August 2016. The Council received two complaints regarding the site visit. The complainants expressed concern that the Members did not specifically visit the streets and properties directly affected by the proposal. The Chair of the Planning Committee advised Members before arriving at the site as to the reason for the site visit. The Committee took the opportunity to view the site and its surroundings to the extent they considered necessary, including taking account of the potential impact of the proposed scale and massing on the surrounding environment.

Summary

- The site visit by members has taken place.
- The late objections received have been fully taken into account.

In conclusion the recommendation remains as set out in the case officer’s report and this addendum. The proposal is recommended for Approval subject to conditions and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions (see section 10.11 of the case officer report below). If Committee is minded to agree with that recommendation, it is requested that authority be delegated to the Director of Planning & Place, in consultation with the Town Solicitor, to negotiate and enter into the said Agreement on behalf of the Council.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 August 2016	Item Number: 8d
Application ID: LA04/2016/0559/F	
Proposal: Proposed construction of 4No separate blocks of office development - Block A 10 No Storeys, Block B 14 No Storeys, Block C and Block D 3No Storeys. Proposal also includes 4 No retail units, plant and car parking at lower ground floor level with external plaza and associated landscaping	Location: Site at the junction of Stewart Street/East Bridge Street and West of Central Station, East Bridge Street, Belfast
Referral Route: Major Planning Application (>5000 square metres of office floor space)	
Recommendation:	Approve - Subject to Condition and a Section 76 Agreement
Applicant Name and Address: Kilmona Property LTD Adelaide House 1 Falcon Road Belfast BT12 6SJ	Agent Name and Address: Coogan and Co Architects Ltd 144 Upper Lisburn Road Finaghy Belfast BT10 0BG
<p>Executive Summary:</p> <p>Full planning permission is sought for the construction of 4No separate blocks of office development – Block A 10No Storeys, Block B 14No Storeys, Block C and Block D 3No storeys. The proposal also includes 4No retail units, plant and car parking at lower ground floor level with an external plaza and associated landscaping.</p> <p>The site is located within the city centre of Belfast as defined within Belfast Metropolitan Area Plan.</p> <p>The main issues in the assessment of this application include:</p> <ul style="list-style-type: none"> - Principle of Office and Retail Use at this Location - Height, Scale, Massing and Design - Landscape and Visual - Impact on Amenity - Traffic, Movement and Parking - Other Environmental Matters - Economic Benefits - Pre Community Consultation - Consideration of Representations <p>The site is unzoned white land located within Belfast City Centre and extends to approximately 0.8 hectares. It is located adjacent to East Bridge Street which sits at a higher level with access taken off Stewart Street which sits at a lower level. The site is a vacant, hard standing plot of land which was previously used as a temporary car park.</p>	

The site is situated between two very different urban forms of development, the high rise commercial development to the north and the two to three storey residential scale and form of the Markets area to the south.

15 letters of objection were received in total prior to the submission of amended plans.

Belfast City Centre Regeneration and Investment Strategy (Sept 2015) seeks to increase the city centres employment population. The applicant has advised that this proposal represents a £55 million investment creating 350 construction jobs during the two year build programme. Once fully operational the estimated employment generated will be around 2,500 people. The rateable value of the building is estimated to be approximately £1.5 million per annum.

Given the urban city centre context, it is considered that the height of the buildings proposed on East Bridge Street are acceptable and would not harm the character or appearance of the immediate area. The form and height of the proposal establishes a presence that responds to the scale and massing of other commercial buildings in the immediate environment that is considered to be appropriate.

In terms of compatibility and the potential for dominance the scale of the proposal has been reduced to take account of the local environment namely, residential properties on Stewart Street to ensure that the character of the area and residential amenity is not compromised. The drop in scale and massing with proposed separation distances and additional planting buffer will ensure that the proposal will not cause an unacceptable adverse impact on neighbouring residential properties.

The architectural approach is modern. Independent Design Advice was sought on the proposal. No objection was offered to the scheme on design grounds. It is therefore considered that the proposed design and architectural treatment are acceptable.

The proposal has been assessed having regard to the development plan and against the following policies – 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, Planning Policy Statement 13 – Transportation & Land Use, and Planning Policy Statement 15 (Revised) – Planning & Flood Risk.

Consultees raised no objections to the proposal subject to conditions.

The resulting regeneration must be considered and balanced in the overall assessment of the application.

The Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.

Recommendation

Having had regard to the development plan, relevant planning policies and all other matters raised by consultees and third parties it is concluded that on balance, the proposal would constitute an acceptable development at this location. The proposal would deliver the regeneration of a brownfield site in the City Centre.

The proposal is recommended for Approval subject to conditions and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions (see section 10.11 below). If Committee is minded to agree with that recommendation, it is requested that authority be delegated to the Director of Planning & Place, in

consultation with the Town Solicitor, to negotiate and enter into the said Agreement on behalf of the Council.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	Full planning permission is sought for the construction of 4No separate blocks of office development – Block A 10No Storeys, Block B 14No Storeys, Block C and Block D 3No storeys. The proposal also includes 4No retail units, plant and car parking at lower ground floor level with an external plaza and associated landscaping.
2.0	Description of Site
2.1	The site is unzoned white land located within Belfast City Centre and extends to approximately 0.8 hectares. It is located adjacent to East Bridge Street which sits at a higher level with access taken off Stewart Street which sits at a lower level. The site is a vacant, hard standing plot of land which was previously used as a temporary car park.
2.2	The site is situated between The Markets residential area and larger scale commercial and office use on Lanyon Place. Central Station is located to the immediate east of the site.
2.3	Stewart Street runs along the south and west of the site and rises from south to north to its junction with East Bridge Street. East Bridge Street defines the northern boundary of the site. At the eastern corner of the site the change in level from the top of the bridge to the site level is 4.9 metres reducing to 2.3 metres as you move north along East Bridge Street.

2.4	The tunnels under East Bridge Street are currently not in use. However, planning permission has been granted to reopen these archways for community and business uses (see section 3.0).
2.5	The boundary of the site with Stewart Street is defined by a palisade fence.
2.6	The character of the area is defined by offices, civic and commercial uses on Lanyon Place and the Markets community. Lanyon Place is read a being part of the city centre and on the periphery of the commercial core of the city which sits juxtaposed with the Markets area – a residential enclave on the edge of the city centre.
2.7	East Bridge Street is a main arterial route into the city. Central Street train station is located adjacent to the site; there are a number of bus stops located along East Bridge Street and Belfast Bikes have three bike docking stations located in close proximity to the site.
Planning Assessment of Policy and Material Considerations	
3.0	<p>Planning History</p> <ul style="list-style-type: none"> • Z/2001/1922/O - Lands to south of East Bridge Street and West of Central Station, Belfast – Multi storey office development without compliance with condition 7 (limiting car parking provision) of previously approved application Z/1997/2906/F in order to allow for 109 car parking spaces – Permission Granted 17.09.02. • Z/2003/1106/O - Lands to south of East Bridge Street and West of Central Station, Belfast – Temporary surface car park – Permission Granted 26.06.03. • Z/2005/1161/F – Lands to south of East Bridge Street and West of Central Station, Belfast – Proposed residential development of 320 apartments and 230 car parking spaces – Permission Granted 12.05.08 • Z/2008/2426/F – Lands to south of East Bridge Street and West of Central Station, Belfast - Temporary surface car park with pay kiosk providing 268 car parking spaces – Permission Refused 22.02.11. • Z/2009/1118/F – Lands south of East Bridge Street and West of Central Station, Belfast – Proposed mixed use development comprising 126No bed hotel office accommodation, 136No apartments and associated car parking and landscaping – Permission Refused 31.03.15. • Z/2012/0128/F - Lands south of East Bridge Street and West of Central Station, Belfast – Car parking including kiosk and use of existing fencing providing space for 244 cars – Permission Refused 16.04.13. • Z/2012/1421/F – Lands with existing archways under East Bridge Street, Belfast – Conversion of and extension to existing archways to comprise a crèche, an employment education and training club, community space, café, health and fitness facility with access to East Bridge Street and train station – Permission Granted 22.05.15.
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan Designation CC001 Belfast City Centre Designation CC025 Belfast City Centre Core Area of Parking Restraint

	Designation CC014 – Laganside South and The Markets Character Area Belfast City Centre – Area of Archaeological Potential BMA Office Strategy BMA Retailing Strategy
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 – Access, Movement & Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology & the Built Heritage Planning Policy Statement 13 – Transportation & Land Use Planning Policy Statement 15 (Revised) – Planning & Flood Risk
5.0	Statutory Consultees
	Transport NI – In principle no objection subject to PSD Drawings Rivers Agency – Further Information Requested Northern Ireland Water Ltd – No objection subject to conditions and informatives DFC – Historic Environment Division – No objection subject to conditions and informatives DAERA – Waste Management – No objection subject to conditions and informatives DAERA – Water Management Unit – No objection subject to informatives
6.0	Non-Statutory Consultees
	Environmental Health BCC – No objection subject to conditions and informatives Independent Design Advice – No objection subject to conditions Belfast City Airport – No objection subject to informatives Northern Ireland Transport Holding Company – No objection subject to informatives Health & Safety Executive for NI – No objection
7.0	Representations
7.1	15 letters of objection were received in total prior to the submission of amended plans.
7.2	The letters were received from Mairtin O Muilleoir MLA Sinn Fein, Markets Development Association and local residents. The issues raised were as follows: <ol style="list-style-type: none"> 1. Concern regarding the scale of the proposal in a residential area which would dominate the residential properties in the immediate area; 2. Access to the Tunnels Project – impact of the proposal in this community project; 3. Connectively – pedestrian access through the site at different locations in order to prevent the Tunnels and the site from being severed from the Markets community; 4. Inappropriate scale, massing and design; 5. Community benefit – there must be tangible benefits for the community and to ensure the sustainability of the Tunnels project; 6. Commuter car parking – this is a serious issue in the Markets Area and it poses a health and safety hazard for all residents – does the development include sufficient car parking for potential office workers; 7. Detrimental Impact on the physical and mental wellbeing of residents – lower the quality of life for residents; 8. Overshadowing; 9. Residents will have no privacy – contrary to Article 8 of the Human Rights Act 1998; 10. Major detrimental impact on residential property prices; 11. No mix of affordable housing included within the proposal;

7.3	<p>12. Height of the proposal is contrary to BMAP;</p> <p>13. No provision is made to improve the layout of Stewart Street which is dangerous – problem further heightened with additional traffic as a result of the proposal;</p> <p>14. Vacant offices in proximity to the site that should be occupied rather than creating additional office space at this location;</p> <p>15. Assessment of environmental impact – wind analysis and air quality.</p> <p>Amended drawings were received to address the concerns of the local community. These were re-advertised on 22nd July 2016 and all neighbours and objectors were re-notified of the amendments on 27th July 2016. To date no further representatives have been received.</p>
8.0	<p>Other Material Considerations</p> <p>Living Places – An Urban Stewardship & Design Guide for Northern Ireland Belfast City Council Regeneration & Investment Strategy DCAN 15 – Vehicular Access Standards Local Government Waste Storage Guide</p>
10.0	<p>Assessment</p>
10.1	<p>The key issues in the assessment of this application include:</p> <ul style="list-style-type: none"> - Principle of Office and Retail Use at this Location - Height, Scale, Massing and Design - Landscape and Visual - Impact on Amenity - Traffic, Movement and Parking - Other Environmental Matters - Economic Benefits - Pre Community Consultation - Consideration of Representations <p>As the site is within the development limits of the Belfast Metropolitan Area Plan the presumption is in favour of development subject to the planning considerations detailed below.</p>
10.2	<p><u>Principle of Office and Retail Use at this Location</u></p> <p>10.2.1 The application site is located on unzoned land within the city centre outside the primary retail core and within the city centre office area.</p> <p>10.2.2 The aim of the SPPS is to support vibrant town centre across Northern Ireland through the promotion of established town centres as the appropriate first choice location of retailing and other complementary functions consistent with the RDS.</p> <p>10.2.3 4No retails units are proposed at lower ground level with a total gross floorspace of approximately 553 square metres (Unit 1 – 198 square metres; Unit 2 – 109 square metres; Unit 3 – 123 square metres; and Unit 4 – 123 square metres). Either cumulatively or individually the size of the retail units proposed is not considered to be of such a significant size to impact upon the primary retail core. It will bring active frontage to this area of the city and combined with the Tunnels Project approved opposite will enhance the vitality and viability of the area.</p>

10.2.4	BMAP is clear in that Belfast City Centre remains the first choice location for major office development (Policy OF 1). 26,309 square metres of gross office space is proposed in the development the applicant has highlighted that this is proposed to be Grade A office - Belfast suffers from a deficit in such space.
10.2.5	The Building Owners and Managers Association (BOMA) classifies office space into three categories: Class A, Class B and Class C. According to BOMA, Class A office buildings have the 'most prestigious buildings competing for premier office users with rents above average for the area'. BOMA state that Class A facilities have 'high quality standard finishes, state of the art systems, exceptional accessibility and a definite market presence'. In planning terms Grade A office space falls within Planning Use Class B1(a).
10.2.6	The planning system has a key role in achieving a vibrant economy. Furthermore Belfast City Centre Regeneration and Investment Strategy (Sept 2015) seeks to increase the city centres employment population. The applicant has advised that this proposal represents a £55 million investment creating 350 construction jobs during the two year build programme. Once fully operational the estimated employment generated will be around 2,500 people. The rateable value of the building is estimated to be approximately £1.5 million per annum.
10.2.7	Whilst the site is logistically well located the intensification of use at this location will have a significant impact on service provision across the city in terms of connectivity for example access to public transport, access to Belfast Bikes for ease of movement, access to wifi and other facilities. Upgrades to these services cannot be provided for through conditions and will need to be mitigated through development obligations and an agreement.
10.2.8	PPS4: Planning and Economic Development sets out the planning policies for economic development uses. It recognises that the planning system has a key role to play in achieving a vibrant economy.
10.2.9	Policy PED 1 states that a development proposal for a Class B1 business use will be permitted in a city or town centre and in other locations that may be specified for such a use in a development plan. Given the city centre location the proposed uses are considered to comply with the development plan and the policies contained with the SPSS as well as PED 1 of PPS4.
10.2.10	In considering proposals for economic development the Council will seeks to minimise adverse effects on the amenities of adjacent properties - particularly dwellings. Policy PED 9 details general criteria for economic development that will be considered throughout this report.
10.2.11	Having considered the contribution to the local economy this development would bring it is considered on balance that such a proposal would not conflict with any relevant policy detailed in PPS 4.
10.3	<u>Height, Scale, Massing and Design</u>
10.3.1	The site is located within Laganside South and Markets Character Area (Designation CC 014). This designation provides general advice that development proposals shall take account of the height of adjoining buildings and that development shall aim to reflect traditional plot widths.

10.3.2	The site is situated between two very different urban forms of development, the high rise commercial development to the north and the two to three storey residential scale and form of the Markets area to the south.
10.3.3	The proposal consists of 4 separate blocks of built form. Block A fronts onto East Bridge Street and Stewart Street in the northern and north western portion of the site. The main bulk of the building fronting onto East Bridge Street has a height of 39 metres from the lower ground floor level (10 storeys with 2 metre set back) this then steps down to a height of 24 metres from the lower ground floor level (6 storeys) along East Bridge Street at the intersection with Stewart Street. The overall length of the building fronting East Bridge Street will be approximately 66 metres with a depth of approximately 30 metres. The gross office floorspace within Block A is approximately 14,205 square metres. 4No retail units are proposed within Block A at lower ground level to create active frontage to the Tunnels Project. A 10 metre separation distance between the Tunnels and Block A is proposed.
10.3.4	Block B runs from north to south along with eastern boundary of the site adjacent to Central Station. It comprises a total gross office floor space figure of 10,666 square metres. Block B steps up in height from Stewart Street at which point it is 13 metres in height from lower ground floor level (3 storeys with a depth of approximately 20 metres) to 41 metres in height from lower ground floor level (11 storeys with a depth of approximately 13 metres) along its boundary with Central Station to its highest point of 54 metres from lower ground floor level (14 storeys with a depth of approximately 34 metres). The length of the building along the eastern boundary of the site is 66 metres. Block B is set back from East Bridge Street by approximately 28 metres at its highest point. The 3 storey element of Block B is located approximately 25 metres from neighbouring residential properties.
10.3.5	Block C and Block D front onto Stewart Street with a height of 12 metres from lower ground floor (3 storeys). They are set back approximately 10 metres from Stewart Street and approximately 25 metres from the nearest residential properties on Stewart Street.
10.3.6	Consideration needs to be given to the site context and relevant planning history. High rise commercial buildings are located to the north of the site and range in height from 6 storeys to 13 storeys. Central Station which is located on the eastern boundary of the site is 4 storeys in height. To the south of the site two storey dwellings define the Markets Area. Clearly this is a site with two very different types of surrounding urban form.
10.3.7	In terms of relevant planning history 320 apartments with 230 car parking spaces was granted on the subject site. This building ranged from 6 storeys (car parking at ground level with 5 storeys above) at its boundary with Stewart Street to 12 storeys (car parking at ground level with 11 storeys above fronting onto East Bridge Street. This permission has now expired.
10.3.8	A previous refusal on the site (Z/2009/1118/F) provides guidance in defining the scale and form of what may be considered to be acceptable at this location. In this case a 12 storey building was proposed at the East Bridge Street end of the site and a 6 storey building along the Markets end. The 12 storey element onto East Bridge Street was considered an appropriate response to the high-rise buildings located to the north of the site. However, the previous refusal on the site proposed a continuous 6 No storey solid block facing the two and three storey properties on Stewart Street which was considered to be overly dominant and inappropriate in terms of scale, massing and design.
10.3.9	The height of the buildings fronting East Bridge Street relate directly to the high-rise commercial buildings to the north of the site. The 10 storey frontage of Block A drops to

	6 storey at the intersection with Stewart Street. This seeks to break up the bulk of the building and address the relationship with residential properties on Stewart Street. Block B also steps down from 14 storey to 11 storey to 3 storey fronting onto Stewart Street. This drop in scale and massing reflects the transition in character from the front of the site at East Bridge Street to the rear along Stewart Street. Block C and Block D which front directly onto Stewart Street and are 3 storeys in height are considered to respond to the immediate 2 and 3 storeys (10.5 metres to 12.5 metres in height) residential properties along Stewart Street.
10.3.10	It is considered that prominence does not automatically imply harm to neighbouring buildings. The resulting regeneration must also be considered and balanced in the overall assessment of the application. Given the urban city centre context, it is considered that the height of the buildings proposed on East Bridge Street are acceptable and would not harm the character or appearance of the immediate area. The form and height of the Block A and Block B (East Bridge Street) establishes a presence that responds to the scale and massing of other commercial buildings in the immediate environment that is considered to be appropriate.
10.3.11	In terms of compatibility and the potential for dominance the scale of the proposal has been reduced to take account of the local environment namely, residential properties on Stewart Street to ensure that the character of the area and residential amenity is not compromised. The drop in scale and massing , proposed separation distances and landscaping will ensure that neighbouring occupiers should not be adversely affected in by the proposal.
10.3.12	The architectural approach is modern with a simplistic use of materials to define the base, middle and top of the building. Materials include reconstituted granite cladding, curtain walling (colour light grey), polyester powder coated cladding (colour light grey), aluminium brise soleil PCC (colour light grey), coloured glass spandrel panel (colour light grey) and rainscreen polyester powder coated cladding (colour light grey). The imposition of a materials condition is recommended – bringing an element of colour and vibrancy to the scheme.
10.3.13	The proposed materials for Block C and Block D include a solid red brick base and a lightweight top floor. These finishes reflect the red brick character of the Markets Area and the proposed building line and arrangement of the buildings present an informed frontage to the site.
10.3.14	It is accepted that there is a design imperative to create a building of significant status within this key city centre site. Independent Design Advice was sought on the proposal. Following the submission of amended plans to address concerns raised regarding scale, massing and design no further objection was offered to the scheme on design grounds. It is therefore considered that the proposed design and architectural treatment are acceptable.
10.4	<u>Landscape and Visual</u>
10.4.1	A continuous tree planting zone is proposed along the boundary of the site with Stewart Street and along the eastern boundary of the site adjacent to Central Station. This will help soften and mask the divergence of scale and form of the proposal.
10.4.2	Provision is made within the proposal for public spaces which are considered to contribute to the design quality of the development.
10.4.3	The landscape marks out the entrance on East Bridge Street with a tree that perforates the entrance platform. Trees are also proposed on the lower street level outside the

	tunnels and proposed retail units. The imposition of a landscaping condition is recommended to ensure landscaping and finish of public realm to be completed prior to occupation.
10.5	<u>Impact on Amenity of Immediate and Surrounding Properties and Area</u>
10.5.1	The protection of neighbouring properties from unreasonable loss of amenity is a well-established planning consideration. In a city centre location properties will be overlooked to some degree. Proposals should seek to provide reasonable space between buildings in order to minimise overlooking. Adequate separation distances (25 metres) between the proposal and the residential properties on Stewart Street combined with a buffer of tree planting will minimise the potential for overlooking. It is considered that the relationship of the proposed development with the immediate surrounding environment is acceptable as it is common to many city centre streets. On balance in a city centre context this relationship is acceptable in privacy and outlook terms.
10.5.2	Sunlight and daylight are valued elements in a good quality living and working environment. A Shadow Analysis has been submitted in support of the application which demonstrates that the development will not cause overshadowing to an unreasonable degree to the surrounding environment. There will be limited overshadowing during the winter months of the year. The set back and stepped design of the built form will reduce the perception of dominance and loss of light.
10.5.3	The proposal has the potential to bring approximately 2500 additional people to this area of the city whilst the facilities in terms of location to public transport are considered acceptable the impact on the amenity if the surrounding area has the potential to be significant. The public realm in the vicinity of the proposal is lacking and requires significant upgrading.
10.5.4	As such it is proposed that the developer should enter into a Section 76 Agreement to secure contributions to facilitate environmental and service improvements in the area. It is recommended that should this application be approved that delegated authority is given to the Director of Planning and Place, in consultation with the Town Solicitor, to negotiate and enter into that Agreement.
10.6	<u>Traffic, Movement and Parking</u>
10.6.1	The site is located within an Area of Parking Restraint (Designation CC025) in BMAP. Policy TRAN 1: Parking Standards within Areas of Parking Restraints recommends 1 space per 300 square metres for non-operational spaces and 1 space per 930 square metres for operational spaces. Reductions in these standards will be considered in appropriate circumstances where evidence of alternative arrangements can be clearly demonstrated.
10.6.2	The proposal includes a new vehicular access point replacing the existing access but remaining on Stewart Street.
10.6.3	Pedestrian access into the site is proposed directly from East Bridge Street and Stewart Street. Linkages are proposed across the site to increase overall permeability. Those accessing from East Bridge Street can either directly enter the office accommodation at a higher level which takes them to the landscaped public spaces or descend into the lower ground level where a street will be created with an active frontage on both side by the proposed retail units and the Tunnels Project. A further three pedestrian access points are also located on Stewart Street. The proposal includes the improvements of the footways along Stewart Street surrounding the site.

10.6.4	The development will comprise 63 car parking spaces at lower ground. The proposal also incorporates the provision of 60 in-curtilage cycle parking spaces.
10.6.5	Significantly, Policy AMP 7 of PPS3 states that a reduction in parking provision may be accepted where it for example forms a part of a package of measures to promote alternative transport modes. The overall objective of the Travel Plan submitted in support of the application seeks to encourage a shift from car based trips to more sustainable modes of transport. It is proposed to appoint a Travel Co-ordinator – responsible for the promotion of cycling, walking and public transport for staff and visitors. This requirement will form part of the Section 76 Agreement with the Developer. Within this context a reduced car parking provision is considered in these circumstances on balance to be appropriate.
10.6.6	The site is well placed in terms of accessibility to a range of alternative and sustainable modes of transport. Central Street train station is located adjacent to the site; there are a number of bus stops located along East Bridge Street and Belfast Bikes have three bike docking stations located in close proximity to the site. A lift is proposed at lower ground level to provide direct access to central station.
10.6.7	Transport NI has verbally confirmed that they find the information submitted in support of the application to be acceptable subject to conditions and agreement of PSD Drawings for a 3 metres footway around the southern site of the site.
10.6.8	Having had regard to the above and comments from Transport NI it is considered that the scheme is acceptable and in accordance with relevant sections of PPS 3 and PPS 13. However, final comments have not been received at the time of finalising this report. It is therefore requested that Committee delegates the final wording of the conditions to the Director of Planning and Place.
10.7	<u>Other Environmental Matters</u>
10.7.1	Paragraph 4.11 and 4.12 of the SPPS states that there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when proposing policies or managing development. Other amenity considerations arising from development that may have potential health and well-being implications include design considerations, impacts relating to visual intrusion, general nuisance, loss of light and overshadowing. Adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality. <i>Flood Risk and Drainage</i>
10.7.2	PPS15 seeks to minimise and manage flood risk to people, property and the environment. The site is located outside the 1 in 100 year river flood plain. Given that the proposal will create hardstanding which exceeds 1000 square metres Policy FLD3: Development and Surface Water Flood Risk Outside Flood Plains of PPS 15 is relevant. A Drainage Assessment has been submitted in support of the application.
10.7.3	Rivers Agency stated that they are unable to fully appraise the Drainage Assessment until evidence that the proposed storm water run-off from the site can be safely discharged.
10.7.4	PPS15 requires that details of how runoff from the site will be controlled and safely disposed of supported by relevant correspondence from Rivers Agency and/or Northern Ireland Water. The applicant has submitted a Schedule 6 application to Rivers Agency as it is proposed to direct storm water discharge to the River Lagan – no objections are

	considered likely. It is therefore requested that Committee delegate authority to the Director of Planning and Place to impose any conditions requested by the Rivers Agency.
10.7.5	Northern Ireland Water Ltd has been consulted on the proposal and confirmed that the waste water treatment works (WWTW) has available capacity to accept the additional load. Given that NIW confirmed available capacity, DAERA Water Management Unit has no objection to the proposal subject to informatives detailed below.
10.7.6	Having had regard to the above it is considered that the proposal would not have a significant impact on flood risk, drainage and the sewerage system. The proposed scheme is therefore considered acceptable in accordance with Policy FLD 3 of PPS 15 and the SPPS with respect to flood risk, drainage, sewerage and climate change. <i>Contaminated Land</i>
10.7.7	Preliminary and Generic Quantitative Risk Assessment were submitted in support of the application. Waste Management (DAERA) and Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives. <i>Archaeology and Built Heritage</i>
10.7.8	The application site is located within Belfast Area of Archaeological Potential as identified in BMAP. The application site includes the location of a former abattoir and is also in close proximity to a number of Industrial Heritage Sites associated with the economic development of Belfast. Historic Environment Division: Historic Monuments Unit is content with the proposal in the context of BH4 of PPS6 conditional on the agreement and implementation of a developer-funded programme of archaeological works. This could take the form of the current Archaeological Impact Assessment augmented with a detailed archaeological mitigation strategy related to the proposed development. <i>Noise, Air Quality and Wind Microclimate Assessment</i>
10.7.9	A Noise and Vibration Impact Assessment and an Air Quality Impact Assessment were submitted in support of the application. A Pedestrian Level Wind Microclimate Assessment Desk Study was also submitted in support of the application.
10.7.10	Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives. <i>Loss of Light and Overshadowing</i>
10.7.11	A shadow analysis was submitted as part of the proposal and is discussed in paragraphs 10.5.1 to 10.5.2 above.
10.7.12	<i>Waste Storage</i> Bin storage is proposed at lower ground level contained within the car parking area of the proposal. If the scheme was considered acceptable a condition would be necessary to ensure an adequate waste storage area and waste management strategy is implemented for the collection and disposal of waste.
10.8	<u>Economic Benefits</u>
10.8.1	The SPPS states that planning authorities should take a positive approach to appropriate economic development proposals and proactively support and enable growth generating activities. Large scale investment proposals with job creation potential should be given particular priority.

10.8.2	There is currently a significant demand for Grade A office space within Belfast City Centre which cannot be met. The proposal therefore has a significant potential for job creation and will address an identified need. As detailed at paragraph 10.2.6 this proposal represents a £55 million investment and has the potential to create 2500 jobs.
10.9	<u>Pre-Community Consultation</u>
10.9.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.
10.9.2	Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2015/1109/PAN) was submitted to the Council on 10th October 2015.
10.9.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.
10.9.4	A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:
10.9.5	The first Public Event took place in the Markets Community Centre on 3 November 2015. This event was advertised in the Belfast Telegraph on 23 October 2015 and a leaflet containing details of the public event was distributed in the local area as well as advertised on social media. Direct invites were also issued to all elected representatives in the South Belfast area as well as a number of local community groups.
10.9.6	This event took the form of a staffed exhibition where annotated plans for the proposed development were displayed. A copy of the exhibition boards were enclosed with the Pre Community Consultation Report.
10.9.7	A second Public Event was held in the Markets Community Centre on 18 February 2016. This event was advertised by direct invite, a leaflet drop in the area and also on social media.
10.9.8	This event was a staffed exhibition of similar format to event number one however detailed plans were displayed at this particular event. A copy of the exhibition boards were enclosed with the Pre Community Consultation Report.
10.9.9	Approximately 63 people attended across both Public Events with a total of 39 feedback forms collected.
10.9.10	A number of responses outlined their support for the scheme and the positive impact it would have. Issues of concern were also raised. These included: concerns regarding the height of the proposal and the need to tie in with the tunnels project and the local community; further consultation was necessary regarding the final design of the project; the importance of cooperation with the local community was emphasised; the need for opportunities for local employment and training was reference; and, increased car parking as a result of the development was raised as well as security issues.

10.9.11	<p>In response to the concerns raised by the local community the agent advised that a number of amendments were made. These are as follows:</p> <ul style="list-style-type: none"> - Kilmona Holdings and the MDA reached an agreement to reserve a 10 metres strip between the office accommodation and the Tunnels Project at lower ground level to allow sufficient access to the Tunnels from the East Bridge Street site. - Retail Use was introduced at lower ground level to complement the Tunnels Project. - Design of the proposal was amended to reflect the residential character of Stewart Street. - As requested by the MDA the entrances from East Bridge Street and Stewart Street have been designed to be as open as possible, ensuring connectivity between the two developments. The entrance from Stewart Street to the Tunnels is an open and accessible staircase. A smaller three storey office unit was removed to the rear to the development in order to improve access from Stewart Street to the central public space and through the site for the residents of the Markets.
10.9.12	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
10.10	<u>Consideration of Representations</u>
10.10.1	<p><i>Inappropriate Scale, Massing, Design</i> – The form and height of the Block A and Block B (East Bridge Street) establishes a presence that responds to the scale and massing of other commercial buildings in the immediate environment that is considered to be appropriate. In terms of compatibility and the potential for dominance the scale of the proposal has been reduced to take account of the local environment namely, residential properties on Stewart Street to ensure that the character of the area and residential amenity is not compromised. The drop in scale and massing and separation distances will ensure that neighbouring occupiers should not be adversely affected by a sense of being hemmed in by the proposal. There is a design imperative to create a building of significant status within the key city centre site. It is therefore considered that the proposed design and architectural treatment are acceptable</p>
10.10.2	<p><i>Overshadowing, Loss of Light and Privacy</i> - Adequate separation distances (25 metres) between the proposal and the residential properties on Stewart Street combined with a buffer of tree planting will minimise the potential for overlooking. It is considered that the relationship of the proposed development with the immediate surrounding environment is common to many city centre streets. On balance in a city centre context this relationship is acceptable in privacy and outlook terms. Sunlight and daylight are valued elements in a good quality living and working environment. A Shadow Analysis has been submitted in support of the application which demonstrates that the development will not cause overshadowing to an unreasonable degree to the surrounding environment. There will be limited overshadowing during the winter months of the year. The set back and stepped design of the built form will reduce the perception of dominance and loss of light.</p>
10.10.3	<p><i>Access to the Tunnels Project</i> – A 10 metre separation distance is proposed between the Tunnels Project Block A. Retail Units are also proposed at lower ground level to enhance the vitality and viability of this level of the development. The Tunnels Project can be accessed from East Bridge Street and Stewart Street.</p>

10.10.4	<i>Connectivity to the Markets Area</i> – Pedestrian access into the site is proposed directly from East Bridge Street and Stewart Street. Linkages are proposed across the site to increase overall permeability. Those accessing from East Bridge Street can either directly enter the office accommodation at a higher level which takes them to the landscaped public spaces or descend into the lower ground level where a street will be created with an active frontage on both sides by the proposed retail units and the Tunnels Project. A further three pedestrian access points are also located on Stewart Street. The proposal includes the improvements of the footways along Stewart Street surrounding the site.
10.10.5	<i>Social Housing should be provided on the site</i> – The site is unzoned whiteland in BMAP. The application does not include social housing and the Planning Department has to assess the application as submitted. There is no policy requirement to provide social housing at this location.
10.10.6	<i>Commuter Car Parking</i> – The application include a provision of 63 car parking spaces. Policy AMP 7 of PPS3 states that a reduction in parking provision may be accepted where it for example forms a part of a package of measures to promote alternative transport modes. The overall objective of the Travel Plan submitted in support of the application seeks to encourage a shift from car based trips to more sustainable modes of transport. The Travel Plan and Service Management Plan submitted in support of the application proposes the appointment of a Travel Co-ordinator to maintain and monitor staff and customer travel patterns and encourage the development and use of sustainable transport modes at this site.
10.10.7	<i>Community Benefit of the Proposal</i> – A Memorandum of Understanding (MoU) is currently being formulated between Kilmona Holdings and the MDA.
10.10.8	<i>Assessment of environmental impact</i> – A Noise and Vibration Impact Assessment and an Air Quality Impact Assessment were submitted in support of the application. A Pedestrian Level Wind Microclimate Assessment Desk Study was also submitted in support of the application. Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives.
10.10.9	<i>Devalue Property in the Area</i> – This is not a planning matter.
10.10.10	<i>Detrimental Impact on the physical and mental wellbeing of residents</i> – It is recognised that well designed buildings and the patterns of movement in the space around the buildings impact on the health and well-being of people. It is considered that proposed pattern of movement in the public spaces around the built form will encourage access to the development and the Tunnels Project. The design is considered to be a sustainable solution to the transitional nature of the site and will trigger the wider regeneration of the area.
10.10.11	<i>No provision is made to improve the layout of Stewart Road</i> – Transport NI offered no objection to the proposal. Improvements are proposed along a section of the footpath on Stewart Street.
10.10.12	<i>Vacant offices in proximity to the site that should be occupied rather than creating additional office space at this location</i> – BMAP is clear in that Belfast City Centre remains the first choice location for major office development (Policy OF 1).
10.10.13	Neighbours and objectors were re-consulted on the 27 th July 2016 with the amended proposals and to date not further representations have been received. If anything further is received prior to the application being considered by Committee this will be fully considered and presented as a late item.

<p>10.11</p> <p>10.11.1</p> <p>10.11.2</p> <p>10.11.3</p>	<p><u>Developer Contributions</u></p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council. The developer has offered a financial contribution of £225,000 to provide contributions to environmental improvements to the city and to mitigate impacts from the development as set out in this report.</p> <p>The developer has also expressed a willingness to ensure that apprentices will be offered during the proposed 2 year construction period. The developer is also prepared to offer a reduction in rent of the proposed retail units for the Market community.</p> <p>There is a Memorandum of Understanding (MoU) between the Markets Development Association (MDA) and Kilmona Holdings. This agreement includes capacity for training, job opportunities and other associated community benefits. The land required by the MDA for the Tunnels Project and access to the Tunnels is also included in the MoU.</p>
<p>11.0</p> <p>11.1</p> <p>11.2</p>	<p>Summary of Recommendation</p> <p>The above matters are considered to be the main planning issues. All other matters raised by consulted and third parties have been assessed and are not considered to outweigh the conclusion that on balance, the proposal is considered on balance to comply with the development plan and other relevant planning policy and would constitute an acceptable development at this location. The proposal would deliver the regeneration of a brownfield site in the City Centre.</p> <p>As such the application is recommended for approval with conditions as set out below. If Committee is minded to agree with that recommendation, it is also recommended that delegated authority is granted to the Director of Planning and Place, in consultation with the Town Solicitor to negotiate and enter into a Section 76 planning agreement.</p>
<p>12.0</p>	<p>Conditions & Informatives</p>
<p><u>Conditions</u></p> <p>1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit</p> <p>2. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” available at http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>3. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of</p>	

unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

4. After completing the remediation works under Condition 2; and prior to occupation of the development, a verification report must be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

5. Prior to any development commencing, the applicant must submit a detailed Remediation Strategy outlining the measures to be undertaken to ensure that on-site land and water contamination does not pose a potential risk to human health and that all identified pollution linkages will be demonstrably broken. This Remediation Strategy must be submitted to Belfast City Council prior to any commencement of development for this site. This Remediation Strategy must:
 - a. Be site and development-specific and be in accordance with the Model Procedures for the Management of Land Contamination (CLR11).
 - b. Address the asbestos and PAH compounds (Benzo (a) anthracene and Dibenzo(ah)anthracene) in shallow soil on site.
 - c. Detail how all remedial measures are to be verified and determined to be sufficient for the protection of human health.

Reason: Protection of human health

6. On completion of the development and prior to its occupation, the applicant shall provide to Planning Service, for approval, a Verification Report. This report must demonstrate that all remedial measures identified in pursuit of Condition 1 above have been implemented. This report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (Commercial Use). It must demonstrate that the identified pollutant linkages have been broken. The Verification Report must be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health

7. In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Planning Service for approval. The investigation, risk assessment and if necessary remediation work, must be undertaken and verified in accordance with current best practice.

Reason: Protection of human health

8. No site works of any nature or development shall take place until a programme of archaeological work has been fully implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved

by the Department. 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.

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

9. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department of Communities to observe the operations and to monitor the implementation of archaeological requirements.

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.

10. Final Transport NI Conditions to be added as per Paragraph 10.6.8.
11. No development shall take place until samples of all external finishes has been submitted to and been approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved sample details.

Reason: In the interests of visual amenity and the character and appearance of the area.

12. All services (including those for water supply, drainage, heating, and gas supplies) shall be laid underground or housed internally within the building hereby approved.

Reason: In the interests of visual amenity.

13. No development including site clearance works, shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Planning Authority.

The details shall include a detailed layout together with existing and proposed levels, cross sections, hard surface materials and other hard details including street furniture.

The details shall also include detailed planting plans with written planting specification including site preparation and planting methods and detailed plant schedules including the species, the size at time of planting, presentation, location, spacings and numbers.

A landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with the Local Planning Authority in writing prior to implementation.

Reason: To ensure the provision of amenity afforded by an appropriate landscape design.

14. All hard and soft landscape works shall be completed in accordance with these agreed details, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS before the expiration of the first planting season following the commencement of trading from the development hereby permitted.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.
Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

Informatives

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the land necessary to carry out the proposed development.
2. Final Rivers Agency Informatives to be added as per Paragraph 10.7.4
3. The purpose of the Conditions X – X 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 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.
4. The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Regulatory Unit Regulations (NI) 2006 and/or the Water Order (NI) 1999.
5. Waste Management recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.

WASTE AND CONTAMINATED LAND (NORTHERN IRELAND) ORDER 1997

6. The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks. Failure to provide a satisfactory Verification Report may lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.

Noise

7. The applicant is advised to ensure that all plant and equipment used in connection with the office is so situated, operated and maintained as to prevent the transmission of noise to nearby commercial units and residential accommodation.

CLEAN AIR (NORTHERN IRELAND) ORDER 1981

8. The planning application has details of a new boiler plant is to be installed and an application for the determination of a suitable chimney height should be submitted to the Belfast City Council.
9. The applicant should ensure that the mitigation measures detailed in the RWDI Consulting Engineers & Scientists Final Report Pedestrian Level Wind Microclimate Assessment Desk Study for East Bridge Street, Belfast, RWDI 1603211 Dated 4 July 2016 are incorporated into the development to mitigate the risk to pedestrians by reducing wind speed to conditions suitable for the intended pedestrian use.
10. For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:
Historic Environment Division – Historic Monuments Unit
Causeway Exchange
1–7 Bedford St
Belfast,
BT2 7EG
Quote reference: SM11/1 IHR 10751
11. The developer is advised that an application for the excavation licence, required under the *Historic Monuments and Archaeological Objects (NI) Order 1995*, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to:
Historic Environment Division – Historic Monuments Unit
Causeway Exchange
1–7 Bedford St
Belfast,
BT2 7EG
12. The applicant should refer to DOE Standing Advice Note No. 5 – Sustainable Drainage Systems (April 2015) for advice on the use of Sustainable Drainage Systems on contaminated land or brownfield sites. The applicant should note that since the publication of this standing advice the SuDS Manual has been updated and is now CIRIA C753 (2015) The SuDS Manual.
13. Water Management Unit notes the development includes excavation of a basement structure. Depending on the geological setting, the potential exists for the water table to be encountered during these works. If water is encountered, an appropriate abstraction/impoundment licence under the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 and consent to discharge under the Water (Northern Ireland) Order 1999 may be required from Water Management Unit.
14. The applicant should refer to DOE Standing Advice Note No. 18 – Abstraction and Impoundment (May 2015) and Standing Advice Note No. 11 – Discharges to the Water Environment (April 2015).
15. Discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required for site drainage during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications.

16. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.
17. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.
18. The developer is advised that NIR should be given the opportunity to consider the impact of the proposed lighting design on the railways signalling sighting. We would therefore request the developer to provide NIR with a lighting specification and layout details for consideration by our signalling department (Signal Sighting Committee) for information, comment and/or approval.
19. The developer is advised that a 5m easement from the nearest building to the railway line is maintained.
20. Depending on the piling operations the developer provides vibration monitoring stations along the common boundary at Central Station to ensure that any settlement can be identified during construction.
21. During construction and following completion, no storm or foul water is permitted to be discharged on to NIR property. Please supply NIR with proposed drainage design details prior to works commencing for our comment.
22. No encroachment takes place onto NIR / NITHC property. All works to NIR boundaries must be carried out under the conditions of the NIR Rule Book with regard to safety of workers and railway passengers. If necessary, NIR will provide safety critical staff to ensure that a safe method of work is established and maintained. Costs incurred by NIR must be borne by the developer.
23. Construction plant or equipment must not be allowed to slew over NIR property at any time. Any works involving cranes must have control measures in place in accordance with CPA 1402– Requirements for Tower Cranes Alongside Railways to prevent movement of loads into the path of trains and avoid any unforeseen collapse on or near the line. NIR will need to be informed if it is proposed that a crane will be erected during construction. All crane / lifting certificates must be forwarded to NIR for comment/approval. Entry into a formal 'oversailing agreement' might be considered by NIR/NITHC.
24. The developer provides NIR with details for the landscape and planting proposals prior to works commencing. NIR would request that no trees are planted at the boundary with NITHC land and the operational railway. NIR request that only evergreen shrubs are planted and would suggest that they should be planted a minimum distance from the NIR boundary that is equal to the expected mature growth height. NIR to approve landscaping plans.
25. The developer to provide information on how the East side of the building will be maintained without impacting Central Station.
26. The contractor provides NIR with their insurance details / provision that will be in place for the duration of the project.
27. The contractor gives NIR prior notice (at least 12 weeks) for any works commencing on or near NIR property, coupled with an agreed Method Statement and Risk Assessment.

28. Northern Ireland Railways Co. Ltd. reserve the right to carry out any works to the company's property by any machinery at any time of the day or night as deemed necessary by NIR CO. Ltd Engineers.
29. Provision for NITHC access to maintain/carry out repairs to the boundary wall between NIR & the new development.
30. Public water and foul sewer within 20 metres of your proposal, consultation with NIW is required to determine how your proposal can be served.
31. No surface water sewer within 20 metres of your proposal, you may wish to apply to NIW to requisition a surface water sewer to serve your proposal if it will serve more than 1 property to discharge roof drainage.
32. The developer is advised to consult NIW at an early design stage by means of a Predevelopment Enquiry to determine how this proposal may be served.
33. If during the course of development the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002/.

13.0	Notification to Department (if Relevant) N/A
14.0	Representation From Elected Member
14.1	A letter was received from Mairtin O Muilleoir MLA raising concern regarding the scale of the proposal in a residential area which would totally dominate the residential properties in the immediate area.

ANNEX	
Date Valid	4th March 2016
Date First Advertised	8th April 2016
Date Last Advertised	22nd July 2016
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, M Downey 1 Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, John Stitt 10 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, The Owner/Occupier, 11 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, M Power 11 Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 12 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, The Owner/Occupier, 13 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, E Conlon 13 Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 14 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, The Owner/Occupier, 15 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, Susan Mullan 15 Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 16 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS, Mairtin O'Muilleoir 178, Ormeau Road, Belfast, Ormeau, Down, Northern Ireland, BT7 2ED The Owner/Occupier, 17A Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 17B Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 17C Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 17D Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 17E Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 17F Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP, The Owner/Occupier, 19 Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP,</p>	

The Owner/Occupier,
 2 Friendly Place,Town Parks,Belfast,Antrim,BT7 2DS,
 The Owner/Occupier,
 2 Friendly Street Town Parks Belfast
 The Owner/Occupier,
 21 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,
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 23 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,
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 29 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,
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 3 Friendly Place,Town Parks,Belfast,Antrim,BT7 2DS,
 Shirley McCartan
 3 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,
 The Owner/Occupier,
 3 Lanyon Place,Town Parks,Belfast,Antrim,BT1 3LP,
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 31 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,
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 37 Friendly Street Belfast
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 39 Friendly Street Belfast
 The Owner/Occupier,
 4 Friendly Place,Town Parks,Belfast,Antrim,BT7 2DS,
 The Owner/Occupier,
 41 Friendly Street Belfast
 Stephen Larkin
 5 Friendly Place,Town Parks,Belfast,Antrim,BT7 2DS,
 Anne Campbell
 5 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,
 The Owner/Occupier,
 6 East Bridge Street,Town Parks,Belfast,Antrim,,
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 6 Friendly Place,Town Parks,Belfast,Antrim,BT7 2DS,
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 E M Coogan
 7 Friendly Place,Town Parks,Belfast,Antrim,BT7 2DS,
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 7 Friendly Street,Town Parks,Belfast,Antrim,BT7 2HP,

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 8 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS,
 Florence McCartan
 8 Friendly Street Town Parks Belfast
 The Owner/Occupier,
 9 Friendly Place, Town Parks, Belfast, Antrim, BT7 2DS,
 Christopher Hart
 9 Friendly Street, Town Parks, Belfast, Antrim, BT7 2HP,
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 9 Lanyon Place, Town Parks, Belfast, Antrim, BT1 3LP,
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 Belfast Central Railway Station,East Bridge Street,Town Parks,Belfast,Antrim,BT1 3NR,
 The Owner/Occupier,
 Lanyon Car Park Lanyon Place Belfast
 The Owner/Occupier,
 Lanyon Plaza 7 Lanyon Place Belfast
 Kathleen McCarthy
 Markets Community Centre, 1 Market Street, Belfast, BT1 3JD
 The Owner/Occupier,
 The Shop Central Station East Bridge Street Belfast
 The Owner/Occupier,
 Upper Crust Central Station East Bridge Street Belfast
 The Owner/Occupier,
 Value Cabs Central Station East Bridge Street Belfast

Date of Last Neighbour Notification	27th July 2016
Date of EIA Determination	7th April 2016
ES Requested	No

Drawing Numbers and Title

- 01 – Site Location Plan
- 02b – Proposed Site Layout – Lower Ground Floor Level
- 03b – Proposed Site Layout – Ground Floor Level
- 04b – Local Ground Floor Plan
- 05b – Ground Floor Plan
- 06a – First Floor Plan
- 07a – Second Floor Plan
- 08a – 3rd & 4th Floor Plans
- 09a – 5th to 8th Floor Plans
- 10a – 9th to 12th Floor Plans
- 11a- Site Elevations 1 – North Elevation
- 12a – Site Elevations 2 – South Elevation & East Elevation
- 13a – Block A and C – Elevations
- 14a –Block B and D – Elevations
- 15b – Site Section 1
- 16b – Landscape Proposal
- 17a – Site Sections 2
- 18 – 6th and 7th Floor Plans
- 19 – Site Elevations 1 with Planting
- 20 – Site Elevations 1 with Planting

Late Items

Agenda Item	Ref	Details	Issues Raised	Action
9(a)	LA04/2016/0559/ F	137 additional letters of objection received 19 September 2016	<p><u>Scale</u> <u>Planning Precedent</u> – Refusal Z/2009/1118/F – Inappropriate scale, massing and design</p>	<p>The previous refusal on the site proposed a 12 storey building at the East Bridge Street end of the site and a continuous 6 No storey (18 metres) solid block facing the two and three storey properties on Stewart Street which was considered to be overly dominant and inappropriate in terms of scale, massing and design.</p> <p>The height of the buildings for the current proposal fronting East Bridge Street relate directly to the high-rise commercial buildings to the north of the site. The 10 storey frontage of Block A drops to 6 storey at the intersection with Stewart Street. This seeks to break up the bulk of the building and address the relationship with residential properties on Stewart Street. Block B also steps down from 14 storey to 11 storey to 3 storey fronting onto Stewart Street. This drop in scale and massing reflects the transition in character from the front of the site at East Bridge Street to the rear along Stewart Street. Block C and Block D which front directly onto Stewart Street and are 3 storeys in height are considered to</p>

Agenda Item	Ref	Details	Issues Raised	Action
			<p>Current Application is for a much larger development in relation to scale and mass</p> <p>The current application proposes majority office use (plus 4 retail units) whereas the previous application was more in line with planning policy regarding sustainable mixed use development and included hotel, office and apartments on the site.</p> <p>Difference in floor height between the two applications e.g. the building which front onto Stewart Street (current application 4 metres per floor by 3 storeys =12</p>	<p>respond to the immediate 2 and 3 storeys (10.5 metres to 12.5 metres in height) residential properties along Stewart Street.</p> <p>The reduction in scale and massing and proposed separation distances will ensure that neighbouring occupiers should not be adversely affected by the proposal.</p> <p>The proposal has been stepped down to take account of residential properties on Stewart Street.</p> <p>The site is on unzoned white land located within the city centre. The application does not include any other uses other than office and retail and there is no policy requirement to provide such additional uses.</p> <p>Block C and Block B which directly front onto Stewart Street are 12 metres in height. That part of Block B which is closest to Stewart Street is 13 metres in height. The previous refusal on the site proposed a building height of 18 metres.</p>

Agenda Item	Ref	Details	Issues Raised	Action
			<p>metres and previous application 3 metres by 6 floors = 18 metres) therefore the comparison is misleading</p> <p>Planning Committee Report and submitted plans do not take into consideration the change in gradient in Stewart Street – the residential properties of Stewart Street and Friendly Street are lower than the site of the proposed development therefore scale and impact are exacerbated.</p> <p>The updated <u>Independent Design comments</u> are not satisfactory as there was little / no change in scale or massing in the amended plans therefore still is an overbearing overdevelopment of the site.</p>	<p>Consideration has been given the change in levels across the site in the assessment of the application. Existing levels and proposed levels are detailed on drawing 02b and 03b submitted in support of the application. The lower ground floor of the proposed buildings will sit below existing levels. Changes in levels are considered to be minimal and follow the natural gradient of Stewart Street.</p> <p>The proposal involves a reduction in gross floor space of 2167 square metres.</p> <p>The scale and massing of Block A and Block B have been redesigned to provide one taller building as opposed to two of similar height. The scale and massing to East Bridge Street has been reduced. The architectural composition of the two main blocks has been simplified.</p> <p>The height of Block A was originally 13 storeys with plant above at its highest. This then stepped down to 9 storeys and then again down to 5 storeys at the</p>

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				<p>intersection of East Bridge Street with Stewart Street. The amended proposal had reduced the overall height of Block A to 10 storeys at its highest then stepping down to 6 storeys at the intersection of East Bridge Street with Stewart Street.</p> <p>The height of Block B was originally 13 storeys with plant above at its highest point. This then stepped down to 13 storeys and then down to 5 storeys and then 3 storeys fronting onto Stewart Street. The amended proposal comprises 14 storeys stepping down to 11 storeys and then down to 3 storeys fronting onto Stewart Street.</p> <p>Block C and Block D were pulled back from the sites edge to allow a more continuous tree planting zone and a more continuous building line and building arrangement. This included amendments to the design and materials of Block C and Block D a more solid brick base is proposed with a simpler lightweight top floor.</p> <p>An additional landscape buffer is also proposed along Stewart Street and improvements to access to the site including widening the pedestrian entrance from East Bridge Street to give a more generous entrance link into the proposal.</p>

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			<p>Both the original and amended P1 Forms have the same gross and net floor space.</p> <p>Questions raised regarding the appointment of the <u>Independent Design Report / Advisor</u> and as to why the updated report is inconsistent with the first report given the issues were not addressed.</p>	<p>Further clarification has been received on 20 September 2016 from Urban Prospects Ltd the Independent Design Consultant which is attached to the Late Items for information.</p> <p>Page 4 of the P1 Form has been updated and uploaded onto the planning portal. However, the description of development was amended in the revised P1 Form and this amendment was advertised in the local press on 22 July 2016. Floorspace figures in section 24 of the P1 Form are largely detailed for car parking calculations purposes. For clarification the gross floorspace figure has been reduced from 30,683 square metres to 28,516 square metre – representing a reduction of 2167 square metres. The gross office floorspace figure is 25,761 square metres.</p> <p>Belfast City Council has sought Independent Design Advice on a number of key city centre sites.</p> <p>The Design Advised received confirmed in an email dated 14 July 2016 that the amended plans addressed initial concerns detailed in email response dated 17 June 2016.</p>

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			<p>Why was the Ministerial Advisory Group not consulted for design advice?</p> <p><u>Planning Policy</u></p> <p>The site is identified within BMAP as a character area under Designation CC014 Laganside South & Markets –the site should be designed and developed in a way which allows integration with the existing residential development and the proposed Tunnels Project.</p>	<p>Further clarification has been received on 20 September 2016 from Urban Prospects Ltd the Independent Design Consultant which is attached to the Late Items for information.</p> <p>The Council do not routinely consult MAG on planning applications. They are not a statutory consultee.</p> <p>A 10 metre separation distance is proposed between the Tunnels and Block A of the proposal. 4No retail units are proposed at lower ground floor level to create a street between the proposal and the Tunnels Project which in turn will enhance the vitality and viability of this level of the development. Access to the Tunnels Project will be available from East Bridge Street via a set of steps at each northern corner of the site and also a proposed lift adjacent the site boundary with Central Station. A level access from East Bridge Street is also proposed which will allow site users direct access into the proposed office building or descend to the Tunnels via the proposed steps. In addition, pedestrian access is proposed from Stewart Street across the proposed site to the Tunnels Project.</p>

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			<p>Technical Supplements attached to BMA P give guidance on design and scale – Urban Design Framework Part 1 and Elements of the City Part 2</p> <p>The Belfast City Centre Regeneration & Investment Strategy (Sept 2015) states that prestige office development be located within the traditional office core and greater height should be permitted for new development surrounding the Transport Hub.</p>	<p>These Technical Supplements informed the formulation of planning policy within BMAP. They are not planning policy and therefore no weight is attached to the Technical Supplements.</p> <p>The document is not planning policy however, is a material consideration in the assessment of the application. BMAP is clear in that Belfast City Centre remains the first choice location for major office development (Policy OF 1 of BMAP). The planning system has a key role in achieving a vibrant economy. The site is unzoned white land located within the city centre outside the primary retail core. The resulting regeneration must also be considered and balanced in the overall assessment of the application.</p>
			<p><u>Use</u> – Proposal does not conform with SPPS – proposal would prevent the creation of a place where communities can flourish and enjoy a sense of belonging and enjoy a shared sense of belonging both now and into the future – the proposal would not contribute to sustainable development.</p>	<p>The proposal would deliver the regeneration of a brownfield site in the city centre. Relevant consultees did not raise any concern regarding detrimental impact on the built and natural environment and on the heritage assets of the area. The proposal includes the creation of a street with retail units facing the Tunnels Project which is considered will enhance the vitality and viability of the Tunnels Project by promoting increased footfall to the area.</p>

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				<p>The site is unzoned white land located within the city centre outside the primary retail core. The resulting regeneration must also be considered and balanced in the overall assessment of the application.</p>
			<p><u>Connectivity</u> – the proposal disconnects the community from the Tunnels Project and the City Centre by reducing permeability and making access through the site difficult with differences in levels.</p> <p>Concern is raised as to how the car parking and spaces around the building will be managed at night time.</p> <p><u>Shadow Analysis</u> which was carried out as part of the</p>	<p>The proposal includes the introduction of a new vehicular access point, replacing the existing access on to Stewart Street. Pedestrian access into the site is proposed from both an upper level directly from East Bridge Street and a lower service level on Stewart Street. This split level approach will enable greater permeability into and through the site – linking all routes around the site. Those accessing from East Bridge Street can either directly enter the office accommodation at this higher level or descend into the lower level, where a sheltered street will be created with an active frontage on both sides by the lower ground level and the Tunnels community project.</p> <p>Management of the site will be a matter for the future occupiers of the site.</p> <p>A Shadow Analysis was submitted in support of the application which</p>

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			<p>application clearly shoes that the area at the Tunnels and the access tunnel to Lanyon Place will be in darkness the majority of the day.</p>	<p>demonstrates that the development will not cause overshadowing to the surrounding environment. The set back and stepped design of the built form will reduce the perception of dominance and loss of light.</p>
			<p><u>Planning Process & Planning Officer Report</u></p> <p>The original Planning Committee Report and Addendum Report are misleading as they ignore clear urban design advice in BMAP which suggest building heights of 5 stories on East Bridge Street and on arterial roads generally</p> <p>Why was MAG not consulted on this</p>	<p>These Technical Supplements referred to are not planning policy and therefore no weight is attached to the Technical Supplements.</p> <p>BMAP is not prescriptive regarding heights at this location however does states that development proposal shall take account of the height of adjoining buildings. The height of the buildings fronting onto East Bridge Street relate directly to the high-rise commercial buildings to the north of the site. The drop in scale towards Stewart Street responded to the 2 and 3 storeys residential properties along Stewart Street.</p> <p>The application is not located on an arterial route.</p> <p>MAG is not a statutory consultee. The Council does not routinely consult MAG on planning applications. It did however</p>

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			<p>application for design advice?</p> <p>The Planning Committee Report suggests that there were no objection to the scheme on design grounds, which is untrue as numerous objection letters raised concerns around design.</p> <p>Appropriate means to illustrate the scheme have not been provided (3D Models, Computer Models)</p> <p>Planning process seems to be in the developer's favour – Planning Committee Report finalised and decision made prior to deadline for resident's objection. Letters were not taken into account in the Planning Report and were presented as a late submission to the committee.</p>	<p>seek independent design advice from an external Urban Design Consultant.</p> <p>Paragraph 10.3.14 of the Planning Committee report states that Independent Design Advice was sought on the proposal. Following the submission of amended plans to address concerns raised regarding scale, massing and design no further objection was offered to the scheme on design grounds from the Independent Design Consultant.</p> <p>Section 7 of the Planning Committee Report provides detail on the representations received on the original scheme. The report advises that no further representations were received at the time of finalising the report (9.08.16). However, paragraph 10.10.13 of the report clearly states if anything further is received prior to the application being considered by Committee this will be fully considered and presented as a late item.</p> <p>A number of visual perspectives are available to view on the planning portal</p>

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				<p>The additional 63 letters of objection were fully considered and detailed in the late items package. The full application was listed for Planning Committee on 16 August 2016. The application was not presented but deferred for a site visit by Committee. In addition, matters raised by the objectors are detailed in the Addendum Report.</p>
<p>9(a)</p>	<p>LA04/2016/0559/F</p>	<p>Email received on 19 September from Mr Brian Stewart</p>	<p>The area does not have the infrastructure to support 4 office buildings.</p> <p>Car Parking is already a problem and this proposal will make matters worse.</p>	<p>Whilst the site is logistically well located the intensification of use at this location will have a significant impact on service provision across the city in terms of connectivity for example access to public transport, access to Belfast Bikes for ease of movement, access to wifi and other facilities. Upgrades to these services cannot be provided for through conditions and will need to be mitigated through development obligations and an agreement.</p> <p>The development will comprise 63 car parking spaces at lower ground. The proposal also incorporates the provision of 60 in-curtilage cycle parking spaces.</p> <p>Significantly, Policy AMP 7 of PPS3 states that a reduction in parking provision may be accepted where it for example forms a part of a package of measures to promote alternative transport modes. The overall objective of the</p>

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			<p>There are many office complexes in close proximity to the site – we do not need further offices at this location.</p> <p>Anti-social behaviour</p>	<p>Travel Plan submitted in support of the application seeks to encourage a shift from car based trips to more sustainable modes of transport. It is proposed to appoint a Travel Co-ordinator – responsible for the promotion of cycling, walking and public transport for staff and visitors. This requirement will form part of the Section 76 Agreement with the Developer. Within this context a reduced car parking provision is considered in these circumstances on balance to be appropriate.</p> <p>BMAP is clear in that Belfast City Centre remains the first choice location for major office development (Policy OF 1 of BMAP). The proposal comprises a total gross floorspace of 28,516 square metres of which 25,761 square metres will include gross office space. The applicant has indicated that this is proposed to be Grade A office space. The Belfast City Centre Regeneration Investment Strategy 2015 states that Grade A office space is undersupplied and there is virtually no Grade A space available.</p> <p>This would be a management issue for further occupiers of the site.</p> <p>The site is unzoned white land located within the city centre outside the primary retail core. The proposal as submitted is</p>

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			Other appropriate uses at this location include a supermarket, leisure centre or entertainment complex	not contrary to the relevant plans and policies for the site. The application does not include a supermarket, leisure centre or entertainment complex and there is no policy requirement to provide such uses at this location. The resulting regeneration must also be considered and balanced in the overall assessment of the application.
9(a)	LA04/2016/0559/F	Meeting took place with Dr Alasdair McDonnell MP and local residents on 15 September 2016.	Scale & Massing Car Parking Objections not considered	The proposal was discussed and drawings tabled. Confirmed that objections letters received on 10 August 2016 were considered and detailed in the Addendum Report. Discussed car parking in the area and the problems that exist.
9(a)	LA04/2016/0559/F	Letter of objection received on 16 September 2016 from Mr Declan Hill Belfast Urban Studio CIC	Quality and Content of Submitted Application – lack of regarding 3 dimensional analysis – perspective drawings, 3 dimensional models and computer aided visuals The building of a new wall interface – disconnecting the surrounding neighbourhoods from the city centre. A car park is proposed at ground floor level with a podium deck	A number of visual perspectives are available to view on the planning portal. Pedestrian access into the site is proposed from both an upper level directly from East Bridge Street and a lower service level on Stewart Street. This split level approach will enable greater permeability into and through the site – linking all routes around the site – Those accessing from East Bridge Street can either directly enter the office

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			<p>above. Access across this deck is by way of a complicated series of stairs, ramps, outside lifts and a spiral staircase</p> <p>The impact on the Tunnels Project – placing a 10 storey office building, 10 metres to the south of the Tunnels Project will leave the historic brick Tunnels in darkness during the day.</p>	<p>accommodation at this higher level or descend into the lower level, where a sheltered street will be created with an active frontage on both sides by the lower ground level and the Tunnels community project.</p>

Kelly/ Emma,

I refer to my emails of the 14th July and 17th June, regarding the above scheme as revised by the agents and comment as follows:-

1. The revised building layout presents a more appropriate response to the surroundings by removing the provision of two high competing blocks and rearranging the buildings at the interface with Stewart St. This has allowed a calmer and softer edge with the markets area and includes for a more continuous landscape zone along this frontage. The entrance onto East Bridge St has also been considerably widened and will secure a more open and welcoming entrance into the development.

2 The scale , massing and form has also now been amended and achieves a better composition with a clear taller building element surrounded by buildings of a lesser height. This should overcome the previous concerns of a large single building mass with a more refined skyline. This is further improved by creating a better clarity of form with a distinct base, middle and top. The redesign has also lessened the any adverse effect of the differences of scale within the site and allows a better integration of the scheme to both East Bridge St and Stewart St.

3 The architecture of the scheme has been simplified and rationalised and creates a more logical approach to the elevational treatment and composition.

Conclusion

The comments and suggestions contained in my initial email have been addressed to the extent of overcoming my concerns to the scheme. I would suggest however that conditions are attached to cover such matters as the architectural detailing, materials and landscaping. The comments on securing improved pedestrian/ public realm on the surrounding street are still applicable.

Urban Prospects Ltd
Sept 2016

Sent from my iPad

Planning Committee: Tuesday 16 August 2016

Late Items

Agenda Item	Ref	Details	Issues Raised	Action
9d	LA04/2016/0559/F	Letter of objection dated 10 August 2016 from Mairtin O Muilleoir MLA	<ul style="list-style-type: none"> • Original concerns still stand • Amended Plans are inappropriate in terms of scale and dominance. • Adverse effect on the community and the residential dwellings nearby. 	<ul style="list-style-type: none"> • The form and height of the Block A and Block B (East Bridge Street) establishes a presence that responds to the scale and massing of other commercial buildings in the immediate environment that is considered to be appropriate. In terms of compatibility and the potential for dominance the scale of the proposal has been reduced to take account of the local environment namely, residential properties on Stewart Street to ensure that the character of the area and residential amenity is not compromised. The drop in scale and

Agenda Item	Ref	Details	Issues Raised	Action
				massing and separation distances will ensure that neighbouring occupiers should not be adversely affected by the proposal.
9d	LA04/2016/0559/F	62 letters of objection dated 8 August 2016 from local residents	<ul style="list-style-type: none"> • Block B increased in size • Detrimental impact on the physical and mental wellbeing of residents 	<ul style="list-style-type: none"> • Block B was originally 14 storey to 13 storey to 5 storey to 3 storey. Amended Block B – 14 storey to 11 storeys to 3 storeys. The application was originally advertised at 13 storey. This was an error. No increase in overall height of Block B as a result of the amendments. • It is recognised that well designed buildings and the patterns of movement in the space around the buildings impact on the health and well-being of people. It is considered that proposed pattern of movement in the public spaces around the built form will encourage access to the

Agenda Item	Ref	Details	Issues Raised	Action
			<ul style="list-style-type: none"> • Segregate the community from the city and hem in residents 	<p>development and the Tunnels Project. The design is considered to be a sustainable solution to the transitional nature of the site and will trigger the wider regeneration of the area.</p> <ul style="list-style-type: none"> • Pedestrian access into the site is proposed directly from East Bridge Street and Stewart Street. Linkages are proposed across the site to increase overall permeability. Those accessing from East Bridge Street can either directly enter the office accommodation at a higher level which takes them to the landscaped public spaces or descend into the lower ground level where a street will be created with an active frontage on both side by the proposed retail units and the Tunnels Project. A further three

Agenda Item	Ref	Details	Issues Raised	Action
			<ul style="list-style-type: none"> • Access to the Tunnels projects will be compromised • Intrusive to dwellings in immediate vicinity • Loss of Light • Invasion of Privacy – contrary to Article 1 and Article 8 of the Human Rights Act 	<p>pedestrian access points are also located on Stewart Street. The proposal includes the improvements of the footways along Stewart Street surrounding the site.</p> <ul style="list-style-type: none"> • A 10 metre separation distance is proposed between the Tunnels Project Block A. Retail Units are also proposed at lower ground level to enhance the vitality and viability of this level of the development. The Tunnels Project can be accessed from East Bridge Street and Stewart Street • Adequate separation distances (25 metres) between the proposal and the residential properties on Stewart Street combined with a buffer of tree planting will minimise the potential for overlooking. It is considered that the

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			<ul style="list-style-type: none"> • Adverse Noise and Disruption • Increase level of traffic and parking – compromise safety • Current proposals for car parking inadequate and unrealistic – place a burden on surrounding streets 	<p>relationship of the proposed development with the immediate surrounding environment is common to many city centre streets. On balance in a city centre context this relationship is acceptable in privacy and outlook terms.</p> <ul style="list-style-type: none"> • A Noise and Vibration Impact Assessment was submitted in support of the application. Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives. • The overall objective of the Travel Plan submitted in support of the application seeks to encourage a shift from car based trips to more sustainable modes of transport. It is proposed to appoint a Travel Co-ordinator – responsible for the promotion of

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			<ul style="list-style-type: none"> • How and where will construction vehicles and staff gain access to the site without causing a hazard and inconveniencing neighbours • Oversupply of office buildings in the vicinity many of which are empty. Belfast City Centre Regeneration Investment Strategy 	<p>cycling, walking and public transport for staff and visitors. This requirement will form part of the Section 76 Agreement with the Developer</p> <ul style="list-style-type: none"> • Transport NI has verbally confirmed that they find the information submitted in support of the application to be acceptable subject to conditions and agreement of PSD Drawings for a 3 metres footway around the southern site of the site. • A Construction Management Plan would be required and would be conditioned. • BMAP is clear in that Belfast City Centre remains the first choice location for major office development (Policy OF 1). 26,309 square

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			<p>2015 states – The Belfast Office Market has become increasingly polarised. There is a significant over supply of secondary office accommodation.</p> <ul style="list-style-type: none"> • The same document states that Social Housing opportunities should be identified along major roads leading into the city centre. It further states that Planners should remedy key deficiencies in the city centre living environment through improvement of food shopping, day-care, open space and sense of security. This site is one that should be used for such purposes. • The proposal is contrary to SPPS (September 2015) 	<p>metres of gross office space is proposed in the development the applicant has highlighted that this is proposed to be Grade A office - Belfast suffers from a deficit in such space.</p> <ul style="list-style-type: none"> • The site is unzoned whiteland in BMAP. The application does not include social housing and the Planning Department has to assess the application as submitted. There is no policy requirement to provide social housing at this location. • The identification of sites for social housing would be through the Local Development Plan process. • The SPPS states that planning authorities should take a positive approach to appropriate

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			<ul style="list-style-type: none"> The proposal would have a negative impact on the area and the proposal would unacceptably affect amenities and the use of the tunnels which should be protected in the public interest. 	<p>economic development proposals and proactively support and enable growth generating activities. Large scale investment proposals with job creation potential should be given particular priority.</p> <ul style="list-style-type: none"> In terms of compatibility and the potential for dominance the scale of the proposal has been reduced to take account of the local environment namely, residential properties on Stewart Street to ensure that the character of the area and residential amenity is not compromised. The drop in scale and massing and separation distances will ensure that neighbouring occupiers should not be adversely affected by a sense of being hemmed in by the proposal. There is a design imperative to create a building of significant

Agenda Item	Ref	Details	Issues Raised	Action
				<p>status within the key city centre site. It is therefore considered that the proposed design and architectural treatment are acceptable. The proposal would deliver the regeneration of a brownfield site in city centre.</p> <ul style="list-style-type: none"> • A 10 metre separation distance is proposed between the Tunnels Project Block A. Retail Units are also proposed at lower ground level to enhance the vitality and viability of this level of the development. The Tunnels Project can be accessed from East Bridge Street and Stewart Street. • The proposal is considered on balance to comply with the development plan and other relevant planning policy and would

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			<ul style="list-style-type: none"> • Contrary to PPS 1: General Principles – does not provide a sustainable development, mixed use, quality development and design • Amended plans does not address the concerns which were raised throughout the consultation exercises and the design of the scheme is unacceptable for this site. 	<p>constitute an acceptable development at this location. The proposal would deliver the regeneration of a brownfield site in the City Centre.</p> <ul style="list-style-type: none"> • PPS 1 has been superseded by the SPPS. • Independent Design Advice was sought on the proposal. Following the submission of amended plans to address concerns raised regarding scale, massing and design no further objection was offered to the scheme on design grounds. It is therefore considered that the proposed design and architectural treatment

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			<ul style="list-style-type: none"> The site is identified within BMAP as a character area under CC014 Laganside South and Markets and therefore the site should be design and developed in a way which allows integration with the existing residential development and the proposed Tunnels Project. 	<ul style="list-style-type: none"> The site is unzoned white land located within Belfast City Centre. The height of the buildings fronting East Bridge Street relate directly to the high-rise commercial buildings to the north of the site. In terms of compatibility and the potential for dominance the scale of the proposal has been reduced to take account of the local environment namely, residential properties on Stewart Street to ensure that the character of the area and residential amenity is not compromised. The drop in scale and massing , proposed separation distances and landscaping will ensure that neighbouring occupiers should not be adversely affected in by the proposal. A 10 metre separation distance is proposed

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			<ul style="list-style-type: none"> • Scale of the Amended Proposal remains the same. 	<p>between the Tunnels Project Block A. Retail Units are also proposed at lower ground level to enhance the vitality and viability of this level of the development. The Tunnels Project can be accessed from East Bridge Street and Stewart Street.</p> <ul style="list-style-type: none"> • Overall reduction in gross floorspace by 2167 square metres. Block A reduced in height from 13 storey to 10 storey. Design of Block C and Block D has been amended in terms of positioning, materials and elevation. Amended Block B – 14 storey to 11 storeys to 3 storeys.