

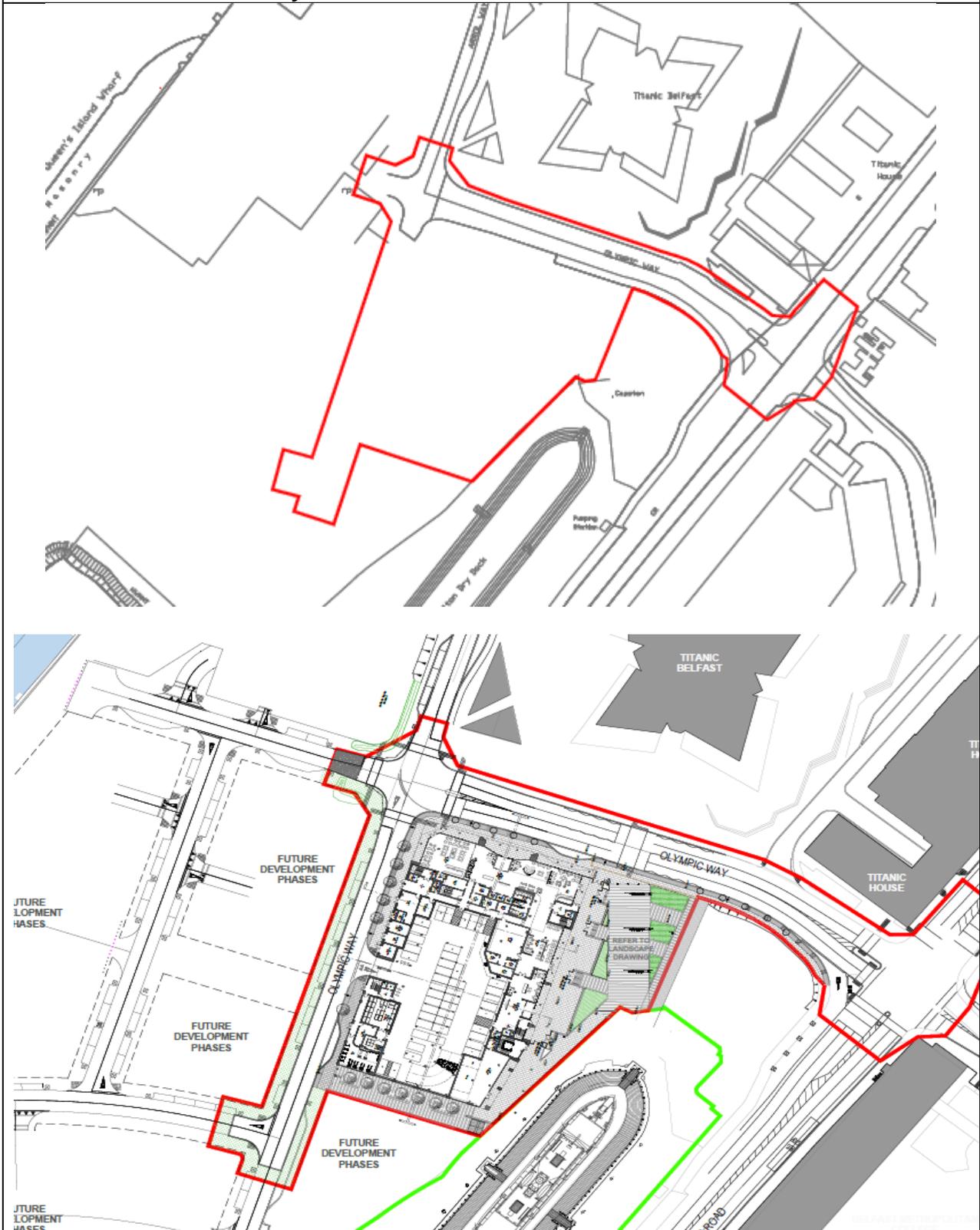
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 29 th June 2023	
Application ID: LA04/2023/2688/F	
Proposal: Application to vary condition 36, of the proposed hotel/aparthotel development, approved under LA04/2022/0293/F, to extend the maximum length of stay of occupants from 30 days to 90 days. (Aparthotel element only)	Location: Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queens Road, Belfast.
Referral Route:	Major development
Recommendation:	Approval
Applicant Name and Address: JMK Group c/o Turley	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>This application seeks to vary Condition 36 of planning permission LA04/2022/0293/F (full report provided in Appendix A) under Section 54 of the Planning Act (Northern Ireland) 2011. Condition 36 relates to the maximum stay of occupants which is restricted to 30 days with no return within a further 30 days.</p> <p>Planning approval (LA04/2022/0293/F) was granted on 07.09.2022 for ‘Erection of hotel/aparthotel comprising 162 hotel beds and 94 aparthotel beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), gym, landscaped public realm, car parking, cycle parking and associated site and road works.’ This was an amended scheme to extant approval (LA04/2019/1636/F) also for hotel use which was approved by the Council on 27.02.2020.</p> <p>The proposed amended wording of Condition 36 by the applicant seeks to vary the maximum stay to 90 days within a 12-month period. The applicant’s view is that 30 days (with no return within 30 days) is overly restrictive and that a longer period would help attract key customers such as those <i>‘working in the construction sector, the burgeoning film industry and other key sectors including creative and digital, financial and professional services, technology and advanced engineering’</i> which are located within Titanic Quarter.</p> <p>The thrust of the original condition was to preclude permanent residential use within the proposed building as the application was not considered against residential use policies. The amended wording retains a suitable limit which prevents long-term residential use but permits flexibility for stays beyond 30 days. Extension of the maximum stay to 180 days was explored by the applicant with the Council, however, an unrestricted 180-day policy has the potential to materially change the hotel/ aparthotel use as approved to residential. To ensure compliance with Policies TLC3 and HOU13 of the LDP Plan Strategy and in line with custom and practice, a maximum of 90 days could be allowed for the aparthotel units with the hotel units retained as such. Beyond 90 days could trigger a change of use to residential which would undermine the original approval.</p> <p>No consultations were necessary, and one representation has been received objecting to the maximum stay extension.</p>	

Having regard to the Development Plan, and other material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is requested 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/Site Layout



CGI Views



Characteristics of the Site and Area

1.0	<u>Description of Proposed Development</u>
1.1	The description of the proposal is as follows: 'Application to vary condition 36 to extend maximum length of stay of LA04/2022/0293/F'.
1.2	The amended wording of Condition 36 seeks to vary the maximum stay to 90 days within a 12-month period. The appellant's view is that 30 days is overly restrictive and that a longer period would help attract key customers such as those 'working in the construction sector, the burgeoning film industry and other key sectors including creative and digital, financial and professional services, technology and advanced engineering' which are located locally in Titanic Quarter.

<p>2.0</p> <p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p>	<p><u>Description of Site and Area</u></p> <p>The site is a flat grassed site with an area of approximately 1.3 Ha and is located within a former industrial/ commercial area within the wider Titanic Quarter and forms part of the mixed-use Titanic Quarter zoning in dBMAP 2015.</p> <p>The site is not located within any specific designations; however, it is located close to:</p> <ul style="list-style-type: none"> - Victoria Park Area of Special Scientific Interest (ASSI); - Inner Belfast Lough ASSI; - Belfast Lough Special Protection Area (SPA); - Belfast Lough Open Water SPA; and - the proposed East Coast (Northern Ireland) Marine SPA. <p>Belfast Lough is hydrologically connected to the Outer Ards SPA and Ramsar Site; Larne Lough SPA and Ramsar Site; Copeland Island SPA; and Strangford Lough SPA, SAC and Ramsar Site.</p> <p>The area is notable for its wide range of uses including the Odyssey Pavilion and Arena, Titanic Belfast, Titanic Hotel, Belfast Metropolitan College, ARC apartments and other offices and uses.</p>
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0</p> <p>3.1</p> <p>3.2</p> <p>3.3</p>	<p>Planning History</p> <p>Full details are available at Annex A, those recent and specific to the site are detailed below:</p> <p>Z/2006/2864/O - Residential led mixed use development including Titanic Experience Building, public realm areas and associated infrastructural works. Address: Titanic Quarter Phase II-Land bounded to the south by Abercorn Basin, to the east by Queen's Road, to the west & north by River Lagan and including the listed former Harland & Wolff HQ, Belfast. Decision: Approval Date: 25.06.2008</p> <p>This outline planning permission for Phase 2 of Titanic Quarter included a number of documents including a Development Framework, Concept Masterplan and Design Principles. This permission had a lifespan of 12 years but has now expired.</p> <p>Z/2009/1260/F - Erection of hotel comprising 244 bedrooms, ancillary restaurant and conference facilities, hotel offices, landscaped public realm, basement car park and associated site and road works. Address: Lands adjacent to the north of Hamilton Dock, north of Abercorn Crescent/Queen's Road, Queen's Island, Belfast. Decision: Approval Date: 01.07.2010</p> <p>LA04/2019/1636/F - Erection of hotel comprising 276 beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works. Address: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast. Decision: Permission Granted Decision Date: 27.02.2020</p>

3.4	<p>LA04/2021/2280/F – Mixed-use, mixed tenure residential-led development of 778 apartments in three buildings with internal and external amenity space; flexible commercial/community floorspace (convenience store with hot food counter/A1/A2/D1 uses/cafe/bar/restaurant); public realm including public square and waterfront promenade; cycle and car parking and associated landscaping, access roads, plant and site works including to existing river revetment (further environmental information received)</p> <p>Address: Lands adjacent to and southeast of the river Lagan, west of Olympic Way of Queen's road, Queen's Island, Belfast, BT2 9EQ, Decision: Permission Granted Date: 11.08.2022</p>
3.5	<p>LA04/2016/0096/F - Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to listed former Harland & Wolff Headquarters Building and to provide 36no. additional bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and associated access and site works.</p> <p>Address: Former Harland And Wolff Headquarters Building and Drawing Offices, Queens Road, Belfast. Decision: Permission Granted Date: 16.05.2017</p>
3.6	<p>LA04/2021/2318/PAN - Erection of Hotel/Aparthotel comprising Circa 260 beds conference facilities, restaurant/cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works (Amendment to previously approved hotel scheme)</p> <p>Address: Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queen's Road, Belfast, Decision: PAN Acceptable Decision Date: 18.10.2021</p>
3.7	<p>LA04/2022/0293/F - Erection of hotel/aparthotel comprising 162 hotel beds and 94 aparthotel beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), gym, landscaped public realm, car parking, cycle parking and associated site and road works.</p> <p>Address: Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queen's Road, Belfast, Decision: Permission Granted Decision Date: 07.09.2022</p>
4.0	Policy Framework
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <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>
4.2	<p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Belfast Agenda</p>
5.0	<p><u>Statutory Consultees</u> None required.</p>

6.0	<p><u>Non-Statutory Consultees</u> None required.</p>
7.0	<p><u>Representations</u></p> <p>7.1 1 objection was received which objected to raising the threshold from 30 to 180 days. The objector further commented that hundreds of hotel beds have been removed from the Belfast tourism offer, with hotels stopping taking tourist guests and that this hotel was a welcome increase in hotel beds available to tourists visiting Belfast. To raise the maximum stay would be to dramatically change the nature of this accommodation, making it more residential in nature, removing beds from the tourist offer. Short stay visitors and their associated spend should be encouraged.</p> <p>7.2 In light of the adoption of the new Belfast LDP, the appellant agreed to reduce the maximum stay to 90 days for the 94 aparthotel rooms, with the 162 hotel bedrooms to remain as such. This is further considered in the assessment below.</p>
8.0	<p><u>ASSESSMENT</u></p> <p>8.1</p> <p><u>Development Plan</u></p> <p>8.1.1 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> <p>8.1.2 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> <p>8.1.3 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> <p>8.1.4 Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> <p>8.1.5 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 advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>8.2</p> <p><u>The principle of amending Condition 36:</u></p> <p>8.2.1 Condition 36 states: <i>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 development shall not be used other than as hotel accommodation. The maximum stay</i></p>

	<p><i>by an occupant shall be no more than consecutive 30 days with no return by the same occupant within a period of 30 days from the date of the last occupancy, in accordance with written records which shall be made available to the Council at all reasonable times.</i></p> <p><i>Reason: Residential use of the building would require further consideration by the Council having regard to the Local Development Plan and relevant material considerations.</i></p> <p>8.2.2 The proposed amended wording by the agent is: <i>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 development shall not be used other than as hotel accommodation. The maximum stay by the same occupant shall be no more than 90 days within any 12-month period, in accordance with written records which shall be made available to the Council at all reasonable times.</i></p> <p><i>Reason: Residential use of the building would require further consideration by the Planning Authority having regard to the Local Development Plan and relevant material considerations.</i></p> <p>8.2.3 The applicant's view is that 30 days is overly restrictive and that a longer period would help attract key customers such as those '<i>working in the construction sector, the burgeoning film industry and other key sectors including creative and digital, financial and professional services, technology and advanced engineering</i>' which are located locally in Titanic Quarter. And seeks to change the length of stay to '<i>ensure the commercial longevity of the scheme is sustained whilst providing much needed short-term accommodation for the sectors mentioned above</i>'.</p> <p>8.2.4 The necessity for the original condition arose from precluding permanent residential use within the proposed building as the application was assessed as a hotel proposal and not considered against residential use policies.</p> <p>8.2.5 Policy TLC3 of the Plan Strategy is now applicable in that the original application was granted for overnight tourist accommodation whilst Policy HOU13 of the Plan Strategy is applicable to the aparthotel element of the proposal.</p> <p>Aparthotels already fall within the definition set out within HOU 13 and there would be no demonstrable harm to amend the condition to allow this element of the proposal to have a maximum stay of up to 90 days as specified at para 7.1.89 of the Plan Strategy.</p> <p>The hotel/aparthotel was not assessed as permanent residential housing and the restriction to 90 days will allow the ethos of the original permission to be retained.</p> <p>On balance it is considered appropriate to amend the condition as follows;</p> <p><i>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 development shall not be used other than as hotel accommodation. For the 94 aparthotel rooms as identified on Drawing No.s 10, 11, 12 and 13 of LA04/2022/0293/F, the maximum stay by the same occupant shall be no more than 90 days within any 12-month period, in accordance with written records which shall be made available to the Council at all reasonable times.</i></p>
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<p>8.3 8.3.1</p> <p>8.4 8.4.1</p>	<p><i>Reason: Residential use of the building would require further consideration by the Planning Authority having regard to the Local Development Plan and relevant material considerations.</i></p> <p><u>Statutory Consultation</u> The scheme was advertised on 7th April 2023 and 9th June 2023 and neighbour notifications were issued on 6th April 2023.</p> <p><u>Conclusion</u> The proposed amendment to Condition 36 will permit more flexibility for visitors whilst ensuring that no permanent residential use can take place. 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>9.0</p> <p>9.1</p> <p>9.2</p>	<p>Summary of Recommendation:</p> <p>The proposal to vary condition 36 to extend the maximum length of stay of occupants from 30 days to 90 days, for the 94 aparthotel rooms only, is considered to be on balance acceptable. It is recommended that planning permission is granted subject to conditions with delegated power given to the Director of Planning and Building Control to finalise the wording of conditions.</p> <p>The variation of condition will create a new standalone planning permission and it will be necessary to repeat the conditions on the original permission, subject to the variation granted by this decision.</p>
<p>11.0</p> <p>01</p> <p>02</p> <p>03</p>	<p>Proposed Conditions:</p> <p>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before 7th September 2027.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>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 the Council. The POW shall provide for:</p> <ul style="list-style-type: none"> - 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. <p>All construction thereafter must be in accordance with the approved POW.</p> <p>Reason: To ensure that archaeological remains within the application site are properly identified, protected and appropriately recorded.</p> <p>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 02. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p>

04	<p>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.</p> <p>No site works or development of any nature shall take place unless a Vibration Monitoring Method Statement for monitoring the structure of Hamilton Dock during construction works has been submitted to and approved in writing by the Council. This must set the acceptable threshold value at a peak component particle velocity (PCPV) between 2.5 and 5.0 mm/s.</p> <p>All construction thereafter must be in accordance with the approved Vibration Monitoring Method Statement.</p>
05	<p>Reason: To protect the structure of Hamilton Dock from unacceptable levels of vibration during construction.</p> <p>No development activity, including ground preparation or vegetation clearance, shall take place unless a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP shall include the following:</p> <ul style="list-style-type: none"> a. Construction methodology and timings of works, including the Continuous Flight Auger (CFA) piling design; b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site; c. Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures; d. Water Quality Monitoring Plan; e. Environmental Emergency Plan; f. Details of the appointment of an Ecological Clerk of Works (ECoW) and/or Marine Mammal Observer (MMO) and their roles and responsibilities during the piling phase of construction. <p>All construction thereafter must be in accordance with the approved CEMP unless otherwise agreed in writing by the Council</p>
06	<p>Reason: To protect Northern Ireland priority species, to ensure implementation of mitigation measures identified within the shadow Habitat Regulations Assessment and to prevent likely significant effects on the Inner Belfast Lough ASSI, Belfast Lough SPA, Belfast Lough Ramsar site and Belfast Lough Open Water SPA designated sites.</p> <p>The development hereby permitted shall not be occupied unless the remediation measures and groundwater monitoring as described in the RPS Remedial Strategy report, Hamilton Dock Hotel Ref. IBR1144 dated February 2022 have been implemented to the satisfaction of the Council. The Council must be given 2 weeks written notification prior to the commencement of remediation work.</p>
07	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, 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 the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed</p>

08	<p>with the Council in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use and for the protection of human health.</p> <p>After completing the remediation works under Conditions 06 and 07; and prior to occupation of the development, a verification report must be submitted to and agreed in writing with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks.</p> <p>The verification report shall present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
09	<p>In the event that piling is required, no development or piling work shall commence on this site unless a Piling Risk Assessment, undertaken in full 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”, has been submitted to and agreed in writing with the Council. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf.</p> <p>All construction thereafter must be in accordance with the approved Piling Risk Assessment unless otherwise agreed in writing by the Council.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
10	<p>Once a contractor has been appointed, a final Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Council, at least 4 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.</p> <p>All construction thereafter must be in accordance with the approved CEMP unless otherwise agreed in writing by the Council.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure the project will not have an adverse effect on the integrity of any European site.</p>
11	<p>Prior to the occupation or operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RPS Group Plc report entitled Hamilton Dock Hotel/Aparthotel, Remedial Strategy (dated February 2022 and referenced IBR1144) have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report</p>

	<p>shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:</p> <ul style="list-style-type: none"> - Gas protection measures commensurate with the Characteristic Situation 2 classification have been provided in the development in line with the requirements of BS 8485:2015+A1:2019. - Independent verification of the gas protection measures installed have been completed in accordance with CIRIA C735. <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p>
12	<p>Prior to the operation of the hotel food preparation areas, the odour abatement systems detailed within the RPS Group Odour Impact Assessment Report ref: NI2467 dated February 2022 shall be installed. The systems shall terminate at the kitchen extract vents, 1m above the roof top plant room, as detailed in Figure D 1 of the Odour Impact Assessment Report ref: NI2467 dated February 2022.</p> <p>The approved extraction and ventilation system must be cleaned and maintained in accordance with Manufacturers' instructions and be retained thereafter.</p> <p>Reason: To protect residential amenity.</p>
13	<p>All demolition and construction activities shall be undertaken in line with best practice guidance. Demolition and construction activities shall pay due regard to the current standards; BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014 A2: Noise and Vibration Control on Construction and Open Sites.</p> <p>Reason: To protect amenity and human health.</p>
14	<p>Prior to commencement of operation of the gym, the mechanical ventilation system shall be installed as per the recommendations contained within Hamilton Dock Hotel/Aparthotel, Titanic Quarter, Noise Impact Assessment, ref: NI2467 dated 1st February 2022 prepared by RPS group.</p> <p>The mechanical ventilation system must be cleaned and maintained in accordance with Manufacturers' instructions and be retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p>
15	<p>No operation of the gym hereby permitted may occur unless the gym windows remain closed in accordance with the recommendations contained within the submitted report Hamilton Dock Hotel/Aparthotel, Titanic Quarter, Noise Impact Assessment, ref:NI2467 dated 1st February 2022 prepared by RPS group, unless otherwise agreed in writing with the Council.</p> <p>Reason: In the interests of residential amenity</p>
16	<p>Prior to operation of the external terrace associated with the rooftop bar, a 1800mm barrier, with no gaps, shall be installed in accordance with the submitted report Hamilton Dock Hotel/Aparthotel, Titanic Quarter, Noise Impact Assessment, ref: NI2467 dated 1st February 2022 prepared by RPS group.</p> <p>The barrier must be permanently maintained and retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p>

17	<p>Access to and use of any external terrace associated with the rooftop bar shall not be permitted between the hours of 01:00hrs-08:00hrs.</p> <p>Reason: In the interests of residential amenity.</p>
18	<p>Patron occupancy of the external terrace associated with the rooftop bar shall be restricted to a maximum of 20 patrons at any one time.</p> <p>Reason: In the interests of residential amenity.</p>
19	<p>No entertainment or amplified music is permitted within the rooftop bar and the associated external terrace within the hereby permitted development, including any associated external areas, unless otherwise agreed in writing with the Council.</p> <p>Reason: In the interests of residential amenity.</p>
20	<p>The external areas associated with the café of the hereby permitted development, shall not be used outside the hours of 07:00 to 23:00hrs.</p> <p>Reason: In the interests of residential amenity.</p>
21	<p>Deliveries and collections to and from the hereby permitted development shall be limited to between the hours of 07:00 and 23:00hrs.</p> <p>Reason: In the interests of residential amenity.</p>
22	<p>The plant and equipment associated with the development hereby permitted, shall be selected and designed so as to achieve a rating level (LAr) no greater than the Background LA90 both during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014 Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: In the interests of residential amenity.</p>
23	<p>Combustion plant shall meet the technical specification (low NOx technology) as indicated within <i>chapter 5.1.4 Air Quality Impact Assessment (AQIA), Hamilton Dock Hotel/Aparthotel, RPS (February 2022)</i>. Moreover, the flue of any combustion plant must terminate 1m above roof level.</p> <p>Reason: Protection of human health.</p>
24	<p>Prior to commencement on site, a Dust Management Plan that includes the mitigation measures outlined within Appendix B of <i>Air Quality Impact Assessment (AQIA), Hamilton Dock Hotel/Aparthotel, RPS (February 2022)</i> shall be implemented during any demolition or construction works.</p> <p>Reason: Protection of human health.</p>
25	<p>The development hereby permitted shall not become operational unless the vehicular access providing visibility splays of x-distance of 4.5 m and y-distance of 70.0 m has been constructed. The area within the visibility splays shall be cleared to provide a level surface with no obstruction higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</p>

	Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
26	The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing Nos. 08 & 19 both published on the planning portal on 21 st February 2022 to provide adequate facilities for car parking (including for people with disabilities), cycle parking, servicing and circulating within the site.
	Reason: To ensure that adequate and accessible provision has been made for parking and servicing.
27	A minimum of 11 No. secure cycle parking spaces shall be provided and permanently retained within the ground floor of the building for use by hotel customers and staff and 6 No. cycle parking spaces shall be provided and be permanently retained close to the pedestrian accesses of the proposed development for use by visitors to the development.
	Reason: To encourage the use of alternative modes of transport for development users.
28	The development hereby permitted shall operate in accordance with the approved Travel Plan (and appended Service Management Plan) published on the planning portal on 8 th April 2022. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.
	Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and to ensure that adequate provision has been made for servicing in the interests of road safety and the convenience of road users.
29	All landscaping works shall be carried out in accordance with the approved details on drawing Nos 35, 36, 37, 38, 39, 40 and 41 uploaded 21 February 2021. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.
	Reason: In the interests of the character and appearance of the area
30	All trees and planting within the site shall be retained unless shown on the approved drawings as being removed (they can be stored temporarily at a safe appropriate location and transplanted onto the site as part of proposed landscaping measures). Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.
	Reason: In the interests of visual amenity.
31	Prior to any work commencing all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be

32	<p>retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site. The Council shall be notified when the fencing is erected so that a site visit can be arranged to confirm that the fencing is installed in the correct locations.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p>
33	<p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA of existing trees to be retained.</p>
34	<p>Maintenance and management of the open space and landscaped areas as shown on Plan No. 36 uploaded on 24 March 2022, shall be carried out in accordance with the Paul Hogarth Company 'Landscape Management Plan'. Any variations to these management arrangements shall be submitted to and approved in writing by the Council.</p> <p>Reason: To ensure successful establishment and maintenance of the open space and amenity areas in the interests of visual and residential amenity.</p>
35	<p>The proposed public realm works, as shown on approved Plan Nos 35, 36, 37, 38, 39, 40 and 41 uploaded 21 February 2021, shall be carried out prior to the occupation/operation of any part of the development hereby approved.</p> <p>Reason: To ensure the provision of a high quality of landscaping and public realm.</p>
36	<p>Notwithstanding the submitted details, the following elements of the approved scheme shall not be constructed, installed, implemented or carried out unless in accordance with further details and samples which must be first submitted to and approved in writing by the Council:</p> <ol style="list-style-type: none"> 1. Brick 2. Cladding 3. Windows 4. Rainwater goods 5. Roofing materials <p>The works must be implemented and permanently retained in accordance with the details so approved. A sample of each material shall be retained on site until the project is complete.</p> <p>Reason: To ensure the material finish and detailing is sympathetic to the Conservation Area and the setting of nearby listed buildings.</p>
36	<p><i>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 development shall not be used other than as hotel accommodation. For the 94 aparthotel rooms as identified on Drawing No.s 10, 11, 12 and 13 of LA04/2022/0293/F, the maximum stay by the same occupant shall be no more than 90 days within any 12-month period, in accordance with written records which shall be made available to the Council at all reasonable times.</i></p>

	<i>Reason: Residential use of the building would require further consideration by the Planning Authority having regard to the Local Development Plan and relevant material considerations.</i>
12.0	Representations from Elected Representatives (if relevant) N/A
13.0	Referral to DfI (if relevant) N/A

APPENDIX A

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 16 th August 2022	
Application ID: LA04/2022/0293/F	
Proposal: Erection of hotel/aparthotel comprising 162 hotel beds and 94 aparthotel beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), gym, landscaped public realm, car parking, cycle parking and associated site and road works.	Location: Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queens Road, Belfast.
Referral Route:	Major development
Recommendation:	Approval
Applicant Name and Address: JMK Group 29 Welbeck Street London W1G 8DA	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>The application seeks full planning permission for a hotel/aparthotel with 162 hotel beds and 94 aparthotel beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), gym, landscaped public realm, car parking, cycle parking and associated site and road works.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> • The principle of a hotel at this location; • Loss of Open Space • Scale, Massing and Design; • Impact on Built and Archaeological Heritage; • Traffic and Road Safety; • Flooding and Drainage; • Impact on amenity; • Human health; • The impact on natural heritage; • Pre-application Community Consultation; • The consideration of developer contributions. <p>The site is located within an established industrial/ commercial area within the wider Titanic Quarter. It forms part of the mixed-use Titanic Quarter zoning. The site previously benefitted from being part of the wider Phase 2 Concept Masterplan (outline planning permission Z/2010/2864/O) granted in June 2008, with a hotel approved on the site in 2010. Both the outline and 2010 hotel permissions have now lapsed however they remain a material consideration.</p>	

A further planning application (LA04/2019/1636/F) for hotel use was approved by the Council on 27.02.2020 which further established the principle of development and a hotel use at this location. The 'Design Principles' document which accompanied the Concept Masterplan, included a range of parameters for this particular site (referred to in the masterplan as Block 8) relating to land area, gross floor space, storeys and height. The extant approval exceeds the height set out in the masterplan by approximately 2.2m but was considered appropriate given the quality of the proposal and design cues taken from the nearby listed H&W Drawing Offices. The current scheme is only 150mm higher than the extant approval. Historic Environment Division have considered the proposal and have no objections.

The amended scheme for a 256-bed hotel is very similar in terms of design, height, massing and layout to the extant approval for a 276-bed hotel (LA04/2019/1636/F). The application has been submitted to respond to market conditions and the applicant now seeks to develop a 256-bedroom hotel which will include 94 apart-hotel rooms and 162 conventional hotel rooms.

As the site is within the settlement development limit and taking into account the site context and history, the principle of hotel use at this site is acceptable subject to prevailing policy considerations.

Consultees including DfI Roads, NIEA, Shared Environmental Services, Historic Environment Division, NI Water, DfI Rivers, City Airport, NIE, the Council's Landscape Team, Environmental Health Department, Senior Urban Design Officer and Tree Officer have no objection to the proposal subject to conditions. Their consultations are detailed in the main body of the report.

The proposal will not adversely impact upon the nearby protected sites within and around Belfast Lough. Conditions will ensure that development is carried out in a sympathetic manner to ensure any potential disruption to these sites is appropriately mitigated.

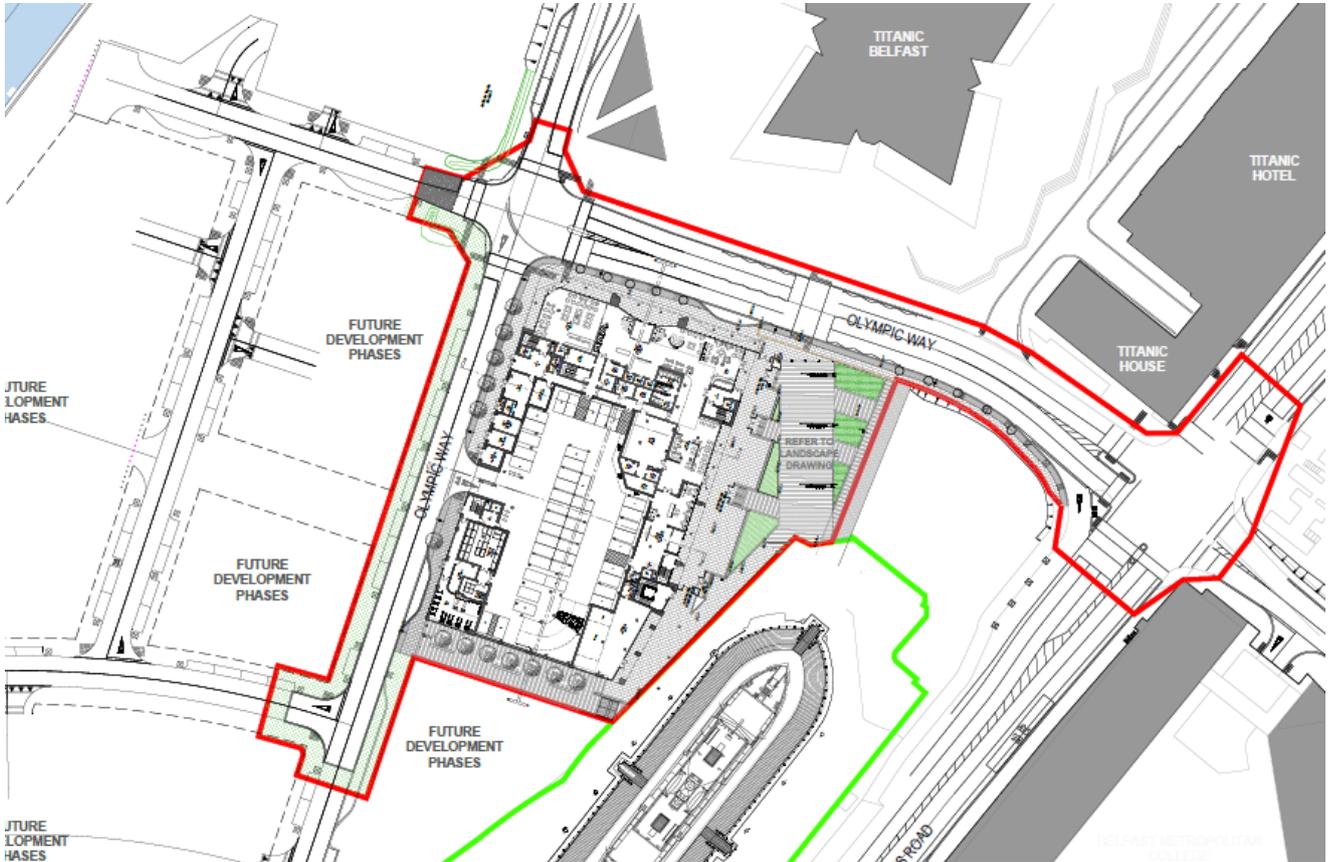
2 no objections were received and are detailed and considered in the report.

The proposal will have an estimated construction cost of about £36 million. Approximately 620 FTE construction jobs will be created. The operational phase will deliver approximately 70 FTE jobs.

Having regard to the Development Plan, and other material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan/Site Layout/Elevations





CGI Views



Characteristics of the Site and Area													
1.0	<u>Description of Proposed Development</u>												
1.1	The description of the proposal is as follows: <i>'Erection of hotel/aparthotel comprising 162 hotel beds and 94 aparthotel beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), gym, landscaped public realm, car parking, cycle parking and associated site and road works.'</i>												
1.2	The Design and Access Statement (DAS) states that <i>'except for the inclusion of the aparthotel beds replacing some of the hotel beds, and some other minor changes which are described in Section 3, the proposed development is similar to the hotel scheme (reference: LA04/2019/1636/F) approved by Belfast City Council on 28 January 2020. The overall massing, design, siting and materiality does not deviate from the previously approved scheme.'</i>												
1.3	The proposed hotel is a 7-storey building including the mezzanine level. There is a small increase in height of 150mm to 23.85m compared to the extant scheme. And also a small increase in overall floorspace to 16,769 sq m from 16140sq m . See below comparison table from the Design and Access Statement (DAS): <table border="1" data-bbox="306 884 1469 1198"> <thead> <tr> <th></th> <th>Floor Space (GIA)</th> <th>Height (HPL Level)</th> <th>Ground Floor Datum</th> </tr> </thead> <tbody> <tr> <td>2020 Approved Scheme</td> <td>16,140sqm</td> <td>6 Storeys 23.7m</td> <td>4.2m</td> </tr> <tr> <td>Proposed Development</td> <td>16.769sqm</td> <td>6 Storeys 23.85m</td> <td>4.2m</td> </tr> </tbody> </table>		Floor Space (GIA)	Height (HPL Level)	Ground Floor Datum	2020 Approved Scheme	16,140sqm	6 Storeys 23.7m	4.2m	Proposed Development	16.769sqm	6 Storeys 23.85m	4.2m
	Floor Space (GIA)	Height (HPL Level)	Ground Floor Datum										
2020 Approved Scheme	16,140sqm	6 Storeys 23.7m	4.2m										
Proposed Development	16.769sqm	6 Storeys 23.85m	4.2m										
1.4	The building surrounds a central courtyard. A large section of which has been identified as conference spill out space with a diagonal route including a glass covered area linking to a hotel guest garden space on the northern side. This diagonal route is flanked by grassed areas and planting.												
1.5	A total of 96 no car parking spaces including 4 no disabled spaces are provided located at ground and mezzanine level. 18 no cycle parking spaces are also included as well as showering and changing facilities. This is 4 no less than the extant approval.												
2.0	<u>Description of Site and Area</u>												
2.1	The site is a flat grassed site with an area of approximately 1.3 Ha and is located within a former industrial/ commercial area within the wider Titanic Quarter and forms part of the mixed-use Titanic Quarter zoning in dBMAP 2015.												
2.2	The site is not located within any specific designations; however, it is located close to: <ul style="list-style-type: none"> - Victoria Park Area of Special Scientific Interest (ASSI); - Inner Belfast Lough ASSI; - Belfast Lough Special Protection Area (SPA); - Belfast Lough Open Water SPA; and - the proposed East Coast (Northern Ireland) Marine SPA. 												
2.3													

2.4	<p>Belfast Lough is hydrologically connected to the Outer Ards SPA and Ramsar Site; Larne Lough SPA and Ramsar Site; Copeland Island SPA; and Strangford Lough SPA, SAC and Ramsar Site.</p> <p>The area is notable for its wide range of uses including the Odyssey Pavilion and Arena, Titanic Belfast, Titanic Hotel, Belfast Metropolitan College, ARC apartments and other offices and uses.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Planning History Full details are available at Annex A, those recent and specific to the site are detailed below:</p>
3.1	<p>Z/2006/2864/O - Residential led mixed use development including Titanic Experience Building, public realm areas and associated infrastructural works. Address: Titanic Quarter Phase II-Land bounded to the south by Abercorn Basin, to the east by Queen's Road, to the west & north by River Lagan and including the listed former Harland & Wolff HQ, Belfast. Decision: Approval Date: 25.06.2008</p> <p>This outline planning permission for Phase 2 of Titanic Quarter included a number of documents including a Development Framework, Concept Masterplan and Design Principles. This permission had a lifespan of 12 years but has now expired.</p>
3.2	<p>Z/2009/1260/F - Erection of hotel comprising 244 bedrooms, ancillary restaurant and conference facilities, hotel offices, landscaped public realm, basement car park and associated site and road works. Address: Lands adjacent to the north of Hamilton Dock, north of Abercorn Crescent/Queen's Road, Queen's Island, Belfast. Decision: Approval Date: 01.07.2010</p>
3.3	<p>LA04/2019/1636/F - Erection of hotel comprising 276 beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works. Address: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast. Decision: Permission Granted Decision Date: 27.02.2020</p>
3.4	<p>LA04/2021/2280/F – Mixed-use, mixed tenure residential-led development of 778 apartments in three buildings with internal and external amenity space; flexible commercial/community floorspace (convenience store with hot food counter/A1/A2/D1 uses/cafe/bar/restaurant); public realm including public square and waterfront promenade; cycle and car parking and associated landscaping, access roads, plant and site works including to existing river revetment (further environmental information received) Address: Lands adjacent to and south east of the river Lagan, west of Olympic Way of Queen's road, Queen's Island, Belfast, BT2 9EQ, Decision: Under consideration</p>
3.5	<p>LA04/2016/0096/F - Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to listed former Harland & Wolff Headquarters Building and to provide 36no. additional bedrooms (120No. in total) in a new annex,</p>

3.6	<p>including service area, covered terrace, ancillary uses and associated access and site works. Address: Former Harland And Wolff Headquarters Building and Drawing Offices, Queens Road, Belfast. Decision: Approval Date: 16.05.2017</p> <p>LA04/2021/2318/PAN - Erection of Hotel/Aparthotel comprising Circa 260 beds conference facilities, restaurant/cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works (Amendment to previously approved hotel scheme) Address: Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queen's Road, Belfast, Decision: PAN Acceptable Decision Date: 18.10.2021</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Belfast Local Development Plan 2035 – Draft Plan Strategy</p>
4.2	<p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Planning Policy Statement 2 – Natural Heritage (PPS2) Planning Policy Statement 3 – Access, Movement and Parking (PPS3) Planning Policy Statement 4 – Planning and Economic Development (PPS4) Planning Policy Statement 6 – Planning, Archaeology and the Built Environment (PPS6) Planning Policy Statement 8 – Open Space, Sport and Recreation (PPS8) Planning Policy Statement 15 – Planning and Flood Risk (PPS15) Parking Standards (former Department of Environment) Developer Contributions Framework (adopted 2020)</p>
5.0	<p><u>Statutory Consultees</u> DfI Roads – no objections in principle, subject to conditions DfI Rivers – no objections NIEA Natural Heritage – no objections subject to condition NIEA Land, Soil, and Air – no objections subject to conditions Shared Environmental Services - no objections subject to conditions NIW – No objection Historic Environment Division – no objection City Airport – no objection</p>
6.0	<p><u>Non-Statutory Consultees</u> Environmental Health BCC – no objection subject to conditions Landscape BCC – no objection Tree Officer BCC – no objection subject to conditions</p>
7.0	<p><u>Representations</u></p> <p>7.1 2 no representation were received from local residents.</p> <p>7.2 The issues raised can be summarised as follows: 1. Noise from rooftop bar</p>

7.3	<p>2. Hours of operation of rooftop bar 3. Licensing of rooftop bar 4. Noise mitigation</p> <p>These issues have been considered in the main body of the report. Noise, in particular, is considered below at para 8.11. Licensing is required for bar premises however this does not fall under the remit of the planning process.</p>
8.0	<u>ASSESSMENT</u>
8.1	<u>Development Plan</u>
8.1.1	<p>Section 45 (1) of the Planning Act (NI) 2011 requires the Council to have regard to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
8.1.2	<p>Following the Court of Appeal decision that quashed the adoption of the Belfast Metropolitan Area Plan 2015, the extant Development Plan is now the Belfast Urban Area Plan 2001 (BUAP). Both the draft Belfast Metropolitan Area Plan 2015 (dBMAP v2004) and Belfast Metropolitan Area Plan (dBMAP v2014) are material considerations. The weight to be afforded the draft Belfast Metropolitan Area Plan is a matter of judgement for the decision maker. The Committee is advised that significant weight should be afforded to the latest version of dBMAP 2015 (v2014) given the advanced stage it reached in the adoption process and that the only outstanding areas of contention related to retail policies at Sprucefield, Lisburn.</p>
8.1.3	<p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
8.2	<u>The principle of a hotel at this location</u>
8.2.1	<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>
8.2.2	<p>In the BUAP the site is located on unzoned land within the development limits of Belfast and within the Draft Belfast Metropolitan Area Plan (v2004 & v2014) within the Titanic Quarter zoning. The presumption is therefore in favour of development subject to relevant planning considerations.</p>
8.2.3	<p>The acceptability of a hotel use at this location has been established under:</p> <ul style="list-style-type: none"> - Z/2009/1260/F (Erection of hotel comprising 244 bedrooms, ancillary restaurant and conference facilities, hotel offices, landscaped public realm, basement car park and associated site and road works) approved on 01.07.2010.

<p>8.2.4</p>	<ul style="list-style-type: none"> - LA04/2019/1636/F (Erection of hotel comprising 276 beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works) approved on 27.02.2020 and remains extant. - LA04/2016/0096/F (Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to listed former Harland & Wolff Headquarters Building and to provide 36no. additional hotel bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and associated access and site works) approved on 16.05.2017. <p>A condition is recommended by officers to ensure that the apart hotel 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. The condition would ensure that a maximum stay was 30 days with no return within a further 30 days by the same occupant.</p>
<p>8.3 8.3.1</p>	<p><u>Loss of Open Space</u></p> <p>Given that the site is located within a maintained grass area the proposal has been assessed against Policy OS1 of PPS8 'Protection of Open Space'. Although Policy OS1 has the presumption against the loss of existing open space, the planning history in this instance must be given substantial weight. The site is located within an area identified for redevelopment within an approved Masterplan, part of the 2008 Outline permission for Titanic Quarter, as detailed above in Section 3. The principle of development was reinforced through the granting of planning permissions for a hotel in 2010 and 2020 (the latter remains extant). These considerations outweigh PPS8 policy considerations. For these reasons the principle of redeveloping the site is deemed acceptable.</p>
<p>8.4 8.4.1 8.4.2 8.4.3 8.4.4 8.4.5</p>	<p><u>Scale, Massing and Design</u></p> <p>Paragraphs 4.11 and 4.12 of the SPPS 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 paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported.</p> <p>There are no significant design alterations to the extant approval as the current application is a result of largely internal alterations to respond to market demands.</p> <p>The scale, height and massing is virtually the same as considered acceptable under the extant permission was and is also considered acceptable in the context of the setting including the listed H&W Drawing Office (Titanic Hotel).</p> <p>The Urban Design Officer's response from the previous scheme remain applicable. His response reflects on the previous design alterations that were negotiated and states: <i>'The break-up of the massing and articulation of the building takes design cues from the neighbouring Harland and Wolff building, particularly in relation to how horizontal elements within the elevations of the building have been composed. Here horizontal banding above GF and 2F levels across the entire façade pick up on key horizontal features/detailing found within the listed Harland and Wolff drawing office'. The fifth floor setback also "visually sits comfortably at this level and reads as a lighter, subservient element which is again welcomed. This treatment also results in a strong shoulder height at 4F level which picks up on the upper roof height of the Harland and Wolff building'.</i></p> <p>The Urban Design Officer had previously expressed reservations regarding the extent and location of roof plant however, officers were content that on balance this was acceptable</p>

	given no objections from HED. The roof plant in this current application has been reduced and is considered acceptable.
8.4.6	In terms of the materiality the Urban Design Officer goes on to state <i>'the use of dark brick in the lower five floors alongside bronze/gold accents within window reveals, horizontal banding and corner detailing is undoubtedly bold, yet the overall composition is confident in its own right and provides an appropriate contrast to both the contemporary materials of Titanic Belfast and the more traditional rustic tones of the listed drawing offices'</i> .
8.4.7	A condition is recommended relating to materials which stipulates that samples are made available for inspection on site and are approved in writing in advance by the Council.
8.5	<u>Built Heritage</u>
8.5.1	The proposal is adjacent to HB26/07/009 - Administration and drawing office block (Harland & Wolff), a Grade B+ listed building of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011.
8.5.2	There were detailed negotiations under the previous approval in order to achieve an appropriate scheme. HED: Historic Buildings were consulted and responded to state that they note <i>"that this proposal, albeit slightly taller than the previous approval, is not significantly different in scale or mass to affect the understanding or experience of the listed building to harm its essential character, including setting"</i> .
8.5.3	The proposal is therefore considered compliant with Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12 and of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6) Policy BH11 (Development affecting the Setting of a Listed Building).
8.6	<u>Archaeological Heritage</u>
8.6.1	HED: Historic Monuments state in their response that: <i>'Hamilton Graving Dock was the first of five docks to be built on the Co. Down side of the River Lagan. Its service basin, the Abercorn Basin, opened in 1867, was created out of open water facing the Harland and Wolff shipbuilding berths known as Abercorn Shipyard. The dock is 450ft long and the basin covers over 12 acres of water. It was used to finish the fitting out of ships once they had left the shipways and is constructed with stepped sides down the floor. A wharf, now removed, extended into Abercorn basin to the south west of the dock and was used to tie up ships before and after their time in the dock. Together with Abercorn Basin, Titanic and Olympic Slipways and Harland and Wolff Drawing Office, this area of industrial heritage forms a key element of the renowned Harland and Wolff shipyard on Queen's Island and along with other docks and quays in the area is part of the story of the shipbuilding industry in Belfast. The site is now one of Northern Ireland's premier tourist attractions and forms part of a heritage trail in 'Titanic Quarter' on Queen's Island.'</i>
8.6.2	HED: Historic Monuments refer to their response under LA04/2019/1636/F and are content that the proposal satisfies Policy BH4 of PPS 6 subject to the grant of a Scheduled Monument Consent (SMC) and conditions for the agreement and implementation of a developer-funded programme of archaeological works. A Vibration Monitoring Method Statement is also required.
8.7	<u>Ecology and Natural Heritage</u>
8.7.1	The application site is in close proximity to the following national, European and international designated sites;

	<ul style="list-style-type: none"> - Outer Belfast Lough ASSI which is declared under the Environment Order (Northern Ireland) 2002; - Belfast Lough SPA, Belfast Lough Open Water SPA and the East Coast Marine pSPA all of which are designated under the EC Birds Directive (72/409/EEC on the conservation of wild birds); - North Channel SAC and the Maidens SAC which are designated under the EC Habitats Directive (92/43/EEC on the conservation of natural habitats and of wild fauna and flora); - Belfast Lough Ramsar Site which is designated under Ramsar Convention - Belfast Lough MCZ which is designated under the Marine Act (Northern Ireland) 2013
8.7.2	<p>NIEA, Natural Environment Division (NED) is '<i>generally content that the implementation of mitigation measures outlined in the oCEMP should minimise any potential impacts on the watercourses and designated sites</i>' and therefore on "<i>the basis of the information provided, has no concerns subject to conditions</i>'.</p>
8.7.3	<p>This planning application was also considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p>
8.7.4	<p>SES responded to state that subject to a condition for a final CEMP, that '<i>the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects</i>'.</p>
	<p><u>Landscaping and boundary treatments</u></p>
8.8	<p>The proposed landscaping does not deviate from the extant approval.</p>
8.8.1	
8.8.2	<p>The Tree Officer was consulted and provided feedback which was addressed by the applicant. The Tree Officer is now content and has provided conditions.</p>
8.8.3	<p>The Council's Landscape, Planning and Development's team were consulted and stated that they '<i>fully support proposals to create a new public space that integrates with adjacent areas of high-quality public realm at Titanic Belfast and Hamilton Dock <and are> also satisfied that proposed landscape materials and street furniture are in line with design guidance set out in the Maritime Mile Toolkit</i>'. In addition they '<i>welcome the inclusion of green space, street tree and shrub planting within public realm proposals and confirm planting mixes and details are acceptable</i>'.</p>
8.8.4	<p>A Landscape Management and Maintenance Plan has been provided and will be subject to condition.</p>
	<p><u>Traffic, Movement and Parking</u></p>
8.9	
8.9.1	<p>The principal of development was established under LA04/2019/1636/F which remains extant. DfI Roads were consulted on the current proposal and requested further information such as an amended Transport Assessment Form and Transport Assessment. Upon re-consultation, DfI Roads provided a final response of no objections subject to a number of conditions.</p>
	<p><u>Contaminated Land</u></p>
8.10	
8.10.1	<p>The application is supported by a Preliminary Risk Assessment. Generic Quantitative Risk Assessment, and Remedial Strategy report which have been considered by both NIEA and Environmental Health. Both have provided conditions and informatives accordingly.</p>

8.11	<p><u>Noise</u></p> <p>Environmental Health has reviewed the Noise Impact Assessment and advised that it meets the relevant requirements.</p>
8.11.1	
8.11.2	<p>The proposal includes a rooftop bar with an external terrace. The bar will be open until 1am. Environmental Health have provided conditions regarding the following in order to protect nearby residents from loss of amenity:</p>
	<ul style="list-style-type: none"> - Patron occupancy of the external terrace associated with the rooftop bar to be restricted to a maximum of 20 patrons at any one time - Access to and use of any external terrace associated with the rooftop bar shall not be permitted between the hours of 01:00hrs-08:00hrs - Prior to operation of the external terrace associated with the rooftop bar, a 1800mm barrier, with no gaps, to be installed - No entertainment or amplified music to be provided within the rooftop bar and the associated external terrace within the hereby permitted development, including any associated external areas - Hours of use for external areas, associated with the café of the hereby permitted development, to be restricted to between the hours of 07:00 to 23:00hrs - Deliveries and collections to and from the hereby permitted development to be limited to between the hours of 07:00 and 23:00hrs - The plant and equipment associated with the development hereby permitted, shall be selected and designed so as to achieve a rating level (LAr) no greater than the Background LA90 both during the daytime and during night-time - During operation of the gym, the gym windows are to remain closed
8.12	<p><u>Air Quality</u></p> <p>Environmental Health has reviewed the Air Quality Assessment and advised that it meets the relevant requirements. Conditions have been provided.</p>
8.12.1	
8.13	<p><u>Odour</u></p> <p>Environmental Health has reviewed the Odour Impact Assessment and advised that it meets the relevant requirements. Conditions have been provided.</p>
8.13.1	
8.14	<p><u>Site Drainage/Flood Assessment</u></p> <p>Dfl Rivers Flood Maps (NI) indicates that the site is affected by the 1 in 200 year coastal plain. The proposal has therefore been assessed against Policy FLD1 of Revised Planning Policy Statement 15. No development is permitted within the 1 in 200-year coastal flood unless it is deemed to meet one of the exceptions listed within FLD 1. It is the remit of the planning authority to grant such an exception. It is considered that the proposal is an exception under part (b) of FLD1 in that the land is raised above the floodplain, it is not dependant on new coastal flood defences, it is not within an area likely to be at risk from coastal erosion and the elevation of development above the flood plain will not unduly disrupt the provision and ongoing delivery of essential services.</p>
8.14.2	<p>Dfl Rivers has reviewed the Flood Risk & Drainage Assessment by RPS Consulting dated February 2022 and subject to the Council's confirmation of an exception under FLD1, would not object.</p>
8.14.3	<p>With regards to Policy FLD 3, the Drainage Assessment provides evidence that the surface water is to be discharged the existing 900mm storm pipe and then to the sea. Back flooding</p>

	<p>is negated by existing tide flex valves on the existing Harbour Commissions drainage infrastructure. a Schedule 6 consent (to discharge into a watercourse) has been provided. Rivers Agency have no objection.</p>
8.14.4	<p>NIW were consulted and confirm that there is available capacity at the Waste Water Treatment Works and therefore they have no objections.</p>
	<p><u>Economic Considerations.</u></p>
8.15 8.15.1	<p>The proposal will have an estimated construction cost of c£36 million. Approximately 620 FTE construction jobs will be created. The operational phase will deliver approximately 70 FTE jobs.</p>
8.15.2	<p>Policy PED9 states that a proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria:</p>
	<p>It is compatible with surrounding land uses;</p>
8.15.3	<p>The proposal is within an established industrial/ commercial area within the Titanic Quarter. Historic Environment Division (HED) have raised no objections in terms of the setting of the adjacent H&W drawing offices and the proposed building is considered acceptable. HED (Historic Monuments) have raised no objections subject to conditions.</p>
	<p>It does not harm the amenities of nearby residents;</p>
	<p>It does not create a noise nuisance;</p>
8.15.4	<p>The closest residential properties are located approximately 130m south of the site and Environmental Health has no objections subject to conditions with regards to noise, odour and air quality and these are detailed later in the report.</p>
	<p>It does not adversely affect features of the natural or built heritage;</p>
8.15.5	<p>HED has not objected in terms of the impact on the setting of the nearby H&W Drawing Offices. The site is not located within any National, European or Internationally designated sites, but is located within close proximity to a number of protected sites. DAERA and Shared Environmental Services have no objections in relation to potential impact on protected sites.</p>
	<p>It is not located in an area at flood risk and will not cause or exacerbate flooding;</p>
8.15.6	<p>The area is not within a designated flood plain or an area that has been identified as being prone to flooding.</p>
	<p>It is capable of dealing satisfactorily with any emission or effluent;</p>
8.15.7	<p>No emissions would be associated with the proposed use. NI Water have not objected.</p>
	<p>The existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;</p>
8.15.8	<p>Adequate access arrangements, parking and manoeuvring areas are provided;</p>
	<p>DfI Roads have no objections. Adequate access arrangements, parking and manoeuvring areas are provided. The site is also located off the Glider Route. It is considered that the level of parking is acceptable given the accessibility of the site and its proximity to the city centre.</p>
	<p>A movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;</p>
8.15.9	

8.15.10	<p>The proposed access road and parking tie in with the existing road infrastructure and new road layout which serves this section of Titanic Quarter.</p> <p>The site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;</p> <p>The proposed hotel will not be detrimental to visual amenity. The overall composition provides an appropriate contrast to both the contemporary materials of Titanic Belfast and the more traditional rustic tones of the listed drawing offices.</p>
8.15.11	<p>Appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;</p> <p>The proposal has been accompanied by a comprehensive planting scheme which will enhance and tie into the existing public realm in the Titanic Quarter. As the proposed hotel has elevations on all four sides of the block, it was acknowledged from an early stage that particular stretches would inevitably be impacted by the non-active uses, normally associated with 'back of house' service requirements and car parking provision. It is noted that the consultant team has worked hard to restrict non-active sections and where possible to break them up.</p>
8.15.12	<p>Is designed to deter crime and promote personal safety;</p> <p>The active ground floor frontage will promote surveillance and help discourage anti-social behaviour within an illuminated area of public realm.</p>
8.16	<p><u>Pre-Community Consultation</u></p>
8.16.1	<p>For applications that fall within the major category a prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on the applicant for planning permission to consult the community in advance of submitting an application. Also relevant are the Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020 which removed the requirement for in-person events due to the pandemic for a temporary period.</p>
8.16.2	<p>Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2021/2318/PAN) was submitted to the Council on 08 October 2021 and was deemed acceptable on 18 October 2021.</p>
8.16.3	<p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which details a project website, social media campaign, leaflets, hotline number and the public advertisement.</p>
8.16.4	<p>According to the PACC report, there were:</p> <ul style="list-style-type: none"> - 754 page views of the website - 56 downloads of the project information pack - 21,337 people reached by social media - 4 attendees at the project webinar - 4 feedback forms received
8.16.5	<p>Of the 4 feedback forms received, 75% did not support the planning application but did support the principal of enhancing Belfast's status as a tourist destination and investment/job creation for Titanic Quarter.</p>

8.16.6	<p>It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
8.17 8.17.1	<p><u>Statutory Consultation</u> The scheme was advertised on 25th February 2022. Neighbour notifications were issued on 16th March 2022.</p>
8.18 8.18.1	<p><u>Developer Contributions</u> Para 5.69 of the SPPS states that “Planning authorities can require developers to bear the costs of work required to facilitate their development proposals”. Relevant further guidance is provided by the Council’s Developer Contributions Framework, adopted in 2020.</p>
8.18.2	<p>The Economic Development Team recommended that developer contributions under Section 76 relating to employability and skills during the construction and operational phases should be applied. As there is an extant approval which was approved shortly before the publication of the Developer Contributions Framework, and there is public realm included in the proposal, it is considered that it would be unreasonable to request a Section 76 for employability and skills given the fallback position.</p>
8.18.3	<p>New public realm works are provided as part of the proposal and this will be secured via condition.</p>
8.19 8.19.1	<p><u>Conclusion</u> 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>
10.0	<p>Summary of Recommendation:</p>
10.1	<p>It is recommended that planning permission is granted subject to conditions with delegated power given to the Director of Planning and Building Control to finalise the wording of conditions.</p>
11.0	<p>Proposed Conditions:</p>
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>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 the Council. The POW shall provide for:</p> <ul style="list-style-type: none"> • 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.

	<p>All construction thereafter must be in accordance with the approved POW.</p> <p>Reason: To ensure that archaeological remains within the application site are properly identified, protected and appropriately recorded.</p> <p>11.3 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 11.2. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p> <p>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.</p> <p>11.4 No site works or development of any nature shall take place unless a Vibration Monitoring Method Statement for monitoring the structure of Hamilton Dock during construction works has been submitted to and approved in writing by the Council. This must set the acceptable threshold value at a peak component particle velocity (PCPV) between 2.5 and 5.0 mm/s.</p> <p>All construction thereafter must be in accordance with the approved Vibration Monitoring Method Statement.</p> <p>Reason: To protect the structure of Hamilton Dock from unacceptable levels of vibration during construction.</p> <p>11.5 No development activity, including ground preparation or vegetation clearance, shall take place unless a final Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP shall include the following:</p> <ol style="list-style-type: none"> a. Construction methodology and timings of works, including the Continuous Flight Auger (CFA) piling design; b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site; c. Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures; d. Water Quality Monitoring Plan; e. Environmental Emergency Plan; f. Details of the appointment of an Ecological Clerk of Works (ECoW) and/or Marine Mammal Observer (MMO) and their roles and responsibilities during the piling phase of construction. <p>All construction thereafter must be in accordance with the approved CEMP unless otherwise agreed in writing by the Council</p> <p>Reason: To protect Northern Ireland priority species, to ensure implementation of mitigation measures identified within the shadow Habitat Regulations Assessment and to prevent likely significant effects on the Inner Belfast Lough ASSI, Belfast Lough SPA, Belfast Lough Ramsar site and Belfast Lough Open Water SPA designated sites.</p> <p>11.6 The development hereby permitted shall not be occupied unless the remediation measures and groundwater monitoring as described in the RPS Remedial Strategy report, Hamilton Dock Hotel Ref. IBR1144 dated February 2022 have been implemented to the satisfaction</p>
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	<p>of the Council. The Council must be given 2 weeks written notification prior to the commencement of remediation work.</p>
11.7	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, 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 the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use and for the protection of human health.</p>
11.8	<p>After completing the remediation works under Conditions 11.5 and 11.6; and prior to occupation of the development, a verification report must be submitted to and agreed in writing with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report shall present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.9	<p>In the event that piling is required, no development or piling work shall commence on this site unless a Piling Risk Assessment, undertaken in full 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", has been submitted to and agreed in writing with the Council. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf.</p>
11.10	<p>All construction thereafter must be in accordance with the approved Piling Risk Assessment unless otherwise agreed in writing by the Council.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.11	<p>Once a contractor has been appointed, a final Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Council, at least 4 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.</p> <p>All construction thereafter must be in accordance with the approved CEMP unless otherwise agreed in writing by the Council.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment and to ensure the project will not have an adverse effect on the integrity of any European site.</p>

11.12	<p>Prior to the occupation or operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RPS Group Plc report entitled Hamilton Dock Hotel/Aparthotel, Remedial Strategy (dated February 2022 and referenced IBR1144) have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:</p> <ul style="list-style-type: none"> - Gas protection measures commensurate with the Characteristic Situation 2 classification have been provided in the development in line with the requirements of BS 8485:2015+A1:2019. - Independent verification of the gas protection measures installed have been completed in accordance with CIRIA C735. <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p>
11.13	<p>Prior to the operation of the hotel food preparation areas, the odour abatement systems detailed within the RPS Group Odour Impact Assessment Report ref: NI2467 dated February 2022 shall be installed. The systems shall terminate at the kitchen extract vents, 1m above the roof top plant room, as detailed in Figure D 1 of the Odour Impact Assessment Report ref: NI2467 dated February 2022.</p> <p>The approved extraction and ventilation system must be cleaned and maintained in accordance with Manufacturers' instructions and be retained thereafter.</p> <p>Reason: To protect residential amenity.</p>
11.14	<p>All demolition and construction activities shall be undertaken in line with best practice guidance. Demolition and construction activities shall pay due regard to the current standards; BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014 A2: Noise and Vibration Control on Construction and Open Sites.</p> <p>Reason: To protect amenity and human health.</p>
11.15	<p>Prior to commencement of operation of the gym, the mechanical ventilation system shall be installed as per the recommendations contained within Hamilton Dock Hotel/Aparthotel, Titanic Quarter, Noise Impact Assessment, ref: NI2467 dated 1st February 2022 prepared by RPS group.</p> <p>The mechanical ventilation system must be cleaned and maintained in accordance with Manufacturers' instructions and be retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p>
11.16	<p>No operation of the gym hereby permitted may occur unless the gym windows remain closed in accordance with the recommendations contained within the submitted report Hamilton Dock Hotel/Aparthotel, Titanic Quarter, Noise Impact Assessment, ref: NI2467 dated 1st February 2022 prepared by RPS group.</p> <p>Reason: In the interests of residential amenity.</p>
11.17	<p>Prior to operation of the external terrace associated with the rooftop bar, a 1800mm barrier, with no gaps, shall be installed in accordance with the submitted report Hamilton Dock</p>

	<p>Hotel/Aparthotel, Titanic Quarter, Noise Impact Assessment, ref: NI2467 dated 1st February 2022 prepared by RPS group.</p> <p>The barrier must be permanently maintained and retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p>
11.18	<p>Access to and use of any external terrace associated with the rooftop bar shall not be permitted between the hours of 01:00hrs-08:00hrs.</p> <p>Reason: In the interests of residential amenity.</p>
11.19	<p>Patron occupancy of the external terrace associated with the rooftop bar shall be restricted to a maximum of 20 patrons at any one time.</p> <p>Reason: In the interests of residential amenity.</p>
11.20	<p>No entertainment or amplified music is permitted within the rooftop bar and the associated external terrace within the hereby permitted development, including any associated external areas, unless otherwise agreed in writing with the Council.</p> <p>Reason: In the interests of residential amenity.</p>
11.21	<p>The external areas associated with the café of the hereby permitted development, shall not be used outside the hours of 07:00 to 23:00hrs.</p> <p>Reason: In the interests of residential amenity.</p>
11.22	<p>Deliveries and collections to and from the hereby permitted development shall be limited to between the hours of 07:00 and 23:00hrs.</p> <p>Reason: In the interests of residential amenity.</p>
11.23	<p>The plant and equipment associated with the development hereby permitted, shall be selected and designed so as to achieve a rating level (LAr) no greater than the Background LA90 both during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014 Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: In the interests of residential amenity.</p>
11.24	<p>Combustion plant shall meet the technical specification (low NOx technology) as indicated within <i>chapter 5.1.4 Air Quality Impact Assessment (AQIA), Hamilton Dock Hotel/Aparthotel, RPS (February 2022)</i>. Moreover, the flue of any combustion plant must terminate 1m above roof level.</p> <p>Reason: Protection of human health.</p>
11.25	<p>Prior to commencement on site, a Dust Management Plan that includes the mitigation measures outlined within Appendix B of <i>Air Quality Impact Assessment (AQIA), Hamilton Dock Hotel/Aparthotel, RPS (February 2022)</i> shall be implemented during any demolition or construction works.</p> <p>Reason: Protection of human health.</p>

11.26	<p>The development hereby permitted shall not become operational unless the vehicular access providing visibility splays of x-distance of 4.5 m and y-distance of 70.0 m has been constructed. The area within the visibility splays shall be cleared to provide a level surface with no obstruction higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
11.27	<p>The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing Nos. 08 & 19 both published on the planning portal on 21st February 2022 to provide adequate facilities for car parking (including for people with disabilities), cycle parking, servicing and circulating within the site.</p> <p>Reason: To ensure that adequate and accessible provision has been made for parking and servicing.</p>
11.28	<p>A minimum of 11 No. secure cycle parking spaces shall be provided and permanently retained within the ground floor of the building for use by hotel customers and staff and 6 No. cycle parking spaces shall be provided and be permanently retained close to the pedestrian accesses of the proposed development for use by visitors to the development.</p> <p>Reason: To encourage the use of alternative modes of transport for development users.</p>
11.29	<p>The development hereby permitted shall operate in accordance with the approved Travel Plan (and appended Service Management Plan) published on the planning portal on 8th April 2022. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and to ensure that adequate provision has been made for servicing in the interests of road safety and the convenience of road users.</p>
11.30	<p>All landscaping works shall be carried out in accordance with the approved details on drawing Nos 35, 36, 37, 38, 39, 40 and 41 uploaded 21 February 2021. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area</p>
11.31	<p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed (they can be stored temporarily at a safe appropriate location and transplanted onto the site as part of proposed landscaping measures). Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity.</p>

11.32	<p>Prior to any work commencing all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site. The Council shall be notified when the fencing is erected so that a site visit can be arranged to confirm that the fencing is installed in the correct locations.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p>
11.33	<p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA of existing trees to be retained.</p>
11.34	<p>Maintenance and management of the open space and landscaped areas as shown on Plan No. 36 uploaded on 24 March 2022, shall be carried out in accordance with the Paul Hogarth Company 'Landscape Management Plan'. Any variations to these management arrangements shall be submitted to and approved in writing by the Council.</p> <p>Reason: To ensure successful establishment and maintenance of the open space and amenity areas in the interests of visual and residential amenity.</p>
11.35	<p>The proposed public realm works, as shown on approved Plan Nos 35, 36, 37, 38, 39, 40 and 41 uploaded 21 February 2021, shall be carried out prior to the occupation/ operation of any part of the development hereby approved.</p> <p>Reason: To ensure the provision of a high quality of landscaping and public realm.</p>
11.36	<p>Notwithstanding the submitted details, the following elements of the approved scheme shall not be constructed, installed, implemented or carried out unless in accordance with further details and samples which must be first submitted to and approved in writing by the Council:</p> <ol style="list-style-type: none"> 1. Brick 2. Cladding 3. Windows 4. Rainwater goods 5. Roofing materials <p>The works must be implemented and permanently retained in accordance with the details so approved. A sample of each material shall be retained on site until the project is complete.</p> <p>Reason: To ensure the material finish and detailing is sympathetic to the Conservation Area and the setting of nearby listed buildings.</p>
11.37	<p>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 development shall not be used other than as hotel accommodation. The maximum stay by an occupant shall be no more than consecutive 30 days with no return by the same occupant within a period of 30 days from the date of the last occupancy, in accordance with written records which shall be made available to the Council at all reasonable times.</p>

	Reason: Residential use of the building would require further consideration by the Council having regard to the Local Development Plan and relevant material considerations.
12.0	Representations from Elected Representatives (if relevant) N/A
13.0	Referral to Dfl (if relevant) N/A

ANNEX A	
Date Valid	11th February 2022
Date First Advertised	25th February 2022
Date Last Advertised	N/A
Date of Neighbour Notification(s)	16 th March 2022
Number of Neighbour Notifications	551 letters issued – full details available on planning portal.
Date of EIA Determination	19th May 2022
ES Requested	No
Planning History	
<p>Ref ID: LA04/2021/2280/F Proposal: Mixed use, mixed tenure residential-led development of 778 apartments in three buildings with internal and external amenity space; flexible commercial/community floorspace (convenience store with hot food counter/A1/A2/D1 uses/cafe/bar/restaurant); public realm including public square and waterfront promenade; cycle and car parking and associated landscaping, access roads, plant and site works including to existing river revetment (further environmental information received) Address: Lands adjacent to and south east of the river Lagan, west of Olympic Way of Queen's road, Queen's Island, Belfast, BT2 9EQ, Decision: Under consideration.</p> <p>Ref ID: LA04/2020/0010/F Proposal: Proposed aquarium, car parking and associated infrastructure. Address: Lands to the South East of Titanic Hotel, North East of Bell's Theorem Crescent and South West of Hamilton Road, Belfast, Decision: Permission Granted Decision Date: 24.09.2020</p> <p>Ref ID: LA04/2019/1636/F Proposal: Erection of hotel comprising 276 beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works. Address: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast., Decision: Permission Granted Decision Date: 27.02.2020</p> <p>Ref ID: LA04/2017/0717/F Proposal: Extension, integration and alteration of titanic pavilions (no.3 and no.4) including change of use from retail, to provide additional conferencing facilities for the adjacent titanic Belfast, proposed works include a new entrance and external events area.</p>	

Address: Pavilions 3 & 4 adjacent to, Titanic Belfast Building, Titanic Quarter, Queens Road, Belfast, BT3 9EP.,

Decision: PG

Decision Date: 30.10.2017

Ref ID: LA04/2016/1482/F

Proposal: Temporary inflatable exhibition structure with associated surface car parking.

Address: Site adjacent to, 7 Queens Road, Belfast BT3 9DT (Opposite 2 Queens Road Belfast),

Decision: Permission Granted

Decision Date: 20.06.2017

Ref ID: Z/2014/0419/F

Proposal: Application under article 28 of the Planning (Northern Ireland) Order 1991 to vary planning condition 14 attached to planning permission Z/2009/0135/F to ensure consistency with the updated Transport Master Plan addendum for Titanic Quarter Phase 2.

Address: Land adjacent to listed former Harland & Wolff headquarters and drawing offices and west of Queens Road Queens Island Belfast,

Decision: Permission Granted

Decision Date: 18.07.2014

Ref ID: Z/2014/0414/F

Proposal: Application under article 28 of the Planning (Northern Ireland) Order 1991 to vary planning condition 21 attached to planning permission Z/2009/0530/F to ensure consistency with the updated Transport Master Plan addendum for Titanic Quarter Phase 2.

Address: Land east of Victoria Channel and 120m west of the former Harland and Wolff Drawing offices, Queen's Road, Queen's Island, Belfast,

Decision: Permission Granted

Decision Date: 18.07.2014

Ref ID: Z/2014/0421/F

Proposal: Application under Article 28 of the Planning (Northern Ireland) Order 1991 to vary planning condition 26 attached to planning permission Z/2009/1091/F to ensure consistency with the updated Transport Master Plan addendum for Titanic Quarter Phase 2.

Address: Former Harland & Wolff Drawing Headquarters Building, Queen's Road, Queen's Island, Belfast, BT3 9DU,

Decision: Permission Granted

Decision Date: 18.07.2014

Ref ID: Z/2014/1580/LBC

Proposal: Conversion, refurbishment, restoration, extension and minor demolition of the former Harland and Wolff headquarters building and drawing offices for use as 84 bedroom boutique hotel with heritage related tourist/event facilities including the retention and repair of historic decorative features, upgrade of windows, external structural works and cleaning, removal of internal partitioning, installation of new heritage roof lights, external and internal works including the re-use of materials and installation of use of new materials (Brickwork, cladding, roof, coverings, joinery works)

Address: Former Harland And Wolff Headquarters Building and drawing Offices, Queens Road, Belfast, BT3 9DU,

Decision: Consent Granted

Decision Date: 23.07.2015

Ref ID: Z/2014/0423/F

Proposal: Application under article 28 of the Planning (Northern Ireland) Order 1991 to vary planning condition 18 attached to planning permission Z/2009/0115/F to ensure consistency with the updated Transport Master Plan addendum for Titanic Quarter Phase 2.

Address: Lands adjacent to and south east of the River Lagan, north of Abercorn Crescent/Queen's Road, Queen's Island, Belfast,
Decision: Permission Granted
Decision Date: 18.07.2014

Ref ID: Z/2014/0415/F

Proposal: Application under article 28 of the Planning (Northern Ireland) Order 1991 to vary planning condition 11 attached to planning permission Z/2009/1260/F to ensure consistency with the updated Transport Master Plan addendum for Titanic Quarter Phase 2.

Address: Lands adjacent to the north of Hamilton Dock, north of Abercorn Crescent/Queens Road, Queens Island, Belfast.,
Decision: Permission Granted
Decision Date: 18.07.2014

Ref ID: Z/2014/1555/F

Proposal: Conversion refurbishment, restoration, extension and minor demolition of the former Harland And Wolf Headquarters building and drawing offices for use as 84 bedroom boutique hotel with heritage related tourist/event facilities, and other ancillary accommodation including plant and storage areas, communal areas together with associated access and site works. Tourist facilities to include guided tours.

Address: Former Harland and Wolf Headquarters Building and Drawing Offices, Queens Road, Queens Island, Belfast, BT3 9DU,
Decision: Permission Granted
Decision Date: 08.07.2015

Ref ID: Z/2011/0435/F

Proposal: Restoration of former graving dock, display of former caisson gate and SS Nomadic ship in permanently dry dock. Ship to include interpretation education space, cafe & entertainments licence. Proposals to dock side to include repair to existing surfaces and new surface materials, new lighting, boundary railings and dock edge railings as well as restoration and extension of existing pump house and installation of bridge and gangways

Address: Hamilton Graving Dock, Queens Road, Queens Island, Belfast,
Decision: Permission Granted
Decision Date: 25.01.2012