

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

12th June, 2024

MEETING OF THE PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 18th June, 2024 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

8. Planning Applications

- (d) LA04/2023/4616/F - Installation of glazed box to enclose existing external seating area - Nicos, 54 Lisburn Road (Pages 1 - 14)
- (g) LA04/2023/3821/F - Proposed change of use from offices to aparthotel with the creation of additional floors to the upper section of building along with elevational alterations and associated development. -Dorchester House, 52-58 Great Victoria Street (Pages 15 - 26)

Development Management Officer Report	
Application ID: LA04/2023/4616/F	Committee Date: 18 th June 2024
Proposal: Installation of glazed box to enclose existing external seating area	Location: NICOS, 54 Lisburn Road, Malone Lower, Belfast, BT9 6AF
Applicant Name and Address: Nicos Lisburn Road Ltd 54 Lisburn Road Belfast BT9 6AF	Agent Name and Address: Diana Thompson 4 College House Citylink Business Park Belfast BT6 9FP
Referral Route: Section 3.8.5 (f) of the Scheme of Delegation – objection received from a statutory consultee and the recommendation is to approve.	
Recommendation: Approval subject to conditions.	

Executive Summary:

The application seeks full planning permission for the installation of a glazed extension to the front of an existing terrace property, to enclose an external restaurant seating area.

The key issues to be considered are:

- The principle of development
- The impact on the character and appearance of the draft Area of Townscape Character
- The impact on the setting of nearby listed buildings
- Impact on amenity and adjacent uses
- Highway safety

The site is within the draft Lower Lisburn Road Area of Townscape (ATC) in draft BMAP. There are Listed terraces nearby on the same side of the road and on the opposite side of the road both to the south-west.

DfC HED raises concerns about the impact of the proposal on both nearby Listed terraces. Internal conservation advice is concerned about the location and design of the extension and that it would be harmful to the draft ATC. DFI Roads raises no objections.

In view of the location of the extension which terminates the end of the terrace next to the junction with Camden Street, the semi-commercial character of the terrace, changing context of this part of Lisburn Road with planning permission having been granted for the iReach healthcare buildings next to the site, together with the importance of the proposal in supporting the existing restaurant business, it is recommended that a temporary 3 year permission is granted. This will allow opportunity for the impact of the proposal to be reviewed.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable on a temporary 3 year period in order that the impact of the proposal can be fully assessed. It is recommended that planning permission is granted on a temporary basis, subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters which may arise.

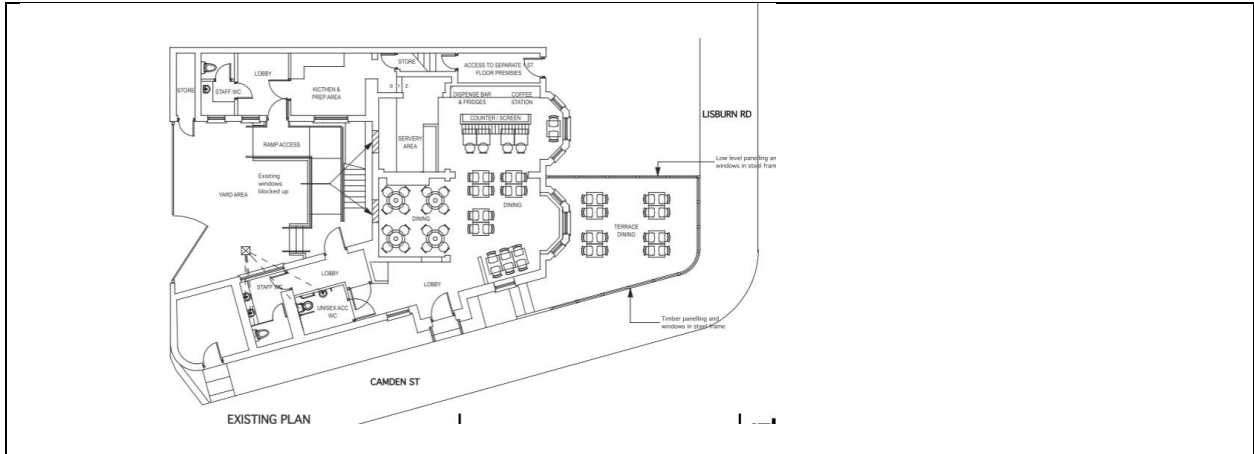
Case Officer Report

Site Location Plan:

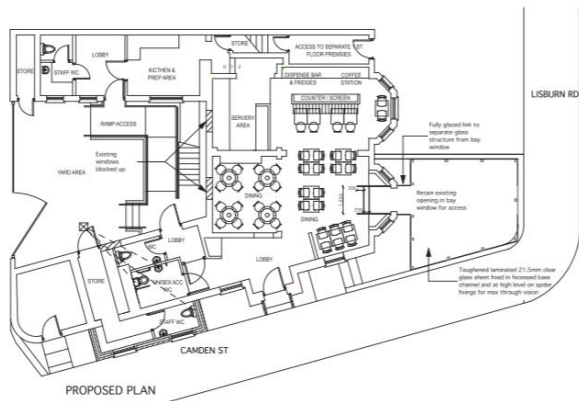


Existing Elevations & Plans





Proposed Elevations & Plans



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks full planning permission for the erection of a glazed extension to the front of an existing terrace property, to enclose an external seating area.
2.0	Characteristics of Site and Area
2.1	The application site is located at 54 Lisburn Road, Belfast. The building forms the corner site on an end terrace at the junction of Lisburn Road and Camden Street. It is finished in red brick, with white UPVC windows. The ground floor of the property is currently occupied by Nico's Restaurant. The current frontage onto the Lisburn Road is an enclosed unauthorised roofed seating area made up of glazing panels and windows set atop a low red brick wall. The main access to the restaurant is via a door located on Camden Street which is to the side of the premises. The restaurant façade onto Lisburn Road occupies 2 bay windows of the terrace.
2.2	The site is located outside the bounds of the City Centre boundary, within the designated Queens Office Area and within the Lower Lisburn Road Area of Townscape Character and Area of Parking Restraint, as designated within the draft Belfast Local Development Plan 2015.
2.3	The adjoining buildings are a mix of commercial businesses in the form of beauty salon, dentist and office accommodation with residential properties to the rear (east) of the premises. Belfast City Hospital faces the site to the west and Radius Housing blocks sit opposite on the other side of Camden Street.
2.4	There are a number Listed Buildings in the locality to the south of the proposal site on both sides of the road. One the same side of the road are Nos. 68-72 Lisburn Road. These buildings are currently in use as a doctors surgery and offices. No's 68 & 70 are Grade B1 (HB26/28/042/ A-B) and No. 72 is Gade B (HB26/28/042/ C). There is also a listed terrace across the street from the proposal site, Nos. 77-95 Lisburn Road, formerly known as Wilmont Terrace. These buildings are currently used as offices by Belfast City Hospital. This terrace is in its entirety Grade B1 listed (HB26/28/030 A-J).
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Application Number: Z/2009/0856/F Proposal: Change of use from offices to coffee shop/bistro at ground floor level Decision: Permission Granted Decision Date: 21 September 2009
3.2	Application Number: Z/2014/0105/F Proposal: Alteration of front bay window to create disabled access. Decision: Permission Granted Decision Date: 15 April 2014

3.3	<p>Application Number: LA04/2015/0414/A Proposal: Shop signs Decision: Consent Granted Decision Date: 16 September 2015</p>
3.4	<p>Application Number: LA04/2018/2836/A Proposal: 2 no. banner advertisements fixed to side elevation and advertisements affixed to front fencing. (Retrospective) Decision: Consent Refused Decision Date: 15 April 2019</p>
3.5	<p>Application Number: LA04/2021/2117/F Proposal: Proposed roofed terrace area to front of building and single storey side extension. A temporary one-year permission was granted until February 2023. Decision: Permission Granted Decision Date: 21 February 2022</p>
4.0	Policy Framework
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <ul style="list-style-type: none"> • Policy DES1 – Principles of Urban Design • Policy BH1 – Listed Buildings • Policy BH3 – Areas of Townscape Character • Policy TRAN6 – Access to Public Roads • Policy ENV1 – Environmental Quality
4.2	Sensitive Uses Supplementary Planning Guidance
4.3	<p>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)</p>
4.4	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.5	<p>Other Policies Belfast Agenda</p>
5.0	<p>Statutory Consultations</p>
5.1	<p>DfC Historic Environment Division – objection.</p> <p>HED considers that the proposal would have an adverse impact on the setting of the listed terrace across the street from the proposal site. Under the previous temporary approval they were content with a front extension, having regard to the Covid pandemic and the need for social distancing. However, they are now of the opinion that permanent construction would set a harmful precedent to the setting of the listed building. HED agrees with the BCC conservation advice that the proposal contradicts</p>

5.2	<p>the rythmn of the terrace and obstructs views Southwest along the Lisburn Road towards the listed Wilmont Terrace.</p> <p>Dfl Roads – No Objection</p>
<p>6.0 6.1</p>	<p>Non-Statutory Consultations</p> <p>Conservation Advice Belfast City Council – objection.</p> <p>Internal conservation advice states that a glazed enclosure is contextually inappropriate and would create an alien form plot structure. They consider that the proposal would visually obscure one of the key features of the ATC, that being the terraces that front and enclose its street space. They also state that the proposal would be disruptive of serial ground level views and rhythm of the canted bay windows. They state that a permanent structure would be visually disruptive and would disrupt permeability between public space and the building.</p> <p>Conservation advice comments that additional seating could be accommodated through an extension in the rear yard area, or by using removable umbrellas, although acknowledge this would not be viable during periods of inclement weather.</p>
7.0	<p>Representations</p> <p>None received</p>
8.0	<p>Development Plan Context</p>
8.1	<p>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.</p>
8.2	<p>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.</p>
8.3	<p>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.</p>
8.4	<p>Operational Polices</p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 4.1.</p>

8.5	<p>Proposals Maps</p> <p>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, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) 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 draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
9.0	<p>ASSESSMENT</p>
9.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance of draft Area of Townscape Character • Impact on the setting of nearby listed buildings • Impact on amenity and adjacent uses • Highway safety <p>Principle of development</p>
9.2	<p>The application is seeking planning permission for the installation of an enclosed/covered seating area to the front of the property. This structure proposed under this application is an amendment to the previous temporary approved development, granted a one-year permission in February 2022 to February 2023. A covered glazed extension was constructed but not in accordance with the temporary approval. It remains in situ pending the outcome of this application.</p>
9.3	<p>The proposal covers a floorspace area of approximately 24sqm, a reduction of 4sqm from the previous structure which covered an approximate ground floor area of 28sqm. The proposal measures approximately 5.7m from the bay window of the existing property towards the road and approximately 5.5m in width at the front of the extension with a finished height of approximately 3m set atop a low set brick wall of approximately 0.4m in height. Toughened glass sheet enclosure of frameless glazed panels with a slimline Corten steel roof is proposed.</p>
9.4	<p>Planning approval granted under Z/2009/0856/F allowed for the change of use from offices to coffee shop/bistro at ground floor level. The use of the premises as a restaurant is therefore established. It is acknowledged that the outdoor seating to the front of the property has been well established as Google maps shows the raised area in existence since April 2010 with seating in place March 2011 and is therefore immune from enforcement.</p>
9.5	<p>Under LA04/2021/217/F, planning permission was granted for a single storey side extension and retrospective permission for the outdoor covered seating area. The single-storey side extension has not yet been implemented on site. The retrospective planning approval for the covered seating area was granted for a temporary period of 1 year, however, the outdoor covered seating area to the front was already in place but was not the same as what was on the approved plans.</p>

	<p>The temporary condition read:</p> <p>‘The roofed enclosure hereby permitted over the outdoor seating area to the front of the building as shown on drawing no’s 04 Rev 1 and 05 Rev 1 shall be removed and the land restored to its former condition on or before the 18th February 2023.</p> <p>Reason: The development has only been granted temporary permission because the proposal further detracts from the character and setting of the area.’</p> <p>9.6 The reasoning given for the temporary permission was that the covered seating area to the front of the building was contrary to policy, however, in light of the COVID-19 pandemic and the need for social distancing, the Council was prepared to grant a temporary approval for this structure.</p> <p>9.7 The temporary structure was required to be removed by February 2023 but remains on site pending consideration of the current application, which seeks permission for an alternatively designed roofed restaurant seating area.</p> <p>The impact on the character and appearance of draft Area of Townscape Character</p> <p>9.8 The site is within the draft Lower Lisburn Road Area of Townscape Character (designation BT 042) in the draft Belfast Metropolitan Area Plan 2015.</p> <p>Policy DES1 – Principles of Urban Design states that:</p> <p><i>‘Planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking by:</i></p> <ul style="list-style-type: none"> • <i>Responding positively to local context and character through architecture and urban form that addresses matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape, materials and any impact on built and natural heritage; and</i> • <i>Positively reinforcing a sense of place by demonstrating that locally distinctive features have been identified, incorporated and enhanced where appropriate’</i> <p>9.9 Policy BH3 – Areas of Townscape Character states that planning permission will be granted within an ATC where:</p> <ul style="list-style-type: none"> • ‘The area’s overall character is maintained or enhanced and built form is respected by way of height, scale, form, materials and detailing; • There is no detrimental impact on the setting of the area and there is no significant loss of key views within, into and out of the ATC; • Locally distinctive features are retained or reinstated where possible; and • Sympathetic materials are used that respects surrounding buildings.’
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9.10	<p>The proposed extension would be located in a prominent position at the front of the terrace to the south side of Lisburn Road. Some of the terrace properties in this rank are in commercial use and the proposed front extension would be consistent with the terrace's largely commercial character. Nevertheless, the front extension would be prominent and harmful to a degree to the character and appearance of the terrace and wider area, although it is not considered that there would be significant loss of views within, into and out of the draft ATC.</p>
9.11	<p>The extent of impact would be partly mitigated by the materials and design, which are considered to be more lightweight and permeable in nature compared to the previous temporary permission. The proposed glass structure would be set out from and below the canted bay window roof as opposed to the previous approval and as such the architectural quality of the bay window in relation to the wider terrace would not be negatively affected as it would still be visible. As a result, distinctive features of the terrace have been considered and incorporated.</p>
9.12	<p>Regard is had to the location of the premises at the termination of the end of the terrace and next to the junction of Camden Road. Regard is also had to the recent planning permission for the iReach health care buildings next to the site and either side of Lisburn Road (LA04/2023/3778/F), which would be of significant scale. If built out, this would further change the character and appearance of this part of Lisburn Road to the extent that may accommodate the proposed extensions in a less impactful manner.</p> <p><i>Other material considerations:</i></p>
9.13	<p>The applicant has submitted a Planning Statement in support of the application. Included in this is a supporting statement from the accountants for the business and a letter of support from a local MLA. The statement sets out the basis of the previous approval, the revised proposal under consideration in this application with relevant policy consideration. The statement from the accounts of the business state that the area of floorspace in question in this application, accounts for 40% of the overall business turnover and as such to withhold permission would have an adverse impact on the sustainability of the business.</p>
9.14	<p>A further response from the agent in reply to internal conservation advice has also been received. This statement sets out reasoning why the suggestions from the internal conservation advice to extend the rear yard area for additional seating or to use removable parasols at the front terrace would not be viable options going forward.</p>
9.15	<p>Having regard to these factors, it is considered to grant a temporary three-year permission to ascertain the full extent of the impact of the proposal. This would also allow opportunity for the neighbouring iReach development to be constructed and the proposal viewed in that context.</p>
<p>Impact on the setting of nearby Listed Buildings</p>	
9.16	<p>Policy BH1 – Listed Buildings, states that planning permission will be granted for new development affecting the setting of listed buildings where the following criteria are met:</p>

	<p>'a. The development is sympathetic to the essential characteristic, scale, height, massing and alignment of the listed building by way of its scale, form, materials and detailing;</p> <p>b. The development does not result in the significant loss of key views of the listed building;</p> <p>c. The nature of the use proposed respects the character of the setting of the building;</p> <p>d. The development does not have a detrimental impact on the setting of the listed building;'</p>
9.17	<p>There are two Listed terraces close to the site: one on the same side of the street and one across the road from the site. The proposal would be viewed from the listed buildings across the road and vice versa. These two sites are not linked or attached in any way. The listed buildings on the same side of the road as the proposal site are separated by Fitzwilliam Street and a terrace of seven buildings which adjoin the proposal site. The listed building opposite at No.77 Lisburn Road has an unsympathetic glass block extension to the side, which makes the proposed extension less out of character than it might have been.</p>
9.18	<p>HED considers that the proposal would have an adverse impact on the setting of both Listed terraces. Under the previous temporary approval HED was content with a front extension, having regard to the Covid pandemic and the need for social distancing. However, they are now of the opinion that permanent construction would set a harmful precedent to the setting of the listed buildings. HED agrees with the BCC conservation advice that the proposal contradicts the rhythm of the terrace and obstructs views south-west along the Lisburn Road towards the listed Wilmont Terrace.</p>
9.19	<p>However, officers consider that the glazed and lightweight design of the proposed extension would help mitigate the impact on the setting of the two separate listed terraces. Regard is also had to the changing context of this part of Lisburn Road with the iReach development granted permission adjacent the site, as discussed above.</p>
9.20	<p>Whilst not fully compliant with Policy BH1, for the reasons stated previously, it is considered appropriate to grant a temporary permission to ascertain the full extent of the impact on the setting of the Listed Buildings.</p>
	<p>Impact on amenity and adjacent uses</p>
9.21	<p>The proposal represents a slight decrease in seating numbers to the seating area from what was previously granted temporary approval. Environmental Health was content with the proposal under the previous application (LA04/2021/2117/F). As this proposal would be a reduction in seating numbers, it is deemed that there would be no intensification in the use of the site and as such there are no unforeseen unacceptable impacts on amenity of any adjacent residential properties or indeed adjacent uses.</p>
9.22	<p>The use of this outdoor seating area has been ongoing for a number of years and no representations have been brought forward on the proposal in opposition. The adjacent uses of the other properties on the terrace which include a beauty salon and dentist, are deemed compatible with this proposal.</p>

<p>9.24</p> <p>9.25</p>	<p>Road safety</p> <p>The proposal is located at a corner junction of two streets. The structure extends out from the front of the property facing Lisburn Road and extends out in front of the side elevation of the property facing Camden Street. Although not specifically an access proposal, Policy TRAN6 is relevant in that the proposal could interfere with visibility at an existing road junction.</p> <p>Access to the site is pedestrian only and the proposal abuts the public footpath. DfI Roads was consulted and offers no objection to the proposal from a road safety perspective. Access to the development would be considered safe and the proposal would not prejudice road safety or significantly inconvenience road users at this location.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable on a temporary 3 year period in order that the impact of the proposal can be fully assessed. It is recommended that planning permission is granted on a temporary basis, subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters which may arise.</p>
<p>11.0</p>	<p>DRAFT CONDITIONS</p> <p>1. The front glazed box extension hereby approved shall be removed and the land and building restored to its previous condition within three years of the date of this planning permission.</p> <p>Reason: A temporary three year permission has been granted in order that the Council can assess the full impact of the extension on the draft Area of Townscape Character and setting of Listed Buildings and having regard to the changing context of this part of Lisburn Road with the largescale iReach healthcare buildings granted permission adjacent the site.</p>

ANNEX	
Date Valid	20/12/2023
Date First Advertised	05/01/2024
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
<p>1 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT 1A CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT 1B CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT FLAT 1 3 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT FLAT 2 3 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT FLAT 3 3 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT 56 LISBURN ROAD MALONE LOWER BELFAST ANTRIM BT9 6AF 1 STEWART HOUSE 54 LISBURN ROAD MALONE LOWER BELFAST ANTRIM 1ST & 2ND FLOOR OFFICES STEWART HOUSE 54 LISBURN ROAD MALONE LOWER BELFAST 3 STEWART HOUSE 54 LISBURN ROAD MALONE LOWER BELFAST ANTRIM</p>	

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Development Management Officer Report

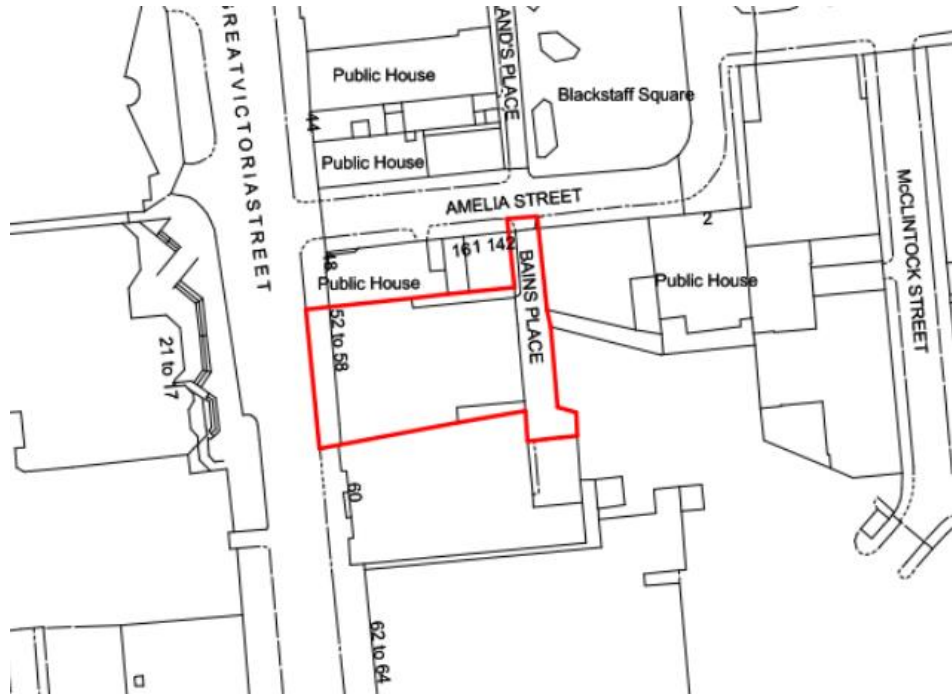
Summary	
Application ID: LA04/2023/3821/F	
Proposal: Proposed change of use from offices to aparthotel (136 rooms) with the creation of additional floors to the upper section of building along with elevational alterations and associated development.	Location: Dorchester House, 52-58 Great Victoria Street, Belfast, BT2 7BB
Recommendation: Approval	Referral route: Major application
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast BT2 7BB	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
<p>Executive Summary:</p> <p>The application seeks full planning permission for a proposed change of use from offices to aparthotel (136 rooms) with the creation of additional floors to the upper section of building along with elevational alterations and associated development.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> • The principle of an apart-hotel at this location; • Scale, Massing and Design; • Impact on Built Heritage; • Traffic and Road Safety; • Human health/Environmental Considerations; • Flooding and Drainage; • Economic Considerations; • Environment & Community; <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise, so long as they are not substantive.</p>	

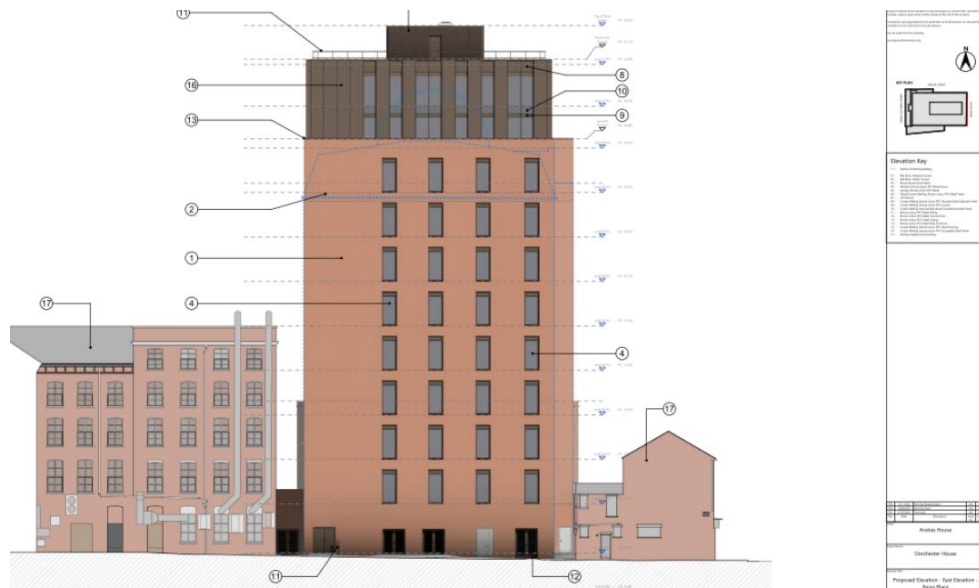
Officer Report

1.0

Drawings

Site Location Plan / Site Layout / Elevations





CGI Views





	<p>Characteristics of the Site and Area</p>
2.0	<p>Description of Proposed Development</p>
2.1	<p>The description of the proposal is as follows: <i>‘Proposed change of use from offices to aparthotel (136 rooms) with the creation of additional floors (11 storey) to the upper section of building along with elevational alterations and associated development.’</i></p>
3.0	<p>Description of Site and Area</p>
3.1	<p>Dorchester House is an existing vacant office building in Belfast City Centre. The building consists of a 3 storey podium/base, 5 storey mid-section, and 1.5/2 storey top which is composed of a combination of barrel vaulted and mansard roofs. The building is primarily clad in red brick, a material typical of Belfast.</p>
3.2	<p>The site falls just outside the Linen quarter conservation area. There are a number of listed buildings in the vicinity of Dorchester House, including The Crown Bar, McLean Bookmakers, and Robinsons Bar.</p>
4.0	<p>Planning Policy and Other Material Considerations</p>
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>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)</p>

4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Supplementary Planning Guidance (SPG) Developer Contributions Framework (adopted 2020) Parking Standards (former Department of Environment)</p>
4.4	<p>Planning History None relevant.</p>
5.0	<p>Consultations and Representations</p>
	<p><u>Consultations</u> Conservation – Advice Provided DfI Rivers – No objections DFI Roads – No objections with conditions Environmental Health – No objections with conditions Historic Environment Division – No objection NIW – No objections NIEA – No objections Urban Design – Content</p> <p>Representations No objections have been received.</p>
6.0	<p>PLANNING ASSESSMENT</p>
	<p><u>Development Plan Context</u></p>
6.1	<p>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.</p>
6.2	<p>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.</p>
6.3	<p>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 (PS), 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.</p>
6.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p>Proposals Maps – 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, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) 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 draft BMAP 2015 (v2014) given its</p>

	<p>advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p><u>The principle of an aparthotel at this location</u></p>
6.6	<p>The SPPS sets out five core planning principles for the planning system, including improving health and wellbeing, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.</p>
6.7	<p>The site is located within the City Centre where an aparthotel is acceptable in principle.</p>
6.8	<p>Policy TLC1 (PS): relates to “Supporting tourism leisure and cultural development”. This policy sets out that “The council will support tourism leisure, and culture development that contributes to:</p> <p>a) Extending the offer across the daytime and night time for a broad range of visitors; and b) Improving the quality, and accessibility of tourism, leisure, and culture facilities and assets to support Belfast’s reputation as an attractive tourism destination.”</p>
6.9	<p>Policy HOU 13 (PS): Short-term let accommodation states that planning permission will be granted for short-term let accommodation where set criteria are met. It is considered that criteria (a) to (e) are met, whilst (f) is not applicable.</p>
6.10	<p>The policy states that a condition will be applied to limit occupation to short-term lets only. As such it is recommended by officers to ensure that the aparthotel cannot be used as long-term residential accommodation as the proposal has not been assessed against the relevant policies for residential accommodation and may be inappropriate for such use.</p>
6.11	<p>The condition would ensure that the maximum stay by the same occupant shall be no more than 90 days in any 12 month period, in accordance with written records which shall be made available to the Council at all reasonable times.</p> <p><u>Scale, Massing and Design</u></p>
6.12	<p>The proposal will increase the height of the existing building by approximately 5 metres which includes the two new upper floors and rooftop elements. The addition of the upper floors will increase the massing of the existing building, however this is not considered inappropriate when assessing the surrounding context.</p>
6.13	<p>Buildings in the immediate vicinity contain a range of materials which comprise red and buff brick, render, curtain walling and stone. However, the use of red brick does become more prevalent across buildings further south along GVS towards Bruce Street.</p>
6.14	<p>The proposed materials palette consists predominantly of standard course red brick across both the lower three-storey podium and the six storey mid-section. Horizontal sections of soldier course red brick are also proposed at locations across the building, such as immediately below the second floor reconstituted stone parapet and above the seventh floor, features which provide additional visual interest. Elsewhere curtain walling is utilised in vertical arrangements up both the podium and mid-section and across the full extent of the upper two floors.</p>
6.15	<p>The BCC Senior Urban Design Officer was consulted on the application and has no concerns with the proposal. Therefore, the proposal is compliant with Policy DES1(Principles of Urban Design) and Policy DES3 (Tall Buildings).</p>

	<p><u>Built Heritage</u></p>
6.16	There are a number of listed buildings in the vicinity of Dorchester House, including The Crown Bar, McLean Bookmakers, and Robinsons Bar.
6.17	HED (Historic Buildings) were consulted on the application and are content. The proposal is therefore considered compliant with Strategic Planning Policy Statement for Northern Ireland (SPPS) para 6.12 and Policy BH1 (PS): Listed Buildings.
	<p><u>Conservation</u></p>
6.18	Given that the site falls just outside the Linen Quarter conservation area, the conservation officer (CO) was consulted on the basis of development impacting the setting of the conservation area.
6.19	Within the PAD (LA04/2023/2409/PAD) it was concluded that the ‘existing building was of lesser architectural and historic interest but is an architecturally unified statement in a postmodernism effect idiom. The proposed alterations would be detrimental to this architectural unity. However, balancing this against the fact that the building is of limited architectural / historic interest (significance), then alterations would be acceptable in terms of the wider setting of the Conservation Area.’
6.20	During the consultation within this application the CO concluded that ‘the glazed, attic floors are detrimental to creation of a coherent, architecturally unified statement and a missed opportunity to create a more traditional roofscape enhancing the setting of the Conservation Area to a building fronting a visually prominent path that provides a sense of arrival into it.’ However, it was stated that the proposed scheme ‘has a more appropriate solid to void relationship.’
6.21	Given that the existing building has little architectural / historic interest, on balance it is considered that the proposed changes are considered appropriate and would not impact negatively on the character and appearance with regards to views into, out of, within or across the Linen Conservation Area. Therefore, on balance, the proposal is considered compliant with Policy BH2 (Conservation Areas).
	<p><u>Traffic, Movement and Parking</u></p>
6.22	DFI Roads have been consulted on the proposal and offer no objection to the development, subject to conditions.
6.24	A Travel Plan, prepared in accordance with LDP policy TRAN4, has been submitted which is aimed at encouraging staff to use public transport. A Travel Plan Coordinator will also be appointed to promote active travel rather than the use of private cars and patrons will be encouraged to travel by sustainable modes of transport rather than the private car. In compliance with TRAN1, the proposed development has been designed taking into account the needs of pedestrians and cyclists ensuring that it creates a safe and convenient environment. Provision has also been made for supporting infrastructure including cycle parking and linkages to existing or proposed networks and public transport.
6.25	The proposed development complies with the new LDP (PS), in particular policies SP7, TRAN1, TRAN4, TRAN8, TRAN9, TRAN10, DES1, HC1 and supports the Council’s objective which is to materially shift the balance of travel choices away from cars and towards sustainable transport, walking and cycling.

6.26	<p><u>Human Health/Environmental Considerations</u></p> <p>Policy ENV1 (PS) – Environmental Quality states that ‘<i>Planning Permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. Development must not result in an unacceptable adverse impact on the environment, including the following considerations: Ground contamination, air quality, water quality, noise and light pollution</i>’.</p> <p>The considerations stated are addressed below:</p>
6.27	<p>Contaminated Land</p> <p>The application is supported by a Preliminary Risk Assessment and has determined that there are no potential contaminant linkages.</p>
6.28	<p>Noise</p> <p>Environmental Health has reviewed the Noise Impact Assessment and advised that it meets the relevant requirements with the recommendation of conditions.</p>
6.29	<p>Air Quality</p> <p>Environmental Health has reviewed the submitted Air Quality information and have concluded that they are content.</p>
6.30	<p>Odour</p> <p>Environmental Health has reviewed the Odour Impact Assessment and advised that it meets the relevant requirements. Conditions have been provided.</p>
6.31	<p><u>Site Drainage / Flood Assessment</u></p> <p>DfI Rivers Flood Maps (NI) indicates that the site lies within the 1 in 100 year climate change fluvial flood plain. Policy ENV4 states that applications in flood risk areas must be accompanied by a Flood Risk Assessment. DfI Rivers has reviewed the submitted Flood Risk & Drainage Assessment and are content that all sources of flood risk to and from the proposed development have been identified; and there are adequate measures to manage and mitigate any increase in flood risk arising from the development”. They further conclude that they acknowledge this application has been deemed an exception by the Planning Authority on 7th December 2023.</p>
6.32	<p>A wastewater impact assessment was carried out and NIW have no objection.</p>
6.34	<p><u>Economic Considerations</u></p> <p>Policy EC1 – ‘Delivering Inclusive Economic Growth’ states that development of business sectors with strong growth potential in Belfast will be supported subject to normal planning considerations, the sectors include Hospitality and tourism.</p>
6.35	<p>It is considered that the proposal will result in the creation of jobs within the tourism and hospitality sector, therefore will be supported subject to normal planning considerations.</p>
6.36	<p><u>Environment & Community</u></p> <p>A Climate Change statement has been provided which demonstrates how the proposal is in accordance with policies SP2, SP6, ENV2, ENV3 and ENV5 of the LDP PS.</p>
6.37	<p>In relation to ENV2: Mitigating Environmental Change, the proposal has demonstrated that demolition will be kept to a minimum. Whilst the interiors have been stripped out, the vast majority of the substructure, superstructure and cladding will be retained as part of the proposal. A site waste management plan has been included in the construction</p>

<p>6.38</p> <p>6.39</p> <p>6.40</p>	<p>management plan which indicates that the BRE smart waste system will be used to prevent waste, to reuse where possible, to recycle and send waste to landfill as a last resort.</p> <p>In relation to Policy ENV3: Adapting to Climate Change, the proposal will make use of high-performance glazing and thermal envelope to reduce the heating and cooling loads on the building.</p> <p>Policy ENV5 (PS): Sustainable drainage systems (SuDS) states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site. This scheme will include a blue roof and an associated ground floor attenuation tank which will relieve rainwater overflow during normal and storm events. The proposal retains the existing trees along Great Victoria Street.</p> <p><u>Conclusion</u></p> <p>The proposal will have a positive impact on the character and appearance of the area. The proposal is considered to be in accordance with the development plan, taking account of all other material consideration including the relevant planning policies and planning history.</p>
<p>7.0</p>	<p>Recommendation</p>
<p>7.1</p>	<p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p>

Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
2. Notwithstanding the Planning (Use Classes) Order (Northern Ireland) 2015 and Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting those orders with or without modification), the bed spaces shall not be used other than as hotel accommodation or serviced apartments. The maximum stay by the same occupant shall be no more than 90 days in any 12 month period, in accordance with written records which shall be made available to the Council at all reasonable times.

Reason: Residential use of the building would require further consideration by the Council having regard to the Local Development Plan and relevant material considerations.
3. The development hereby permitted shall not become operational until sheltered cycle parking facilities have been provided in accordance with Drawing No.17A uploaded to the Planning Portal 23rd November 2023.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.
4. The development hereby permitted shall operate in accordance with the Travel Plan uploaded to the Planning Portal 8th September 2023.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

5. The development hereby permitted shall operate in accordance with the Service Management Plan uploaded to the Planning Portal 8th September 2023.

Reason: In the interests of road safety and the convenience of road users.

6. Prior to occupation of the development, glazing which meets the sound reduction specification deemed necessary across all facades and presented within table 1 of the submitted Layde Consulting report, dated: 8th May 2024 and referenced P6805, shall be installed within habitable rooms of the development and retained at all times.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

7. Prior to commencement of the hereby approved development the applicant shall submit to the planning service for review and approval, the final details of the ventilation strategy to habitable rooms. The final details shall confirm that the proposed air intake vents have a sound reduction equivalent to or greater than the sound reduction specification for the glazing at each façade as specified in table 1 of the Layde Consulting report dated 8th May 2024, referenced P680-5. The final details shall also confirm that air intake ducts serving all habitable rooms (bedrooms and living rooms) will be capable of being fitted with a fit for purpose activated carbon filter as recommended in the Layde Consulting report dated 8th May 2024, referenced P680-5. Where any element of mechanical or active means of ventilation is proposed, the final details shall include a Noise Impact Assessment that confirms that the noise associated with the mechanical operation (from fans /duct noise) of the ventilation system will not lead to a cumulative exceedance of the internal target levels for habitable rooms in line with BS 8233:2014 Guidance on sound insulation and noise for buildings.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

8. Prior to the occupation of the development the ventilation strategy to serve habitable rooms shall be installed as approved and be maintained in accordance with manufacturer's instructions and be retained at all times.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

9. Prior to operation of the ground floor commercial kitchen associated with the hereby-approved development, a kitchen extraction and odour abatement system shall be installed to suppress and disperse odours created from operations on the premises which achieves a 'high' level of odour control. The system shall incorporate one of the two odour mitigation options presented in section 13.1 of the Layde Consulting Report dated the August 2023, report reference P680/2 in accordance with the current EMAQ+ 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (updated in May 2022). The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above the main roof height as confirmed in the Layde Consulting report of the 12th February 2024, report reference P680-3.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

10. The kitchen extraction and odour abatement system installed to achieve a high level of odour control at the hereby permitted development must be retained and maintained thereafter.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

11. The rating level (dBLAr,T) from the operation of all combined plant and equipment must not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

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. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other 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.

ANNEX	
Date Valid	06/09/2023
Date First Advertised	15/09/2023
Date Last Advertised	N/A
Details of Neighbour Notification: 9 Neighbouring properties on 08.09.2023	
Date of EIA Determination: NA ES Requested: NA	

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