

Development Management Officer Report Committee Application

| Summary | |
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| Committee Meeting Date: 16 August 2016 | Item Number: 8 k |
| Application ID: LA04/2015/0920/F | |
| Proposal: 4 Storey new build 'Boutique Travel Hotel' and ground floor restaurant | Location: 38-42 Bank Street Belfast |
| Referral Route: Committee – local application – exceeds delegated criteria | |
| Recommendation: | |
| Applicant Name and Address: Cedarr Properties Ltd First Floor Linenhall Exchange 26 Linenhall Street Belfast BT2 8BG | Agent Name and Address: MacRae Hanlon Spence Chartered Architects 14-16 Shore Road Holywood BT18 9HX |
| Executive Summary: Full permission is sought for a 4 Storey new build 'Boutique Travel Hotel' (17 bedrooms) and ground floor restaurant. The proposed site is located at Bank Street within the city centre. The site is a hard surfaced car park with a 2m high wall along the site frontage, with buildings forming the site boundaries on all remaining sides. Topography of the site is level. There is an access road immediately outside the site and hard surfaced public open space opposite. The area is commercial in character/use with a listed restaurant/public house and retail shop immediately adjacent. Retail uses are also located immediately to the rear of the site. key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> - The principle of the proposal at this location; - Impact on amenity / character of the area and a listed building; - Impact on transport and other infrastructure. Within the plan the site is identified as falling within a Conservation Area, Designation CC09 Character Area Old City, and also within the primary Retail Core. PPS6 is therefore relevant due to the Conservation Area designation and proximity to Listed Buildings. The site itself is not subject to any zonings. | |

Given the site context which consists entirely of non-residential uses, the proposed hotel and restaurant uses are considered acceptable in principle.

The proposal is four storeys in height and is partly finished with a flat roof (11.39m) with a taller element finished as a hipped and pitched roof (13.6m to ridge). The building is to be finished in render with dark grey tiles to the roof, painted timber soffits and metal framed windows.

The layout/siting of the building replicates the adjacent buildings and is therefore sympathetic to the existing streetscape form. The fenestration and solid to void ratios of the front elevation are considered sympathetic to the locality. The materials proposed are similar to those in the adjacent building and are therefore acceptable. There is a mix of building designs and finishes in the locality and the proposal would be similar in terms of the commercial/industrial character of the area.

Notwithstanding the above, Listed Buildings whilst indicating broad support for the design have requested that the design of the upper floors be revised to a flat roof. However, the Conservation Officer has indicated broad support for the design approach save for detail concerns of the roof and ground floor.

The design has been revised to include a hipped and pitched element to the roof which in turns reduces the visual impact of this element of the design from public viewpoints. The provision of the enclosed roof structure enables screening of rooftop plant which is considered a more appropriate design solution and accordingly a lesser impact on the setting of the Listed Building and character of the area will result. The proposal will have a more positive contribution to the Conservation Area as the existing vacant site will be removed.

In relation to traffic, access, and parking issues, Transport NI was consulted and is satisfied with the traffic, parking and access arrangements. Accordingly the proposal is considered compliant with requirements in PPS3 and associated guidance.

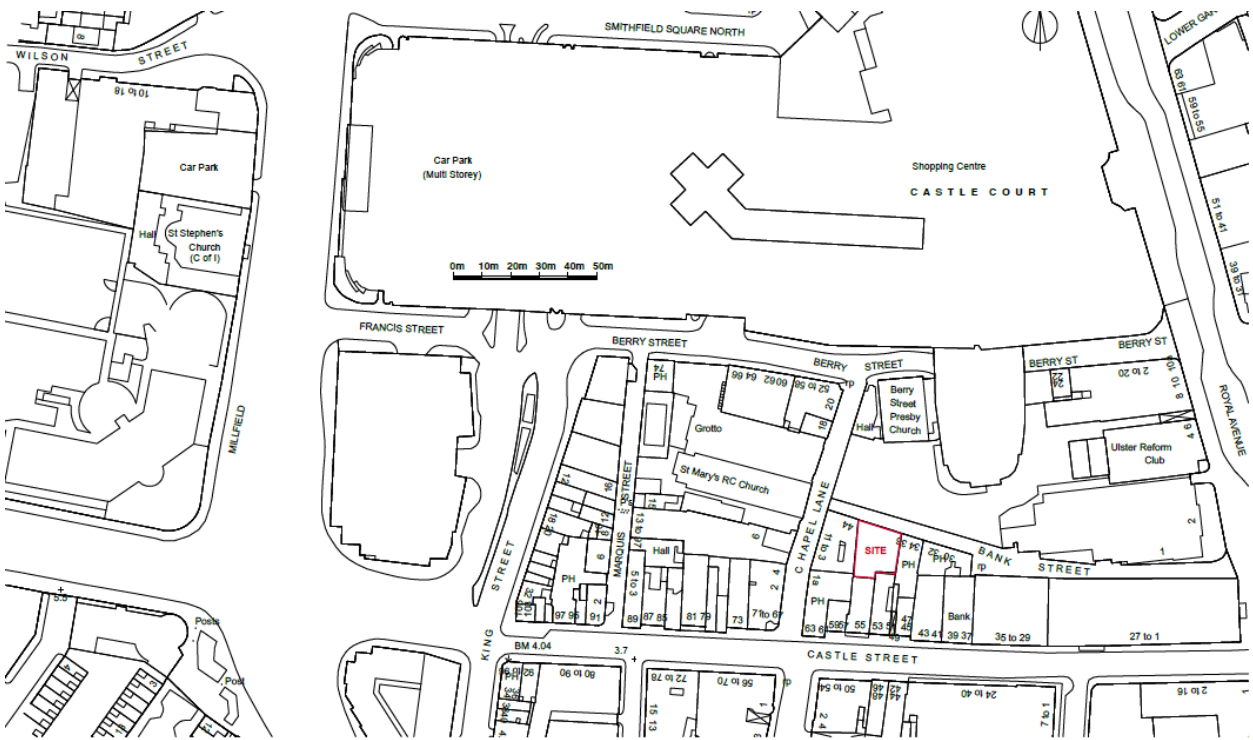
Environmental Health has no objection subject to conditions and/or informatives, and the proposal will not result in an unacceptable impact in terms of noise, air quality, or related issues. NIEA have no objections in terms of contamination. NI Water has no objection in relation to sewerage or flooding.

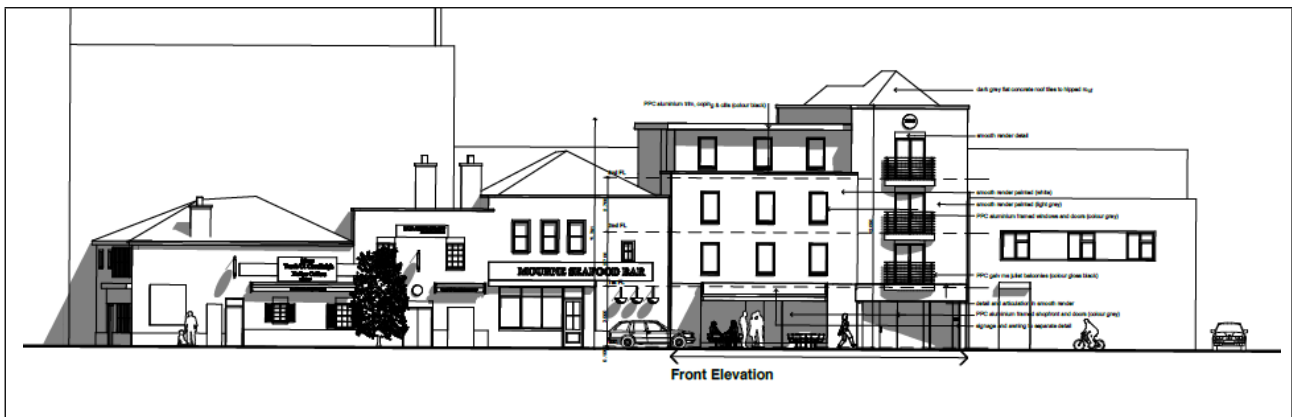
One representation has been received, however following the above assessment the proposal is considered compliant with relevant policy considerations. Adequate access is proposed for the removal of waste and deliveries, as Transport NI have no concerns in this regard. Issues around fire escape are a detailed design consideration as part of the building control approval process.

Approval recommended subject to conditions. Delegation of final conditions to the Director of Planning and Place requested.

Case Officer Report

Site Location Plan





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| 1.0 | <p>Description of Proposed Development</p> <p>Full planning permission is sought for a 4 Storey new build 'Boutique Travel Hotel' (17 bedrooms) and ground floor restaurant</p> |
| 2.0 | <p>Description of Site</p> <p>2.1 The proposed site is located at Bank Street within the city centre. The site is a hard surfaced car park with a 2m high wall along the site frontage, with buildings forming the site boundaries on all remaining sides. Topography of the site is level.</p> <p>2.2 There is an access road immediately outside the site and hard surfaced public open space opposite. The area is commercial in character/use with a listed restaurant/public house and retail shop immediately adjacent. Retail uses are also located immediately to the rear of the site.</p> |
| 3.0 | <p>Site History</p> <p>No recent relevant site history.</p> |
| 4.0 | <p>Policy Framework</p> |
| 4.1 | <p>Belfast Metropolitan Area Plan 2015</p> |
| 4.2 | <p>Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS) PPS3: Roads Considerations; Supplementary Planning Guidance including Development Control Advice Note 15 Vehicular Access Standards</p> |
| 5.0 | <p>Statutory Consultee Responses</p> |
| | <p>Transport NI – no objections DfC - HED – no objections subject to revised design and condition and/or informatives; NI Water – no objections;</p> |

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| 6.0 | Non Statutory Consultee Responses |
| | Environmental Health - no objections subject to conditions and/or informatives. Conservation Officer – broadly acceptable – some revision to details suggested. |
| 7.0 | Representations |
| | The application has been neighbour notified and advertised in the local press. One representation received raising concerns regarding rubbish removal, goods delivery and fire escape. |
| 8.0 | Other Material Considerations |
| | None |
| 9.0 | Assessment |
| 9.1 | The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> - The principle of the proposal at this location; - Impact on amenity / character of the area and a listed building; - Impact on transport and other infrastructure. <p>Policy Considerations:</p> |
| 9.2 | Policy SFG3 of the RDS seeks to enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities. This policy states <i>‘Belfast City Centre has developed its regional shopping offer. A precautionary approach needs to be continued in relation to future major retail development proposals based on the likely risk of out of centre shopping developments having an adverse impact on the city centre shopping area’</i> . |
| 9.3 | The SPPS sets out five core planning principles of the planning system, including improving health and well being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. |
| 9.4 | Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. |
| 9.5 | The proposal involves a hotel use with a restaurant at ground floor. There are no planning policy statements specific to hotels uses, whilst Development Control Advice Note 4 (DCAN4) relates to restaurant (and related) uses. BMAP is the current development plan for the area. Within the plan the site is identified as falling within a Conservation Area, Designation CC09 Character |

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| 9.6 | <p>Area Old City, and also within the primary retail core. PPS6 is therefore relevant due to the Conservation Area designation and proximity to Listed Buildings. The site itself is not subject to any zoning.</p> <p><u>Planning History:</u></p> <p>There is no recent relevant site history.</p> <p><u>Consideration</u></p> |
| 9.7 | <p>The primary policy considerations are set out in BH12 – new development in a Conservation Area, and BH11 – Development affecting the Setting of Listed Buildings. BH12 sets out 7 general criteria for proposals. Section 104 of the 2011 Act and the related policy direction of the SPPS take precedence over</p> |
| 9.8 | <p>criteria (a) of PPS6 Policy BH12 New Development in a Conservation Area, which requires the development to preserve or enhance the character of the area. The remaining criteria of this policy however remain. (b) and (c) broadly seek development that is in sympathy with the characteristic built form, scale material and detailing of the area; (d) that proposal will not result in environmental problems such as noise, nuisance and disturbance; (e) that important views within, into and out of the area are protected, and (f) that trees and other landscape features are protected. Criterion (g) seeks redevelopment that conforms with the guidance set out in conservation area documents.</p> <p>Given the site context which consists entirely of non-residential uses, the proposed hotel and restaurant uses are considered acceptable in principle subject to satisfactory design and character issues.</p> |
| 9.9 | <p><i>Design and Character of the Area</i></p> |
| 9.10 | <p>The proposal is four storeys in height and is partly finished with a flat roof (11.39m) with a taller element finished as a hipped and pitched roof (13.6m to ridge). The building is to be finished in render with dark grey tiles to the roof, painted timber soffits and metal framed windows.</p> |
| 9.11 | <p>The layout/siting of the building replicates the adjacent buildings and is therefore sympathetic to the existing streetscape form. The fenestration and solid to void ratios of the front elevation are considered sympathetic to the locality. The materials proposed are similar to those in the adjacent building and are therefore acceptable. There is a mix of building designs and finishes in the locality and the proposal would be similar in terms of the commercial/industrial character of the area.</p> |
| 9.12 | <p>Notwithstanding the above, Listed Buildings whilst indicating broad support for the design have requested that the design of the upper floors be revised to a flat roof. However, the Conservation Officer has indicated broad support for the design approach save for detail concerns of the roof and ground floor.</p> |
| 9.12 | <p>The design has been revised to include a hipped and pitched element to the roof which in turns reduces the visual impact of this element of the design from public</p> |

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| <p>9.13</p> <p>9.14</p> <p>9.15</p> <p>9.16</p> | <p>viewpoints. The provision of the enclosed roof structure enables screening of rooftop plant which is considered a more appropriate design solution and accordingly a lesser impact on the setting of the Listed Building and character of the area will result. The proposal will have a more positive contribution to the Conservation Area as the existing vacant site will be removed.</p> <p><i>Access, Parking and Transport:</i></p> <p>In relation to traffic, access, and parking issues, Transport NI was consulted and is satisfied with the traffic, parking and access arrangements. Accordingly the proposal is considered compliant with requirements in PPS3 and associated guidance.</p> <p><i>Other Considerations:</i></p> <p>Environmental Health has no objection subject to conditions and/or informatives, and the proposal will not result in an unacceptable impact in terms of noise, air quality, or related issues. NIEA have no objections in terms of contamination. NI Water has no objection in relation to sewerage or flooding.</p> <p>One representation has been received, however following the above assessment the proposal is considered compliant with relevant policy considerations. Adequate access is proposed for the removal of waste and deliveries, as Transport NI have no concerns in this regard. Issue around fire escape are a detailed design consideration as part of the building control approval process.</p> |
| <p>10.0</p> <p>10.1.</p> | <p>Summary of Recommendation: Approval</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and compliant with relevant policies. Approval is recommended.</p> |
| <p>Conditions/Reasons for Refusal:</p> <ol style="list-style-type: none"> 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>Reason: Time Limit.</p> <ol style="list-style-type: none"> Prior to the occupation of the proposed development, the applicant shall provide to Planning Service, for approval, a Verification Report. This report must demonstrate that; <ul style="list-style-type: none"> All areas of the site have been covered in hard standing. Any areas of landscaping have been formed in raised beds. Any imported soils are demonstrably suitable for the end use. | |

3. The Verification Report shall be completed by competent persons, in accordance with current Environment Agency guidance and demonstrate that the mitigation measures have broken the identified contaminant-pathway-target linkages and that the site no longer poses a significant risk to human health.

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

4. In the event that contamination not previously considered is encountered during the approved development of this site, works should cease and the Council 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 unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Service in writing, and subsequently implemented and verified to its satisfaction.

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

5. 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>.

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

6. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

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

8. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and carry out archaeological recording.

Reason: to ensure the identification, evaluation and appropriate recording of any archaeological remains which are exposed by the operations.

| ANNEX | |
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| Date Valid | 28th August 2015 |
| Date First Advertised | 18th September 2015 |
| Date Last Advertised | 18 th September 2015 |
| <p>Details of Neighbour Notification (all addresses) The Owner/Occupier, 11 Chapel Lane Town Parks Belfast The Owner/Occupier, 14-16,Chapel Lane,Town Parks,Belfast,Antrim,BT1 1HH, The Owner/Occupier, 18 Chapel Lane,Town Parks,Belfast,Antrim,BT1 1HH, The Owner/Occupier, 1a Chapel Lane,Town Parks,Belfast,Antrim,BT1 1HH, The Owner/Occupier, 2 Royal Avenue Town Parks Belfast The Owner/Occupier, 22 Berry Street Town Parks Belfast The Owner/Occupier, 3-7 Chapel Lane Town Parks The Owner/Occupier, 30-32 Bank Street Town Parks The Owner/Occupier, 34-36 Bank Street Town Parks The Owner/Occupier, 4 Royal Avenue Town Parks Belfast The Owner/Occupier, 44,Bank Street,Town Parks,Belfast,Antrim,BT1 1HL, The Owner/Occupier, 45 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH, The Owner/Occupier, 47 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH, The Owner/Occupier, 48 Chapel Lane,Town Parks,Belfast,Antrim,BT1 1HH, The Owner/Occupier, 49 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH, The Owner/Occupier, 50 Chapel Lane,Town Parks,Belfast,Antrim,BT1 1HH, The Owner/Occupier, 51 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH, The Owner/Occupier, 53 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH, The Owner/Occupier, 55 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH, The Owner/Occupier, 57 Castle Street,Town Parks,Belfast,Antrim,BT1 1GH,</p> | |

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| <p>The Owner/Occupier, 57 Castle Street, Town Parks, Belfast, Antrim, BT1 1GH, The Owner/Occupier, 59 Castle Street, Town Parks, Belfast, Antrim, BT1 1GH, The Owner/Occupier, 6 Royal Avenue Town Parks Belfast The Owner/Occupier, 61-63, Castle Street, Town Parks, Belfast, Antrim, BT1 1GH, Gordon's Chemist 66, Kiln Lane, Banbridge, Down, Northern Ireland, BT32 4DT The Owner/Occupier, 9 Chapel Lane Town Parks Belfast The Owner/Occupier, Berry Street Presbyterian Church 50 Berry Street Town Parks The Owner/Occupier, Presbyterian Church Hall, Berry Street, Town Parks, Belfast, Antrim, BT1 1FJ, The Owner/Occupier, St Mary's Rc Church Chapel Lane Town Parks The Owner/Occupier,</p> | |
| Date of Last Neighbour Notification | 10.09.2015 |
| Date of EIA Determination | N/A |
| ES Requested | No |
| Planning History | |
| <p>Ref ID: Z/2006/0860/F Proposal: Change of use of existing public house to licensed restaurant and external alterations. Address: 34 - 36 Bank Street, Belfast Decision: Decision Date: 10.08.2006</p> | |
| Drawing Numbers and Title | |
| Notification to Department (if relevant) | |
| <p>Date of Notification to Department: Response of Department:</p> | |