

Planning Committee

Development Management Report	
Committee Date: 11 th November 2025	
Application ID: LA04/2025/0556/F and LA04/2025/0557/DCA	
Proposal: Proposed change of use from restaurant, public house, 2 no retail units and office use to public house, restaurant, hotel and 1.no retail unit with an additional 2no.storeys associated with the hotel use, and all external façade alterations	Location: Lands at no's 10-22 Ann Street (including 8-10 Crown Entry and 12 Crown Entry) Belfast BT1 4EF
Referral Route: 3.8.2 (a) (viii) Representation received that conflicts with the Planning Officer's recommendation.	
Recommendation: Approve, subject to conditions	
Applicant Name and Address: Beannchor Group Ltd 3 Third Floor Hill Street Belfast BT1 2LA	Agent Name and Address: Sarah Barrett TSA Planning 20 May Street Belfast BT1 4NL
Date Valid: 27 th March 2025	
Target Date: 10 th July 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: The application seeks full permission for a proposed change of use from restaurant, public house, 2 no retail units and office use to public house, restaurant, hotel and 1.no retail unit with an additional 2no.storeys associated with the hotel use, and all external façade alterations. An associated application for Conservation Area Consent has also been submitted under the reference LA05/2025/0557/DCA and seeks permission for ground floor facades remodelling, removal of window detailing to upper floors, removal and replacement of windows and doors, creation of new door and window openings, removal of roof to rear return and internal wall and roof demolition to accommodate reconfiguration of buildings and associated development for proposed change of use. The site is located on Ann Street located in the Primary Retail Area within the boundary of the City Centre. The application site is also located within the City Centre Conservation Area and within close proximity to the following Listed Buildings: - HB26/50/039 Masonic Building, 13-14 Arthur Square, Belfast Grade B+ - HB26/50/096 Mayfair Building, Arthur Square, Belfast Grade B1 - HB26/50/304 1- 5 Castle Lane & 23-29 Cornmarket, Belfast Grade B2	

The key issues for consideration of the application are set out below.

- Principle of proposal
- Design & Placemaking
- Built Heritage
- Impact on Amenity
- Access & transport
- Climate change
- Environmental protection
- Waste-water infrastructure
- Waste storage
- Natural heritage

The principle of the proposed uses is considered acceptable under the strategic aims of the RDS, the SPPS and the Belfast Local Development Plan: Plan Strategy. The City Centre is deemed an appropriate location for the proposed bar/restaurant/hotel and retail unit. The non-retail uses would not be considered to adversely impact on the Primary Retail Area.

The proposed extension is considered subservient to the existing building and is sympathetic to both the character of the Conservation Area and the setting of the surrounding listed buildings. It is considered that the character and appearance of the Conservation Area would be enhanced.

HED, NIEA and Environmental Health have responded advising no objection, subject to conditions. Internal Conservation Advice raises concerns, which are addressed within the report. NI Water has recommended refusal due to waste-water network capacity issues and this will be addressed by way of condition.

Consultation responses remain outstanding from SES, DFI Roads and DFI Rivers. Delegated authority is requested to deal with the outstanding consultations, provided that no substantive issues are raised.

One third party objection has been received and is addressed in the report.

The proposal was subject to a detailed PAD process under the reference LA04/2024/1179/PAD.

Recommendation

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

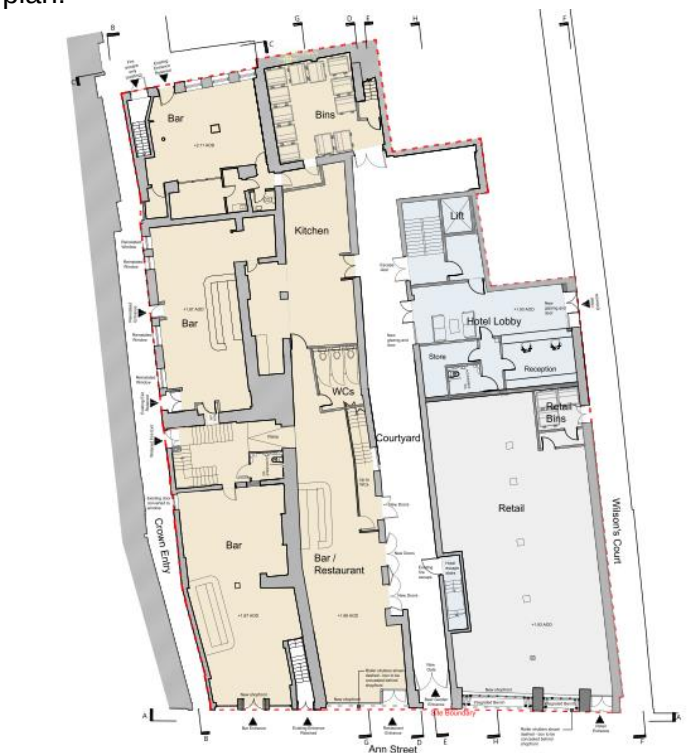
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and to deal with the outstanding consultation response from SES, DFI Roads and DFI Rivers and any other issues, provided that they are not substantive.

Proposed Plans

Site location plan:



Proposed ground floorplan:



Proposed 1st Floor Plan:



Proposed 2nd Floorplans:



Proposed 3rd Floorplans:



Proposed 4th Floorplan:



The image displays four architectural drawings for a proposed building project:

- Proposed 5th Floorplan:** A detailed floor plan of the fifth floor. It features a central corridor and several rooms, including a large '1st Floor Terrace Below' and a 'Rooftop Terrace Below'. Rooms are labeled with their types and areas, such as 'Studio Type A 23sqm', 'Studio Type B 28sqm', '1 Bed Suite Type A 38sqm', and '1 Bed Suite Type B 42sqm'. A 'Lift' is also indicated.
- Proposed Elevations:** Four elevation drawings showing the building's facade from different angles:
 - Proposed Elevation AA:** A side elevation showing the building's profile, including a 'SIGNAGE' area and a 'Rooftop Terrace Below'.
 - Proposed Elevation BB:** A front elevation showing the building's facade, including a 'SIGNAGE' area and a 'Rooftop Terrace Below'.
 - Proposed Elevation CC:** A side elevation showing the building's profile, including a 'Rooftop Terrace Below'.
 - Proposed Elevation DD:** A front elevation showing the building's facade, including a 'Rooftop Terrace Below'.

Proposed CGI:



1.0	Characteristics of the Site and Area
1.1	The site is comprised of three buildings along Ann Street: • 10 Ann Street is a three storey red brick building adjacent to Crown Entry with a ground floor restaurant and formerly a bar and club on the upper floors. • 12-14 Ann Street is a three storey red brick building with a ground floor retail unit. • 16-22 Ann Street is a four storey grey render building with two ground floor retail units.
1.2	The site is located in a prominent location within the Primary Retail Core of the City Centre as well as the City Centre Conservation Area. The surrounding context includes a number of listed buildings as below: • HB26/50/039 Masonic Building, 13-14 Arthur Square, Belfast Grade B+ • HB26/50/096 Mayfair Building, Arthur Square, Belfast Grade B1 • HB26/50/304 1- 5 Castle Lane & 23-29 Cornmarket, Belfast Grade B2
1.3	The surrounding area architecturally has a mix of designs and materials with a consistent shoulder height of 3-4 stories. The exception to this is the Dunnes Stores building at 2-6 Ann Street which is somewhat of an anomaly at six stories in height.
1.4	The surrounding area is mixed in use with several retail units, cafes, restaurants at ground floor and offices above.

2.0	PLANNING HISTORY
2.1	LA04/2015/0070/F- 12-14 Ann Street- Change of use from retail unit to ground floor ice cream café, Permission Granted, 14/10/2015.
2.2	LA04/2018/2030/F- 10A Ann Street- New roof terrace including bar, toilets and escape stair, Permission Granted, 25/04/2019.
2.3	LA04/2022/0009/F- 10A Ann Street and 10-12 Crown Entry- Creation of public bar along Crown Entry involving replacement of existing roof covering, proposed outdoor seating area within Crown Entry, internal alterations to form private function rooms, kitchen areas, creating of roof terraces and food court areas including food units. Creation of an additional storey to the rear along Crown Entry. Permission Granted, 10/02/2023.
2.4	LA04/2024/1179/PAD- 10-22 Ann Street- Proposed change of use from restaurant, public house, 2 no. retail units and office use to public house, restaurant, hotel and 1 no. retail unit and the development of 2 no. additional storeys associated with the hotel use and all external facade alterations. PAD Concluded.
3.0	PLANNING POLICY
3.1	Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies:</i> • Policy SP1A – Managing growth and supporting infrastructure delivery • Policy SP2 – Sustainable development • Policy SP3 – Improving health and wellbeing • Policy SP5 – Positive placemaking • Policy SP6 – Environmental resilience • Policy SP7 – Connectivity • Policy SD2 – Settlement areas <i>Operational Policies:</i> • Policy DES1 – Principles of urban design • Policy BH1 – Listed Buildings • Policy BH2 – Conservation Areas • Policy BH5 – Archaeology • Policy EC1 – Delivering inclusive economic growth • Policy TLC1 – Supporting tourism, leisure and cultural development • Policy TLC3- Overnight Visitor Accommodation • Policy TLC4 – Evening and night-time economy • Policy HC1 – Promoting healthy communities • Policy RET1 – Establishing a centre hierarchy • Policy TRAN1 – Active travel – walking and cycling • Policy TRAN2 – Creating an accessible environment • Policy TRAN4 – Travel plan • Policy TRAN6 – Access to public roads • Policy TRAN8 – Car parking and servicing arrangements

	• Policy ENV1 – Environmental quality • Policy ENV2 – Mitigating environmental change • Policy ENV3 – Adapting to environmental change • Policy ENV5 – Sustainable drainage systems (SuDS) • Policy NH1 – Protection of natural heritage resources <u>Supplementary Planning Guidance</u> • Placemaking and Urban Design • Sustainable Urban Drainage Systems • Transportation • Retail and Main Town Centre Uses • Sensitive Uses • City Centre Conservation Guide
3.2	Development Plan – zoning, designations and proposals maps • Belfast Urban Area Plan (2001) BUAP • Draft Belfast Metropolitan Area Plan 2015 (v2004) • Draft Belfast Metropolitan Area Plan 2015 (v2014)
3.3	Regional Planning Policy • Regional Development Strategy 2035 (RDS) • Strategic Planning Policy Statement for Northern Ireland (SPPS)
3.4	Other Material Considerations • Belfast Agenda (Community Plan)
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<u>Statutory Consultees</u> • DfI Roads: Awaiting Response • DfI Rivers: Awaiting Response • Historic Environment Division (HED): No objection with conditions. • DAERA (NIEA): Potential to impact the surface water environment
4.2	<u>Non-Statutory Consultees</u> • BCC Environmental Health: No objection, advise conditions • Conservation Officer: Concerns raised and addressed within the report • Shared Environmental Services: Awaiting Response
4.3	<u>Representations</u> The application has been advertised in the newspaper and neighbours notified, one representation was received: • Additional stories will lead to a loss of satellite signal to the neighbouring Mermaid Inn. <i>Case Officer's Response: Impact of the building on surrounding satellite signal is not a material planning consideration.</i>

5.0	PLANNING ASSESSMENT
	<u>Main Issues</u>
5.1	The main issues relevant to consideration of the application are set out below. • Principle of proposal • Design & Placemaking • Built Heritage • Impact on Amenity • Access & transport • Climate change • Environmental protection • Waste-water infrastructure • Waste storage • Natural heritage
	<u>Development Plan Context</u>
5.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
	<u>Operational Policies</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.
	<u>Proposals Maps</u>
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (BUAP), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (dBMAP) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in dBMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.

	• Belfast Urban Area Plan 2001: The site is located within the city centre. • Belfast Metropolitan Area Plan 2015 (2004): The site is within the city centre's Primary Retail Core and the City Centre Conservation Area. • Belfast Metropolitan Area Plan 2015 (v2014): The site is within the city centre's Primary Retail Core and the City Centre Conservation Area. <u>Principle of Development</u>
5.7	The existing site is comprised of a restaurant, public house, 2 retail units and offices. The proposal involves assessment of the following: • 10 Ann Street: Proposed as a bar which will connect to the existing bar located at 8-12 Crown Entry. • 12-14 Ann Street: Proposed Bar/Restaurant which will connect internally to no. 10 Ann Street. • 16-22 Ann Street: Involves the amalgamation of the existing two retail units into one with a proposed hotel lobby to the rear leading to the upper floor hotel rooms including a two storey extension. The hotel is to contain 41 bedrooms. <i>Policy Context:</i>
5.8	Policy RET1 aims to ensure that proposals for main town centres uses such as those proposed are directed to the appropriate level of centre based on size, function and catchment, with Belfast City Centre, District centres and Local centres considered in that order of preference.
5.9	The proposed site is also located within the Primary Retail Area (Primary Retail Core under dBMAP). Policy RET5 states the Primary Retail Area will be the focus for Class A1 retail uses. The policy restricts non-retail development so that no more than 40% of the frontage of the shopping street to which it relates is non-retail use and no more than 3 adjacent retail units are in non-retail use. Proposals for cafes and restaurants are however excluded from the 40% non-retail threshold.
5.10	Policy TLC3: Overnight Visitor Accommodation states permission will be granted for new overnight visitor accommodation within the city centre boundary. <i>Principle of Proposed Bar/Restaurant:</i>
5.11	Paragraph 8.2.26 states that the opening of a bar/pub on the PRA shall be considered only in circumstances where a retail use exists on each side of the proposed premises, so as to not break up a continuous shopping frontage.
5.12	The proposed restaurant at Nos. 12-14 Ann Street is excluded from the 40% non-retail restriction contained within Policy RET5 and while the proposed bar at No. 10 Ann Street contains a separate shopfront and entrance it is amalgamated with the proposed restaurant internally and therefore will function as a single unit. It is therefore considered that the proposed bar is compliant with Policy RET5 as the neighbouring units are 2-6 Ann Street and 16-22 Ann Street which will both be in retail use.
5.13	The principle of a restaurant and bar at this location are considered acceptable in principle and are compliant with Policies RET1 and RET5.

	<i>Retail Use:</i>
5.14	The proposed retail use complies with policies RET1 and RET5 being a retail use within the Primary Retail Area. The amalgamation of the two existing units is considered acceptable.
	<i>Proposed Hotel:</i>
5.15	The proposed entrance to the hotel is located to the rear of the retail unit accessed through Wilson's Court. The proposed location is considered acceptable in principle being within the city centre boundary and is compliant with Policy TLC3.
	<i>Investment and job creation:</i>
5.16	The economic investment in the buildings, their refurbishment, regeneration of the site and associated job creation is welcomed. These are material considerations that support the granting of planning permission.
	<u>Design & Placemaking</u>
5.17	Policy DES1 (Principles of urban design) of the Plan Strategy promotes good placemaking, high quality design and the importance of proposals responding positively to local context. Policy SP5 (Positive Placemaking) states that development should maximise the core principles of good design and positive placemaking in the creation of successful and sustainable places.
5.18	The proposal involves alterations to the existing buildings at ground floor level such as reinstating windows along Crown Entry and new shopfronts along Ann Street, including the reinstatement of a Victoria Timber shopfront at 10 Ann Street.
5.19	No. 16 to 22, proposed as a hotel, includes a two storey roof extension set back from the building line and finished in Profiled Aluminium Cladding.
	<i>Impact on City Centre Conservation Area:</i>
5.20	In accordance with Section 104(11) of the Planning Act (Northern Ireland) 2011, the council has had special regard to the desirability of (a) preserving the character or appearance of that the conservation area in cases where an opportunity for enhancing its character or appearance does not arise; and (b) enhancing the character or appearance of the conservation area in cases where an opportunity to do so does arise.
5.21	The SPPS states that: '<i>in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist</i>'.
5.22	Policy BH2 contains four criteria in addition to criteria within Policy RD2 and specifically relation to alterations and extensions within conservation areas as below: f) <i>Extensions shall be subservient to the existing building with regard to height, scale, massing, form and alignment;</i> g) <i>The proposal involves retention of and where possible reinstatement of traditional features;</i> h) <i>The proposal will not result in the detrimental loss of visual gaps between existing buildings and boundaries; and</i>

	i) <i>The proposal makes use of traditional and where appropriate reclaimed, recycled/or sympathetic building materials and techniques which match or are in keeping with those found on the building and surrounding area.</i>
5.23	Ann Street has a uniform shoulder height of 3 to 4 stories depending on floor to ceiling heights with the Dunnes Stores appearing as an anomaly ending the street at six stories. The proposed two storey extension is angled and successfully retains the existing shoulder height by being setback appropriately from the building line by 1.3m to 3.2m as shown below: 
5.24	The proposed setback allows the extension to be subservient to the existing building in regards to height, scale form and alignment.
5.25	The existing building is of poor architectural quality and not of a historic or traditional design, therefore there is no opportunity for the proposed extension to reinstate any traditional features. The design is modern with large glazed windows and an aluminium profiled cladding which is considered acceptable in the context of the existing building.
5.26	The proposal includes the reinstatement of traditional shopfronts at both 10 Ann Street and 12-14 Ann Street. 10 Ann Street will be a reinstated Victoria Timber shopfront while 12-14 Ann Street will introduce a glazed slip brick and Crittall windows. Furthermore, original windows will be re-introduced along Crown Entry. The reinstatement of these traditional features is welcomed.
5.27	The proposed extension is to the roof of the existing building and will therefore not impact visual gaps between buildings. Given the meaningful setback it is also not considered the proposal will negatively impact the key views into and out of the area. The proposal will only be visible from long range views and the retention of the shoulder height ensures there will not be a negative impact on the conservation area.

	<i>Conservation Advice</i>
5.28	Conservation Advice was sought and raised several concerns as considered below: <i>‘The attic form proposed is alien in context of area and building – the additional floors would appear as a separate, aluminium box form unrelated to the rest of the design not following the fenestration below etc. – contrary to the principle of architectural unity that underpinned building form within the Conservation Area forming coherent, architecturally unified statements.’</i>
5.29	Traditional attic options in the form of a mansard as requested within the Conservation Advice were explored during the PAD stage and were found to negatively impact on the Conservation Area given the options protruded the street line and failed to retain the existing shoulder height. While the proposal does not follow the fenestration below it is setback sufficiently to appear subservient to the existing building and of an acceptable form. Moreover, the high position of the roof extension, together with its angled and modern design, means that alignment with the windows below is less critical.
5.30	The conservation advice requested that the colour of render to the existing building should not appear visually strident/jarring and contribute to streetscape coherence. The proposed render is a dark colour which no objections are raised to given the mix of materials in the surrounding area and to achieve coherence with the materiality of the extension. The colour of render will be conditioned to be submitted prior to commencement of the development to ensure it is considered appropriate.
5.31	Conservation advice stated that detailing of the existing façade would assist in perceptually diminishing the perception of the extension. While changes to the existing window openings were presented at PAD stage which would aid with the proposal, the submitted Design and Access Statement states that the focus is to retain existing fabric and the existing openings. The advice does concede that as existing openings are proposed to be used it would be difficult to insist on existing fenestration alterations.
5.32	The conservation advice states that the proposed shopfronts are broadly acceptable. Minor amendments are requested such as locations of awnings and design of shutters but given the existing shopfronts which are not historic in nature it is considered the proposed shopfronts are a significant enhancement.
5.33	The proposal is considered to comply with Policies DES1, BH2 and Section 104(11) of the Planning Act (Northern Ireland) 2011. Overall, the proposal enhances the Conservation Area due to the reinstatement of historic shopfronts and the opening of windows to along Crown Entry which are important historic elements and will enhance the public’s experience of the area at ground level.
	<i>Proposed Demolition</i>
5.34	To facilitate the development the following demolition is proposed: Ground floor facades remodelling, removal of window detailing to upper floors, removal and replacement of windows and doors, creation of new door and window openings, removal of roof to rear return and internal wall and roof demolition to accommodate reconfiguration of buildings and associated development for proposed change of use.
5.35	An application for Conservation Area Consent has been submitted (LA04/2025/0557/DCA) and is assessed as part of this report.

5.36	Policy BH2 states there will be a presumption in favour for retaining listed buildings and non-listed buildings in conservation areas. Partial demolition is only permitted where: j) It makes either a negative or no material contribution to the character and appearance of the area; and k) The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.
5.37	The elements of the building to be demolished are not historic in nature and make no material contribution to the Conservation Area. As established previously, the proposal overall enhances the Conservation Area.
5.38	Conservation advice raises no concerns regarding the demolition although did note that the chimney on 8-10 Crown Entry is not shown on the proposed plans. The chimney is not part of the application for consent to demolish and is therefore to be retained.
5.39	It is considered the proposed demolition is considered acceptable with due regard to Policy BH2, the SPPS and Section 104 (11) of the Planning Act. <u>Impact on the heritage assets</u> <i>Impact on Listed Buildings:</i>
5.40	In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council must have special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest.
5.41	Policy BH1 of the Belfast Plan Strategy contains five criteria to be met when considering the impact of new development on the setting of Listed Buildings.
5.42	There are a number of listed buildings within close proximity to the site, these are listed below: • HB26/50/039 Masonic Building, 13-14 Arthur Square, Belfast Grade B+ • HB26/50/096 Mayfair Building, Arthur Square, Belfast Grade B1 • HB26/50/304 1- 5 Castle Lane & 23-29 Cornmarket, Belfast Grade B2
5.43	The proposed extension is considered sympathetic to the surrounding listed buildings. The significant setback of the extension ensures that the existing shoulder height of Ann Street is maintained and therefore the setting and views of the surrounding listed buildings are maintained.
5.44	DfC HED was consulted and has no objections to the proposal. DfC HED is supportive of the conservation led approach in the scheme which provides a sustainable future for location buildings of historic interest in the City Centre. <i>Impact on Archaeology:</i>
5.45	DfC HED (Historic Monuments Section) was consulted and requested an Archaeological Impact Assessment which has been submitted. It is content subject to conditions for the agreement and implementation of a developer funded programme of archaeological works.

5.46	Having regard to the advice from DfC HED and the further assessment by officers, it is considered that the setting of the Listed Buildings in the vicinity of the site, would be safeguarded. The proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS. <u>Impact on Amenity</u>
5.47	The proposed bar and restaurant are acknowledged as Sensitive Uses within the Council's SPG that can lead to an increase in litter and cause amenity issues such as noise and odour.
5.48	The proposal, however, is within an appropriate location within the city centre and there are no residential uses within close proximity to the development. A Noise Impact Assessment has been submitted and mitigation measures will ensure no amenity impacts upon residents of the hotel. Environmental Health offers no objection.
5.49	There would be no unacceptable overlooking, loss of light or outlook resulting from the proposal. <u>Access & transport</u>
5.50	Policy SP7 (Connectivity) supports connectivity to and within the city by sustainable transport modes, such as public transport, walking and cycling. Policy TRAN1 (Active travel, walking & cycling) supports development proposals which take account of the needs and safety of walkers and cyclists, their convenience to walking, cycle and public transport access and secure cycle parking facilities. Policy TRAN2 (Creating and accessible environment) promotes suitable access to buildings and their surroundings whilst taking account of the specific needs of people with disabilities or impaired mobility. Development which will generate significant travel uses require a Travel Plan under Policy TRAN4 (Travel plan), whilst Policy TRAN8 (Car parking & servicing arrangements) sets out the criteria under which reduced levels of car-parking will be assessed.
5.51	The proposal does not include the provision of any car parking. The proposal is in a highly sustainable and accessible location within the city centre, with good access to car parks and public transport. Ann Street is pedestrianised and therefore there is no option to provide car parking.
5.52	DfI Roads was consulted on the proposal and requested in curtilage cycle parking to be provided. Amendments have been received to include this and delegated authority is requested to deal with the outstanding consultation response provide issues raised are not substantive. Subject to the final response from DfI Roads, having regard to the sustainable of the site location and proximity to parking facilities, access to public transport the proposal is considered to satisfy the relevant policies SP7, TRAN1, TRAN2 and TRAN8. <u>Climate change</u>
5.53	Policy SP6 (Environmental resilience) of the Plan Strategy reinforces the RDS policy on climate change which also aligns with the Belfast Agenda, by seeking to reduce greenhouse gas emissions and adapt to a changing climate to build environmental resilience. Policy ENV1 (Environmental quality) allows for development that will maintain and, where possible, enhance environmental quality. Any proposal must protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment. Policy ENV2 (Mitigating

	environmental change) states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. There is a presumption in favour of retaining existing buildings. Policy ENV3 (Adapting to environmental change) states that planning permission will be granted for development that incorporates measures to adapt to environmental change. Policy ENV5 (Sustainable Drainage Systems) SuDS states that all built development should include, where applicable, SuDS measures to manage surface water effectively on site to reduce surface water runoff.
5.54	The proposal complies by policies ENV2 and ENV3 by reusing the existing buildings which avoids demolition and minimises waste. The proposal maximises opportunities to incorporate sustainable design features with a proposed green roof which is also a form of SuDS and therefore complies with policy ENV5.
5.55	Subject to conditions to ensure implementation of these measures, there would be no conflict with policies SP3, SP6, ENV1, ENV2, ENV3 and ENV5 of the Plan strategy, and the strategic aims of the RDS the SPPS, and the Belfast Agenda. <u>Environmental protection</u>
5.56	Policy SP6 (Environmental resilience) of the Plan Strategy reinforces the RDS policy on climate change which also aligns with the Belfast Agenda to build environmental resilience. Policy ENV1 (Environmental quality) requires new development to protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment.
5.57	Environmental Health have been consulted in regard to air quality, odour, noise and contaminated land. The response from Environmental Health indicated no objection to the proposal subject to relevant condition. The proposal is considered compliant with Policy ENV1. <i>Contaminated land:</i>
5.58	The site is located on past land use types that have the potential to contaminate land and pose a risk to human health. Groundworks are not proposed and therefore EH have no objections with conditions. <i>Noise:</i>
5.59	A Noise Impact Assessment has been submitted which proposes noise mitigation measures for the protection of the residents of the hotel. EH had no objections with conditions. <i>Odour:</i>
5.60	The proposal includes a restaurant. The kitchen extraction outlet is located to the rear façade of the building and is indicated as terminating 1m above the ridge line. EH have no objections with a condition proposed. <i>Air Quality:</i>
5.61	EH advise that if centralised combustion plants are proposed then further information will be required, a condition is proposed in this instance.

	<u>Flood risk</u>
5.62	Policy ENV4 (Flood risk) of the Plan Strategy states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). Flood Maps (NI) indicate the site lies within the 1 in 200-year climate change coastal flood plain.
5.63	Under paragraph 6.107 of the SPPS built development is not permitted within the flood plains of rivers or the sea unless one of the circumstances apply. The development is considered minor development given it will not result in any increase in the footprint of the buildings. A Flood Risk Assessment has been submitted and DFI Rivers accepts its logic and has no reason to disagree with its conclusions.
5.64	In addition, a Drainage Assessment has been submitted and DFI Rivers have requested further information including surface water discharge consent and revised drainage calculations. A revised Drainage Assessment has been submitted and DFI Rivers have been reconsulted. Delegated Authority is requested to deal with the outstanding DFI Rivers response providing no substantive issues are raised.
5.65	Subject to DFI Rivers final response, the proposal is considered compliant with Policies ENV4 and ENV5.
	<u>Waste-water infrastructure</u>
5.66	Policy SP1A (Managing growth and supporting infrastructure delivery) of the Plan Strategy require that necessary infrastructure is in place to support new development.
5.67	NI Water has confirmed there is available capacity at the receiving Wastewater Treatment Works, however, an assessment has indicated network capacity issues. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.
5.68	NI Water have confirmed under their latest consultation that a Waste Water Impact Assessment has been submitted and that process is ongoing. Having regard to the NI Water advice, it is considered necessary to impose a condition requiring the submission of details of foul and surface water drainage. In this regard, the proposal is considered compliant with Policy NH1 of the of the Belfast Local Development Plan, Plan Strategy 2035 and paragraphs 6.176 and 6.177 of the Strategic Planning Policy Statement; and taking account of all relevant material considerations.
	<u>Waste Storage</u>
5.69	A Waste Storage Strategy has been submitted with a bin storage area to serve the restaurant/bar and hotel and a separate area to serve the retail unit. The Waste Storage Strategy includes calculations and is considered to comply with the Council's Waste Infrastructure SPG.

5.70 5.71 5.72 5.73	<u>Natural heritage</u> Policy NH1 states that the Council will adopt a precautionary approach when considering the impact of proposed development on local, national or international natural heritage resources, including designated sites, protected species and the other important interests of biodiversity and geodiversity. Due to the proposed location no scenarios contained within the NI Biodiversity Checklist in relation to either designated sites/priority habitats or protected/priority species are applicable. No further ecological assessments and surveys are therefore required. As set out previously, a condition is recommended to secure appropriate details of waste-water drainage in the interests of the environmental protection of Belfast Lough. The proposal is considered in compliance with Policy NH1.
6.0 6.1 6.2	Recommendation Having regard to the Local Development Plan and all material considerations, it is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and to deal with the outstanding consultation response from SES, DFI Roads and DFI Rivers and any other issues, provided that they are not substantive.
7.0	DRAFT CONDITIONS LA04/2025/0556/F: 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011 2. No external facing or roofing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, profile and texture of the external materials. Reason: In the interests of the character and appearance of the Conservation Area. 3. No development shall commence on site until details of all new external joinery (including doors, windows and shopfronts) have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details. Reason: In the interests of the character and appearance of the Conservation Area.

4. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

5. Prior to the installation of any centralised combustion sources (boilers, CHP, biomass or generators), where there is a risk of impact at relevant receptor locations, an Air Quality Impact Assessment shall be submitted to and approved in writing by the Council. The submitted assessment shall include details of the combustion plant to be installed, emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations associated with the operation of the proposed combustion plant and with the overall development. The development shall not be carried out unless in accordance with the approved details.

Reason: Protection of Local Air Quality.

6. During operation of the development:

- The music noise level from amplified speakers within the two external terraces shall not exceed 63 dB LAeq, 5 mins when measured at a distance of 1 metre from each speaker.
- All plant and equipment associated with the development hereby permitted, shall be selected, designed and installed so as to achieve a combined rating level (Lar,Tr) no greater than the representative night time and day-time background sound level when measured or determined at the façade of the nearest noise sensitive premises in accordance with BS4142:2014+A1:2014.

Reason: Protection of surrounding amenity.

7. No installation, fit-out, or operation of the restaurant unit shall be permitted until a scheme of kitchen extraction and odour abatement has been submitted to and approved in writing by the Council. The scheme shall include:

A risk assessment to determine a suitable fit for purpose system;

Full specification details of the proposed kitchen extraction and odour abatement system;

An elevation drawing depicting the location of the proposed kitchen extract ducting and termination point of extract flue, including height, along with the identification and location of any external mechanical components e.g. fan, motor (including information on noise production and abatement).

	The approved kitchen extraction and odour abatement scheme shall be installed in accordance with the approved details prior to commencement of use of the hereby permitted restaurant and shall be operated at all times thereafter. The approved kitchen extraction and odour abatement scheme as installed shall be retained and maintained thereafter. Reason: Protection of surrounding amenity. 8. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter. Reason: To ensure appropriate foul and surface water drainage of the site and safeguarding of Belfast Lough. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability. 9. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work. Reason: To ensure that archaeological remains within the application site are properly identified, protected or appropriately recorded. 10. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 9. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.
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Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

11. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

LA04/2025/0667/DCA:

1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

Reason: As required by Section 105 of the Planning Act (Northern Ireland) 2011.

2. This consent only relates to the walls / structures highlighted in red on the approved plans and to no other part of the building/s or structure/s within the site.

Reason: For the avoidance of doubt as to the extent of this consent, to preserve or enhance the character or appearance of the Conservation Area.

DRAFT INFORMATIVES:

1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
3. The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.

	4. The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to: a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat; b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.
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