

Planning Committee

Development Management Report

Summary	
Committee Date: 15 th October 2024	
Application ID: LA04/2024/0483/F and LA04/2024/0480/DCA	
Proposal: Proposed change of use from Office (B1) and restaurant (Sui Generis) to Hotel comprising of 88 no. bedrooms, two storey rooftop extension, restaurant and bar offerings, gym facilities, including new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works. Part demolition of existing building, comprising stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.	Location: 34-44 Bedford Street and 6 Clarence Street, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
Applicant Name and Address: Bedford Way Ltd 2-4 Clarence Street Belfast BT2 7GH	Agent Name and Address: Mr Ross Duncan TSA Planning Ltd 20 May Street Belfast BT1 4NL
Date Valid: 19 th March 2024	
Target Date: 15 th October 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Executive Summary:</p> <p>These applications relates to land at 34-44 Bedford Street and 6 Clarence Street, the site of the current restaurant Deane's.</p> <p>The applications seek Conservation Area Consent for part demolition of existing buildings (stripping back of roof and shopfront) and planning permission for a change of use from office and restaurant to a Hotel which will comprise of 88 no. bedrooms, restaurant/ bar and gym. Structurally the proposal includes a two storey rooftop extension, new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance of the Linen Conservation Area • Impact on Built Heritage and Archaeology • Design and placemaking • Climate change 	

- Access and transport
- Health impacts
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation

The site is within un-zoned “white land” within the Belfast Urban Area Plan 2001 and draft Belfast Metropolitan Area Plan 2015 (dBMAP). It is within the City Centre in dBMAP.

The principle of the proposed change of use to a hotel is acceptable given the accessible city centre location and creation of a tourist facility providing overnight accommodation to support the city centre economy.

The height, scale, form and design of the proposed rooftop extension are considered to be in keeping with the building and the Conservation Area. The more traditional shopfront elements of the ground floor frontage are being retained, including a recessed doorway, whilst those elements considered to be less traditional and of less architectural merit are being replaced with a traditional shop front style façade, respecting the character of the building.

The setting of nearby Listed Buildings, notably the Ulster Hall, are safeguarded; DfC Historic Environment Division (HED) has offered no objection to the proposal. Overall, it is considered that the character and appearance of the Conservation Area would be enhanced.

The proposal would provide no additional dedicated parking; however, this is considered acceptable given the long-standing existing uses, limited intensification and highly sustainable city centre location. A Travel Plan has also been provided in support of the application, which promotes alternatives to the private car.

DfI Roads, DfC HED, Environmental Health, DAERA NIEA, SES and BCC Urban Design Officer have offered no objection. NI Water has objected on grounds of network capacity and this is addressed in the main report. Some concerns are raised by BCC internal conservation advice, and these issues are also addressed in the main report.

No third-party representations were received.

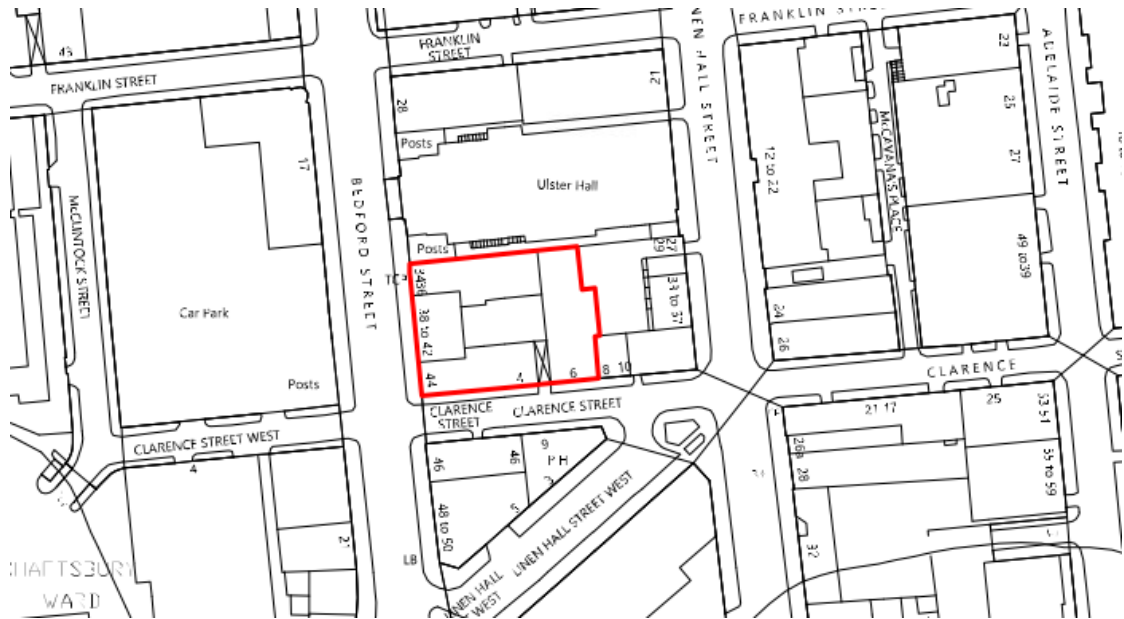
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission and Conservation Area Consent are granted subject to conditions and a Section 76 Planning Agreement.

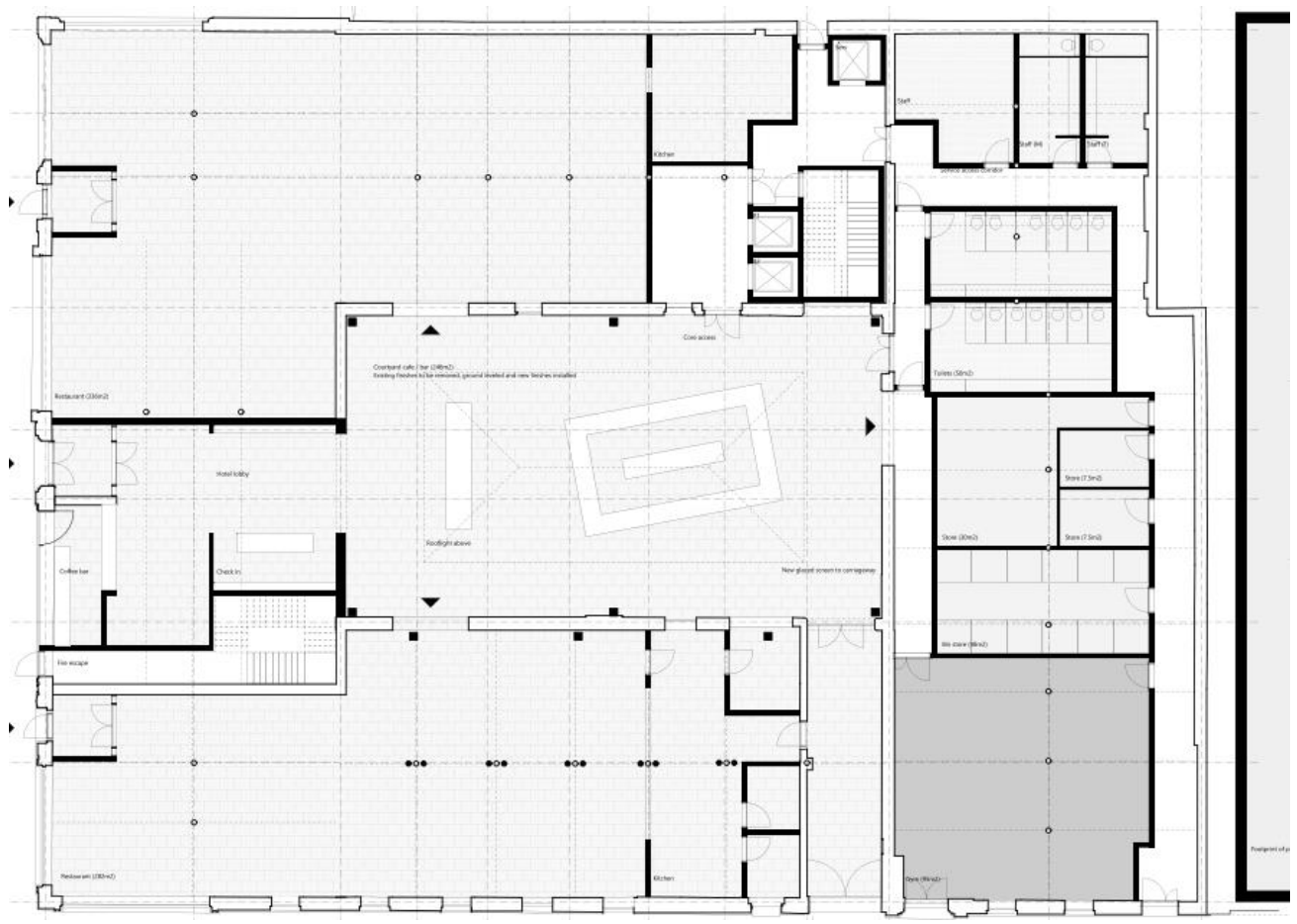
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, provided that they are not substantive, subject to the receipt of satisfactory amendments to the design of the ground floor elevation onto Bedford Street.

DRAWINGS AND IMAGERY

Site Location Plan:



Site Layout:



Demolition Plans:



Proposed elevations:

Bedford Street (subject to further amendments to the ground floor shopfronts)



Clarence Street



CGIs (subject to further amendments to the ground floor shopfronts on Bedford Street):



1.0	Characteristics of the Site and Area
1.1	The site is located in Belfast City Centre, and within the Linen Conservation Area.
1.2	<p>The site relates to properties comprising Nos. 34-44 Bedford Street and Nos. 4-6 Clarence Street which form an urban block. 34-36 Bedford Street is the site of the proposal positioned at the corner of Bedford Street and Clarence Street. It is an unlisted Victorian brick structure. It is a 3 storey warehouse style building in cream brick with channelled stone ground floor. The building wraps around a central courtyard. The existing building dates from 1865 and comprises a 3 storey warehouse building faced in cream brick; rendered to the front elevation with 3 doorcases to the front elevation. Originally containing a rusticated / lined base, the shops have been inserted into the ground floor – one Art Nouveau inspired (to the left hand side of the elevation).</p>
1.3	The building is rectilinear in form and includes a sizeable, open, internal courtyard enclosed on all four sides and comprises what appears to be sandstone ashlar across the ground floor elevations with red brick to upper floors and is typical of many across the Linen Quarter.
1.4	At ground floor level, the building is currently occupied by a cafe and a restaurant which appears to be under refurbishment. There is also a small shop and a physiotherapy clinic operating from the premises. The upper stories are currently vacant.
1.5	The site is located at the junction of Bedford Street and Clarence Street within the grid iron street layout of the Linen Quarter and is surrounded by a range of heritage buildings the most notable of which includes the Listed Ulster Hall immediately north.
Description of Proposal	
1.6	The Committee is considering two applications as set out below.
1.7	<p>LA04/2024/0483/F – seeking full planning permission for a change of use from Office (B1) and restaurant (Sui Generis) to Hotel comprising of 88 no. bedrooms, two storey rooftop extension, restaurant and bar offerings, gym facilities, including new dormer windows on roof, internal and external refurbishment and alterations. Externally the proposal comprises removal of the existing sloped roof to the courtyard and its replacement with a new squared-off roof form with new dormer windows inserted to those sloped roofs along the street facing elevations of Bedford Street and Clarence Street, as well as the northern elevation facing The Ulster Hall. A new two storey rooftop extension is also proposed towards the rear of the block along Clarence Street with terraces and an external pool at upper level.</p>
1.8	<p>LA04/2024/0480/DCA – seeking Conservation Area Consent for part demolition of existing building, comprising stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.</p>
1.9	<p>The proposed demolition consists of the following detailed elements:</p> <ul style="list-style-type: none"> • Removal of ‘lean-to’ brick elements to the courtyard • Removal of existing staircases / stair cores / Lift • Roof elements, including roof trusses • ‘Trimming down’ of brick walls on internal courtyard • Removal of internal cross walls • Removal of bricked up windows and lower of window levels in courtyard

	<ul style="list-style-type: none"> • Removal of 1 shopfront (Harlem Café) • Rainwater goods, extract ducts and air-con units within courtyard
2.0	PLANNING HISTORY (ON ADJACENT SITE)
2.1	LA04/2020/2200/F - Demolition of Nos. 27 to 37 Linenhall Street and Nos. 8-10 Clarence Street and erection of seven storey office building. 8-10 Clarence Street, 27-37 Linenhall Street. Allowed at Appeal 28 th April 2023.
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH4 – Works to grounds affecting built heritage assets Policy BH5 – Archaeology Policy CI1 – Community Infrastructure Policy EC1 – Delivering Inclusive Economic Growth Policy TLC3 – Overnight visitor accommodation Policy TLC4 – Evening and night-time economy Policy HC1 – Promoting healthy communities Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p>

<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Evening and Nighttime Economy</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> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan) Linen Conservation Area Design Guide Linen Quarter Vision and Guidance</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u> DfI Roads – No objection. DfC HED – No objection. DAERA – No objection. NI Water – Objection. DfI Rivers – No objection.</p> <p><u>Non-Statutory Consultees</u> Planning Service Urban Design Officer – refer to main assessment. Planning Service Conservation Advice – refer to main assessment. BCC Environmental Health – No objection subject to conditions. BCC Economic Development Unit – recommends that an Employability and Skills Developer Contribution is required. Shared Environmental Services (SES) – No objection subject to condition.</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified. No third-party representations were received.</p>

5.0	<p>PLANNING ASSESSMENT</p> <p><u>Main Issues</u></p>
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance of the Linen Conservation Area • Impact on Built Heritage and Archaeology • Design and placemaking • Climate change • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation <p><u>Development Plan Context</u></p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Polices</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”), 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</p>

	<p>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>
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the City Centre.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the City Centre.
	<u>Background</u>
5.10	The proposal was subject to a detailed Pre-Application Discussion (PAD).
	<u>Principle of development</u>
5.11	Full planning permission is sought for a change of use from Office (B1) and restaurant (Sui Generis) to a Hotel, two storey rooftop extension and other alterations.
5.12	The proposal has been assessed against Policies TLC3 and TLC4 of the Plan Strategy.
5.13	The proposal accords with Policy TLC3, which states that planning permission will be granted for new overnight accommodation in the City Centre.
5.14	The proposal also accords with Policy TLC4 in that the proposal, which would include a restaurant and bar, would strengthen and enhance the evening and nighttime economy with the City Centre.
5.15	The principle of the proposed hotel use acceptable and the acceptability of the proposal should depend upon the other planning considerations discussed below.
	<u>Impact on the character and appearance of the Linen Conservation Area</u>
5.16	The site is located within the Linen Conservation Area.
5.17	Section 104(11) of the Act states: <i>‘Where any area is for the time being designated as a conservation area, special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of–</i> <i>(a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</i> <i>(b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.</i>
5.18	Policy BH2 relates to development proposals within a Conservation Area.
	<u>Demolition</u>
5.19	Policy BH2 states that there will be a presumption in favour of retaining listed buildings and non-listed buildings in conservation areas. Total or partial demolition of a building will only be permitted where:

	<ul style="list-style-type: none"> j. It makes either a negative or no material contribution to the character and appearance of the area; and k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.
5.20	<p>Internal conservation advice is as follows:</p> <ul style="list-style-type: none"> • new shopfront installation should be restricted to restoration of that to the unit to the left of the main entrance; • loss of historic shopfronts including in-antis entrance with terrazzo / tiled flooring. The internal conservation advice is that the shopfront and sign at number 42, with Art Nouveau elements, should remain as an alteration that contributes to the narrative of the building and area. Conservation also recommends retention of historic doors to Clarence Street; • There may be a detrimental lack of historic internal fabric to the front / western block – addressing Bedford Street; to cross / load bearing walls with fireplaces, the stairwell etc. These support the firewalls. It is not clear the extent to which the cross walls are retained; • The third floor extension will result in loss of historic fabric in terms of roofing timbers. The narrow roof width may reflect the technology / timber spans available at the time of construction; this narrative quality is of historic interest – • The extension at fourth floor / roof level should not impact the roof-slope onto Clarence Street; the latter should be retained.
5.21	<p>There is no doubt that the buildings on the site, although not listed, make a positive contribution to the Conservation Area. However, the concerns raised above in relation to demolition of elements of the building must be assessed in the round and considered in the context of the material contribution that those elements make, together with the suitability of the proposed redevelopment and whether it will enhance the character of the Conservation Area, as discussed below.</p>
5.22	<p>In response to the concerns raised by the internal conservation advice, the more traditional shopfronts to the right-hand side of the central entrance doorway are to be retained, including the doorway recess. It has been acknowledged by the conservation advisor that the modern shopfront to the left-hand side is generally not worthy of retention, although they advise that the 'Harlem' café frontage should be retained. This shop front and its unique design features are not original and the granite surrounds are probably the oldest feature of this particular part of the frontage, dating back to the 1930s. The legislative test in Conservation Areas is to enhance where the opportunity arises. It is considered that the retention of the two more traditional shopfronts to the right-hand side, combined with the more sympathetic replacement shopfronts to the left of the entrance, reflects the existing more eclectic character of the ground floor of the building. Overall, it is considered that these changes would represent an enhancement of the character of the frontage of the building and broader Conservation Area, thereby complying with the statutory and policy tests.</p>
5.23	<p>The applicant has also agreed that the existing shopfront recessed entrance to the right-hand side of the main doorway will be retained, along with the tiled floor on the recess. It is proposed to introduce another recess on the same side to further reinforce and respect the existing ground floor character. Gates will be required to secure these recessed entrance features, which the conservation advisor offers no objection to in principle. Details of the gates should be controlled by condition. Amended plans are awaited to show these updated design changes, including confirmation of shop front</p>

	retention. Delegated authority is sought to ensure that these appropriate design changes are submitted.
5.24	It is considered that the internal fabric does not make a material contribution to the character and appearance of the Conservation Area and that its removal would not be detrimental. The building is not listed.
5.25	Similarly, the roofing timbers and fourth floor roof level proposed to be demolished do not materially contribute to the character and appearance of the Conservation Area.
5.26	When considered in the context of the proposed alterations (discussed below), it is considered that the character and appearance of the Conservation Area would be enhanced.
	<u>New build</u>
5.27	<p>Policy BH2 states that new build and alterations will only be granted where the following criteria are met:</p> <ol style="list-style-type: none"> a. The character and appearance of the area is preserved or enhanced; b. The development respects the built form of the area by way of height, scale, form, legibility, materials and detailing; c. Key views within, into or out of the area are not negatively impacted; d. Trees, archaeological or other landscape features contributing to the character or appearance of the area are protected and / or integrated in an appropriate manner; e. Regard is given to relevant supplementary planning guidance; f. Extensions shall be subservient to the existing building with regard to height, scale, massing, form and alignment; g. The proposal involves retention of and where possible reinstatement of traditional features; h. The proposal will not result in the detrimental loss of visual gaps between existing buildings and boundaries; and i. The proposal makes use of traditional and where appropriate reclaimed, recycled/or sympathetic building materials and techniques which match or are in keeping with those found on the building and surrounding area.
5.28	The internal conservation advice expresses concern about the proposed attic extension, advising that it would have a detrimental impact on the west-east vista along Clarence Street terminated by St Malachys, caused by the contrast effect due to its alien form, materials and horizontal emphasis: <i>'The proposed attic would represent the only overtly contemporary intrusion on one of the last remaining vistas visually framed by historic elements or buildings strongly following the precedent of these in terms of material / solid to void'</i> .
5.29	However, an important material consideration is the planning permission for a large 7-storey office building granted at appeal on the land to the immediate east of the site at the junction of Linenhall Street and Clarence Street. This would not only introduces a substantial built form on Clarence Street but forms a backdrop to the proposed attic extension when viewed from the western approach from Bedford Street as shown in the CGI overleaf.



- 5.30 Internal conservation advice also raises concern about the Miesian form of attic and advises that the historic roofslope should be retained in its entirety to Clarence Street.
- 5.31 However, officers advise that the location of the ‘attic extension’ is such that it would be discrete and as such will ensure that the established roof form will retain its primacy when viewing the two main streetscape elevations (as shown in the CGI above).
- 5.32 Elaborating on its concerns, the internal conservation advice states that:
‘The proposal would, through contrast set up visual competition with St Malachys drawing the eye disproportionately / negatively, especially as it is in the eyeline of the octagonal bell towers, with open / non louvred upper stage with crenellated parapet (complemented by that to the gable of the nave). It would detract from the role of St Malachys as a landmark buildings – its status in legibility terms, diminishing its perceptual significance and the historicity of the area in general. The view along Clarence Street from Bedford Street is a key vista within the Conservation currently without discordant, contrasting, intrusive elements’.
- 5.33 However, reference is again made to the transitional role of the 7 storey approval (LA04/2020/2200/F) directly abutting the site to the east, and the subsequent impact this built intervention will have on any future views west-east towards St. Malachys Church. It is also worth noting that there are other recent approvals that will affect this view, most notably the approval on the Clarence Gallery site, diagonally opposite the above approval at the junction of Linenhall Street and Clarence Street. Importantly, it should be noted that HED has raises no fundamental concerns with regard to the impact of the proposal on listed buildings in the vicinity, including the setting of St. Malachys Church. This vista, and indeed most of the main vistas within the Conservation Area displays a variety in built form, both traditional and modern interventions, and as such for reasons stated above, officers are of the opinion that the views west-east towards St. Malachys would not be harmed and in this regard the character and appearance of the Conservation Area would be preserved.
- 5.34 Overall, it is considered that the proposals would visually improve the existing building and enhance the character and appearance of the Conservation Area, compliant with the Act, Policy BH2 and relevant provisions of the SPPS.

<u>Impact on Built Heritage and Archaeology</u>	
5.35	<p>Section 91(2) of the Act states that: <i>'In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council... must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'</i></p> <p><u>Setting of Listed Buildings</u></p>
5.36	<p>Policy BH1 sets out criteria for considering proposals that affect the setting of a Listed Building.</p>
5.37	<p>There are a number of Listed Buildings within the vicinity of the site. DfC HED advises that the proposal has the potential to affect the setting of the following Listed Buildings in particular:</p> <ul style="list-style-type: none"> • HB26 30 023A St Malachy's Church, 24 Alfred Steet Grade A • HB26 30 025 Alfred House, 19-21 Alfred Street Grade B+ • HB26 30 055 17 Bedford Street, Belfast Grade B+ • HB26 30 057 Ulster Hall, 1-7 Bedford Street Grade A • HB26 30 058 Bryson House, 28 Bedford Street Grade B1
5.38	<p>HED advises that it is generally content with the proposal, however, suggests that the dormer windows along the Bedford Street frontage, including the corner of Bedford Street/Clarence Street, are not in keeping with the historic character (grain) and that the design should be reconsidered so as not to introduce a design feature which is not prominent in the area. It is important to note that HED has raised no objections in terms of the impact on the setting of any Listed Buildings in the area and for the reasons set out, it is not considered that the dormer windows would be of detriment to the character of the building. Instead, it is considered that these design features would add to the vertical emphasis on the fenestration, something which is apparent on the more traditional/ established buildings within the city centre.</p>
5.39	<p>The internal conservation advice acknowledges the historically busy / lively roofscape to the building and accepts the installation of dormers, advising that they are of a reasonable scale, albeit that they should be of a pitched form and with framed glazing.</p>
5.40	<p>The Urban Design Officer has also specifically addressed the design of the dormers in his response and raises no concerns in relation to their insertion within the two street facing elevations and northern elevation facing The Ulster Hall. The Urban Design Officers refers to the Design and Access Statement which states that their design is intended to be 'quietly modern', so that they are read as new elements but proportioned and detailed to ensure their contextual appropriateness, which is welcomed. It is noted that whilst they do not align with the vertical ordering of windows across first and second floor levels, a degree of symmetry has been applied to the siting of the dormers within their own groupings between the projecting fire partition walls. It is noted that an additional dormer has also been introduced along Clarence Street, however the Urban Design Officer acknowledges that it <i>'...does not disrupt the rhythm of dormers along this elevation.'</i></p>
5.41	<p>Ultimately, it is considered that preferences about the form of the dormer windows is somewhat subjective and that their design is appropriate.</p>

5.42	<p>Having regard to this assessment and the advice provided by HED, it is considered that the setting of nearby Listed Buildings would be preserved.</p> <p><u>Archaeology</u></p>
5.43	<p>The planning application was accompanied by an Archaeological Impact Assessment (AIA) which recommends that due to the limited amount of invasive ground works, development led archaeological monitoring should be carried out within those areas of the site to undergo ground works such as the within cobbled service yard. This will confirm whether any un-identified sub-surface archaeological remains survive within the boundaries of the proposed development.</p>
5.44	<p>HED has reviewed the submitted AIA and concurs with its conclusions regarding the negligible impact of the development on below-ground remains. Therefore, due to the scale and nature of the development, HED is content that the proposal accords with the SPPS and Belfast Local Development Plan Strategy (2023) Policy BH5.</p>
5.45	<p>In summary, the proposal is considered to comply with Policies BH1 and BH5 and relevant provisions of the SPPS.</p> <p><u>Design and placemaking</u></p>
5.46	<p>The proposal has been assessed against the Policies DES1 and DES2 of the Plan Strategy and SPPS. DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.</p> <p><i>Design, Scale, height and massing:</i></p>
5.47	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, a. to k.</p>
5.48	<p>In terms of the proposed form, the Urban Design Officer has stated the squared-off courtyard facing roof form will provide the necessary headroom at 2nd Floor level to allow for a series of courtyard facing bedrooms. They go on to point out that this will not be visible from surrounding streets and will not impact the traditional sloped roof profiles along any of the three visible street facing elevations.</p>
5.49	<p>The larger floor of the new rooftop extension (3rd Floor) spans most of the block to the rear. Its frontage occupies that section of the block immediately north of the fire partition wall, spanning around one third of the Clarence Street frontage. This element of the scheme would accommodate a Restaurant and open kitchen area amounting to around 400m².</p>
5.50	<p>Representing the most visually prominent element of the scheme, the proposed 3rd Floor extension to the rear would result in a new section of vertical massing to Clarence Street. While breaking the more traditional sloped roof form, attention has been given to the articulation of this elevation with consideration given to the depth, form and tone of its glass and aluminium construction and its restricted application.</p>

5.51	The Urban Design Officer has stated that, on balance, given the attention applied to the articulation/detailing of this new element, its restricted application, and the important role this component plays in the adaptive use of the building, no concerns are raised. It is also noted that this element will be largely screened by the taller, 7 storey building approved on the adjacent site, thereby softening views of these upper elements west along Clarence Street.
5.52	An additional smaller floor is proposed above at 4 th Floor level and setback off all three elevations to accommodate the 175m ² Bar with external access to a wraparound southern terrace (part covered), a pool/pool terrace and smaller terrace to the north.
5.53	A deep setback of around 6.0m has been applied to the upper 4 th Floor extension along Clarence Street (line of the covered terrace) with a further setback of around 5.0m to the bar itself, which assists greatly in helping this floor sit comfortably within its context, ensuring a smooth architectural transition between the higher approved building on the adjacent site and the main block on the application site.
5.54	The composition results in minimal visual impact with the massing reading as a background layer behind the profile of the new dormers, which can be clearly seen on the CGI above when viewed from Bedford Street. The setback areas will also provide valuable external terrace spaces, which together with the external pool and pool terrace, will provide a unique offer at rooftop level that complements the hotel use. It is noted that in addition to stair access, two guest lifts and a service lift also serve this upper floor, however, massing shown in sections, elevations and model extracts does not appear to account for any lift overruns which would generally extend above.
5.55	With regards to building form and façade articulation, the existing rhythm and proportions of the building are retained. The introduction of dormers enhances the overall vertical emphasis of the building and adds a contemporary slant on the roofscape whilst not being of a scale that dominant the appearance of the building. The retention of the existing shopfronts will also ensure that the existing rhythm of the ground floor frontage is respected.
5.56	The Urban Design Officer has suggested that conditions are included that require the Planning Service's prior approval of external materials including any replacement windows, replacement sloped roof, new dormers, infill sections to Ground Floor windows, new Ground Floor openings and glazed/aluminium profiled extension.
5.57	Criterion f. of Policy DES1 requires the provision of active frontages to ensure vibrancy throughout the day. This will also create a vibrant frontage onto the new public space within the internal courtyard, creating an attractive, enclosed space.
5.58	Active uses are proposed along the Bedford Street ground floor elevation either side of the hotel entrance and lobby comprising restaurant and coffee bar. Active uses are also proposed along Clarence Street, in the form of a restaurant and gym either side of the new access gate. The inclusion of a bike store (3 no. Sheffield type stands) and the installation of two bike stands to the pavement fronting the Bedford Street elevation, which are welcomed.
5.59	Servicing is provided to the rear north east corner of the building and accessed from Clarence Street via a new discreet service access. This service access serves bin stores, storage areas and staff facilities located deep within the planform. This arrangement maximises the potential for Ground Floor activity and animation along both elevations which is welcomed. It is noted that the internal bike store will also avail of this service access onto Clarence Street.

	<i>Siting and Alignment:</i>
5.60	Policy DES2 (masterplanning) states that planning permission will be granted for Major development where it accords with the principles a. to j.
5.61	It is considered that the proposal adopts a holistic approach to site assembly, layout and design that is mindful of adjacent sites whilst promoting an opportunity for urban repair on an important city centre streetscape. The proposal will provide a high-quality redevelopment scheme on an important landmark junction within the City Centre and reinvigorate aging built form within the Linen Conservation Area.
	<u>Climate change</u>
5.62	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. There is a presumption in retaining existing buildings. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.63	Through the reuse of existing buildings, the development contributes towards a sustainable form of development. The application is accompanied by a Climate Change Statement which identifies in detail, the measures that have been implemented to reduce the energy demand associated with the proposed development. These measures should be required to be implemented by condition. The proposal is considered acceptable having regard to Policy ENV2 and ENV3.
5.64	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.
5.65	The alterations and extensions allow for the incorporation of green roofs, a form of SUDs, which will help slow the rate of surface water run-off from the site aiding in reducing flood risk and improving water quality. The proposal is considered acceptable having regard to Policy ENV5.
	<u>Access and transport</u>
5.66	The site is located within an Area of Parking Restraint. No dedicated in-curtilage parking is proposed. Cycle parking is proposed on site. Pedestrian access to the proposed development site will be via Bedford Street. Cycle access to the proposed development site will be via Bedford Street.
5.67	The site is a highly accessible location within the City Centre. It is within short walking and cycling distance of the city centre and its shops, services and leisure. It has very good public transport links through access to buses and rail, and is in close proximity to the new Grand Central Station.
5.68	The inclusion of a bike store (3 no. Sheffield type stands) and is welcomed.
5.69	A Travel Plan has been submitted to support the proposal, which will be required to be implemented by condition.
5.70	Having regard to the highly sustainable location of the site and proximity to city centre car parks, the proposed access arrangements are considered acceptable.

5.71	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.</p> <p><u>Health impacts</u></p>
5.72	<p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.73	<p>The city centre site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city centre and beyond. The scheme is a car free development and is supported by a Travel Plan. The proposed building would provide an attractive environment for people to work and stay in. The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><u>Environmental protection</u></p>
5.74	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p> <p><i>Contamination</i></p>
5.75	<p>A Preliminary Risk Assessment (PRA) has been provided by RPS Group Plc. (RPS) in which potential risks to human health and the water environment have been identified. A Conceptual Site Model (CSM) identified onsite potential sources as; asbestos from the construction of the current building, reduced quality made ground and the historical use of the site as a Spinning Mill.</p>
5.76	<p>RPS recommend a Generic Quantitative Risk Assessment (GQRA) which has not been presented. Both NIEA Regulation Unit (Land and Ground water Team) and BCC Environmental Health Unit have requested that a GQRA is submitted at application stage. However, as the existing building on site is currently in use, this places obvious restrictions on the possibility of carrying out further intrusive investigatory works on site. Given this, and in the interests of ensuring the appropriate investigations take place and satisfactory mitigation is implemented, it is advised that Grampian negatively worded conditions are attached to the approval requiring the submission of Detailed Quantitative Risk Assessment prior to commencement of works. If necessary a remediation strategy will be required by condition to ensure the appropriate mitigation is implemented on site to protect end users and the sub level environment. These conditions are recommended.</p> <p><i>Noise</i></p>
5.77	<p>Environmental Health recommended in their initial response that a noise impact assessment be submitted in support of the proposal. It also advised that '<i>...the neighbouring Ulster Hall building regularly operates as an entertainment venue whereby noise from amplified sound, stage loading/unloading operations and patrons may be noticeable in the vicinity of the venue; and as the agent of change, the applicant is</i></p>

	<p><i>mind ed to ensure that an appropriate level of façade insulation and alternative means of acoustically attenuated ventilation to hotel bedrooms is provided to ensure that current operations at the Ulster Hall are not negatively impacted when the proposed development becomes operational. It is, therefore, advised that further ‘attended’ noise monitoring is conducted at an elevated location close to the northern elevation adjacent to the Ulster Hall during a forthcoming music event.’</i></p>
5.78	<p>The applicant states that they have actively engaging with Ulster Hall who have agreed to forward on future events that are planned to operate after 11pm and are supportive of additional noise monitoring. Environmental Health has stated that the Planning Service may wish to secure this additional noise monitoring and subsequent submission of an updated Noise Impact Assessment in order to protect existing evening and night-time uses in line with the Local Development Plan and associated Supplementary Planning Guidance – Evening and Night-time Economy. This condition is recommended.</p>
5.79	<p>It is considered that a condition is necessary that requires the applicant to submit further information in relation to attended noise monitoring undertaken at a future event at Ulster Hall, and proposed façade insulation and alternative means of ventilation.</p> <p><i>Odour</i></p>
5.80	<p>Environmental Health advises that if the developer wishes to avoid complaint from future guests and ensure a high end /luxury hotel offering then they should consider appropriateness of installing extraction and odour abatement measures to a very high level of odour control. Nevertheless a ‘high’ level’ of odour control has been proposed and it is deemed suitable to protect off-site receptors. The elevation drawings have been updated to show the location and termination point of the proposed kitchen. The kitchen extraction point is discharging 1m above eaves level.</p>
5.81	<p>Environmental Health advises a condition to ensure the installation and retention of an appropriate odour abatement system. The condition is recommended.</p> <p><i>Air Quality</i></p>
5.82	<p>Environmental Health commented that no information was provided regarding the likely means of hot water and heating to serve the development.</p>
5.83	<p>It has subsequently been confirmed that the proposed heating system and water heating system to be installed will be electric. An external plant area has been shown on the Level 04 floor plan.</p>
5.84	<p>A condition is recommended that requires an updated air quality impact assessment for plant shall be submitted to and approved in writing by the Council. The proposal is considered compliant with Policy ENV1.</p> <p><u>Flood risk and drainage</u></p>
5.85	<p>Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The Council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.</p>

5.86	Flood Maps (NI) indicate that the site does not lie within the 1 in 100 year climate change fluvial, 1 in 200 year climate change coastal flood plain or in an area of predicted pluvial flooding. There are no watercourses within this site. The site may be affected by watercourses of which DFI Rivers has no record.
5.87	DFI Rivers has reviewed the Drainage Assessment submitted in support of the application and accepts its logic and has no reason to disagree with its conclusions.
5.88	Having regard to the advice of DFI Rivers, the proposal is considered acceptable with regard to flood risk and drainage, and compliant with Policy ENV4.
	<u>Waste-water infrastructure</u>
5.89	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has indicated there is available capacity at the receiving Waste Water Treatment Works.
5.90	However, an assessment has indicated network capacity issues. This establishes significant risks of detrimental effect to the environment and detrimental impact on existing properties. The downstream catchment is constrained by overloaded sewage infrastructure. For this reason, NI Water is recommending connections to the public sewerage system are curtailed.
5.91	NIEA Water Management Unit is also concerned that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to the Waste Water Treatment Works (WWTW). Given this concern NIEA have asked that a condition is attached requiring the method of sewage disposal to be agreed in writing with the Council prior to commencement of development. Shared Environmental Services has not raised any objection to the proposal and has requested the same condition is attached to any forthcoming approval.
5.92	Discussions are under way between the developer and NI Water with regard to a potential solution. It is also worth noting that there is an established mixed use building on the site, including restaurant and office space.
5.93	Regard is had to the significant level of unimplemented and extant permissions across the city which will not all come forward at once.
5.94	In order to ensure there will be no significant impact on the receiving infrastructure and to safeguard the environment a condition is recommended that requires the method of sewage disposal to be approved by the Council prior to the commencement of any development on site.
5.95	The proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy, subject to the condition detailed below.
	<u>Waste Management</u>
5.96	A Waste Management Plan accompanied the planning application. It shows a bin storage area of 48 sqm within the rear of the site away from any of the public facing elevations with access from an alleyway along the northern boundary of the site.
5.97	The proposed waste management arrangements are considered acceptable. A condition will be attached ensuring adherence to the waste management plan.

	<u>Natural heritage</u>
5.98	Policy NH1 relates to the protection of natural heritage resources.
5.99	DAERA Natural Environment Division (NED) acknowledges receipt of a Preliminary Ecological Appraisal and notes that the Ecologist has assessed the building within the site to have bat roosting potential and advised that further surveys were required.
5.100	A bat survey was submitted in response to NIEA comments which demonstrated the following: <ul style="list-style-type: none"> • No evidence indicating the presence of roosting bats within the adjoining structures was recorded during the emergence survey. • No bats were observed or heard over the course of the emergence survey, which would suggest a that there are likely no roosts within proximity of the site. • No significant loss of foraging habitat is predicted due to the nature of the site with a lack of vegetation present.
5.101	This survey was sent to NIA for consideration. NED is content that the proposed development is unlikely to significantly impact protected or priority species or habitats. NED notes that the Bat Survey has indicated that no bats were recorded emerging or re-entering the building, therefore NED is content that the building is unlikely to currently support roosting bats.
	<u>Impact on Protected Sites</u>
5.102	Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises 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.
5.103	In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to the method of sewage disposal being agreed via planning condition prior to commencement of development; this condition is recommended.
5.104	The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.
	<u>Employability and Skills</u>
5.105	The Developer Contribution Framework requires proposals for Major development to make a contribution towards Employability and Skills where necessary.
5.106	The Economic Development Unit recommends that Section 76 Developer Contribution clauses should be applied for the construction phase of the development.
	<u>Section 76 planning agreement</u>
5.107	It is considered necessary that the applicant enter into a Section 76 planning agreement to secure a Construction Employability and Skills Plan.

	<u>Pre-application Community Consultation</u>
5.108	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. The statutory Proposal of Application Notice (PAN) (LA04/2023/4099/PAN) was submitted to the Council on 6 th February 2023.
5.109	The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the pre-application consultation undertaken by the applicant.
5.110	A Press Notice inviting the public to engage in the online pre-application community consultation information event was placed in the Belfast Telegraph on Monday 14 th March. A press statement was also prepared and issued, which detailed the proposal for the new hotel, and the significant investment this would bring to this area of Belfast.
5.111	Notice was served to a number of elected representatives on 6 th March 2023, and a number were issued with copies of the PAN.
5.112	During the week commencing 13th March 2023, around 330 packs containing information leaflets, comment cards and self-addressed envelopes were delivered to residents and businesses identified within a 200m radius of the edge of the proposed development site.
5.113	An in-person Pre-Application Community Consultation Event was held in 44 Bedford Street, Belfast, BT2 7FF on Thursday 23rd March 2023 from 1:00pm – 7:00pm. This event attracted 12 visitors who came to view the plans and discuss with the design team was present.
5.114	Additionally, a virtual consultation website was hosted at www.TheDeanBelfast.com which allowed visitors to submit feedback via a submission form and to browse and download the boards containing the proposed plans. The webpage was open for submission from Thursday 23rd March to Thursday 20th April 2023.
5.115	During the course of the consultation there were 392 unique visits to the website for a period of time greater than 30 seconds. There were six responses to this Pre-Application Community Consultation; four received by comment card through the post; one comment card submitted at the in-person consultation event at 44 Bedford Street and one response via the virtual consultation website. Of the four sample comments within the PACC report, three were positive highlighting good design, increased footfall and pointing to another hotel/ bar in a good location. The one negative comment said there were 'enough buildings going on'.
5.116	The feedback was reviewed, and the matters were considered within the PACC report.
5.117	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Act.
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission and Conservation Area Consent are granted subject to conditions and a Section 76 Planning Agreement.

6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, provided that they are not substantive, subject to the receipt of satisfactory amendments to the design of the ground floor elevation onto Bedford Street.
6.3	In view of the concerns from internal conservation advice, the Conservation Area Consent application will need to be notified to the Department before the decision can be issued.
7.0	<p>DRAFT CONDITIONS</p> <p>LA04/2024/0483/F –planning permission:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No external facing materials shall be applied unless in accordance with a written specification of the materials, 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 Conservation Area and to safeguard the setting of the Listed Building. 3. No external brickwork or render shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials. Reason: In the interests of the character and appearance of the Conservation Area and to safeguard the setting of Listed Buildings. 4. Notwithstanding the submitted details, the following external features shall not be installed, implemented or carried out unless in accordance with further details and a physical sample which shall have been submitted to and approved in writing by the Council. <ul style="list-style-type: none"> • replacement windows, • replacement sloped roof, • new dormers, • infill sections to Ground Floor windows, • new Ground Floor openings and, • glazed/aluminium profiled extension The works shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the building.

5. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans 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. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

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

6. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. Prior to the installation of any combustion plant(s) where the single or combined NOX emission rate is greater than 5mg/s, an updated air quality impact assessment for that plant shall be submitted to and approved in writing by the Council. The assessment shall include specification details, including emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The updated assessment must also demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development. The combustion plant(s) and associated flue(s) must thereafter be installed in accordance with the approved details.

Reason: In the interests of public health and environmental protection.

8. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) until a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment shall consider the RPS report entitled: 'The Dean – Bedford Street – Preliminary Risk Assessment (Desk Study) Report DRAFT' (report reference: 794-NI-HCT-00903, dated 25th January 2024, version status: Final). The Quantitative Risk Assessment shall follow current Environment Agency and CIRIA guidance and British Standards and include:

- A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.

- A satisfactory assessment of the risks (including an updated

Conceptual Site Model), conducted in line with current Environment Agency guidance. Risks associated with ground gases shall be assessed under the methodology outlined in BS 8485:2015+A1:2019. Should the Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then a Remediation Strategy shall be submitted to and approved in writing by the Council. The Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified. The development shall not be carried out unless in accordance with the approved Remediation Strategy.

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

9. In the event that a Remediation Strategy is required, prior to occupation or operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

10. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

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

11. After completing the remediation works under Conditions 8, 9 and 10; and prior to occupation of the development, a verification report shall be submitted to and approved in writing by the Council. This report should 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 should 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.

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

12. Prior to construction of the development, the applicant must submit to and have agreed in writing by the Council, a Noise Impact Assessment detailing the noise mitigation measures to be installed within the development to address noise impact on the development. The Noise Impact Assessment, to be produced by a competent acoustic consultant, must be based on a representative noise survey and demonstrate that the proposed sound reduction specifications of the façade/structural elements are sufficient to achieve the internal noise levels specified in Annex H of BS8233:2014 – ‘Guidance on sound insulation and noise reduction for buildings’, if required with the windows closed and alternative means of acoustic ventilation provided.

Reason: In the interests of amenity.

13. Prior to occupation of the development, the noise mitigation measures and alternative means of acoustic ventilation, if required, as approved under condition 12 shall be installed as agreed in writing with the Council and maintained thereafter.

Reason: To ensure adequate levels of mitigation have been implemented to protect the amenity of hotel patrons.

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

Reason: Protection of nearby amenity.

15. Prior to the commencement of cooking of foods within the hereby permitted development a kitchen extraction and odour abatement system shall be installed to suppress and disperse odours created from operations on the premises which achieves a ‘high’ level of odour control in accordance with the current EMAQ+ ‘Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems’ (updated in May 2022). The outlet from any extract ventilation ducting shall be located as per drawing from TODD Architects titled ‘Proposed elevations 02’, referenced drawing no: 012, Rev P02 and dated 24/11/2023, and shall terminate at a height not less than 1m above the main eaves.

Reason: Protection of nearby amenity.

16. The installed kitchen extraction and odour abatement system, as detailed above, must be retained and maintained thereafter unless otherwise agreed in writing by the Council.

Reason: Protection of nearby amenity.

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

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

18. The development hereby permitted shall not be occupied until the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.

19. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

20. The development hereby approved shall not be occupied unless the proposed have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

LA/04/2024/0480/DCA – Conservation Area Consent:

1. The demolition hereby granted must be begun within five years from the date of this consent.

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

2. This consent only relates to the walls / structures highlighted in red on drawing nos. 11-19 received on 19/03/24 (published on planning portal 29/03/24) and to no other part of the building/s or structure/s within the site.

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

3. No demolition shall commence on site unless a contract has been executed for the construction of the site in accordance with planning permission **LA04/2024/0483/F** and evidence of that contract has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with planning permission LA04/2024/0483/F.

Reason: As required by Sections 91(6) and 105 of the Planning Act (Northern Ireland) 2011, to preserve or enhance the character or appearance of the Conservation Area. Approval is required upfront because if redevelopment of the site does not take place it could leave the vacant site unsightly and harmful to the Conservation Area.