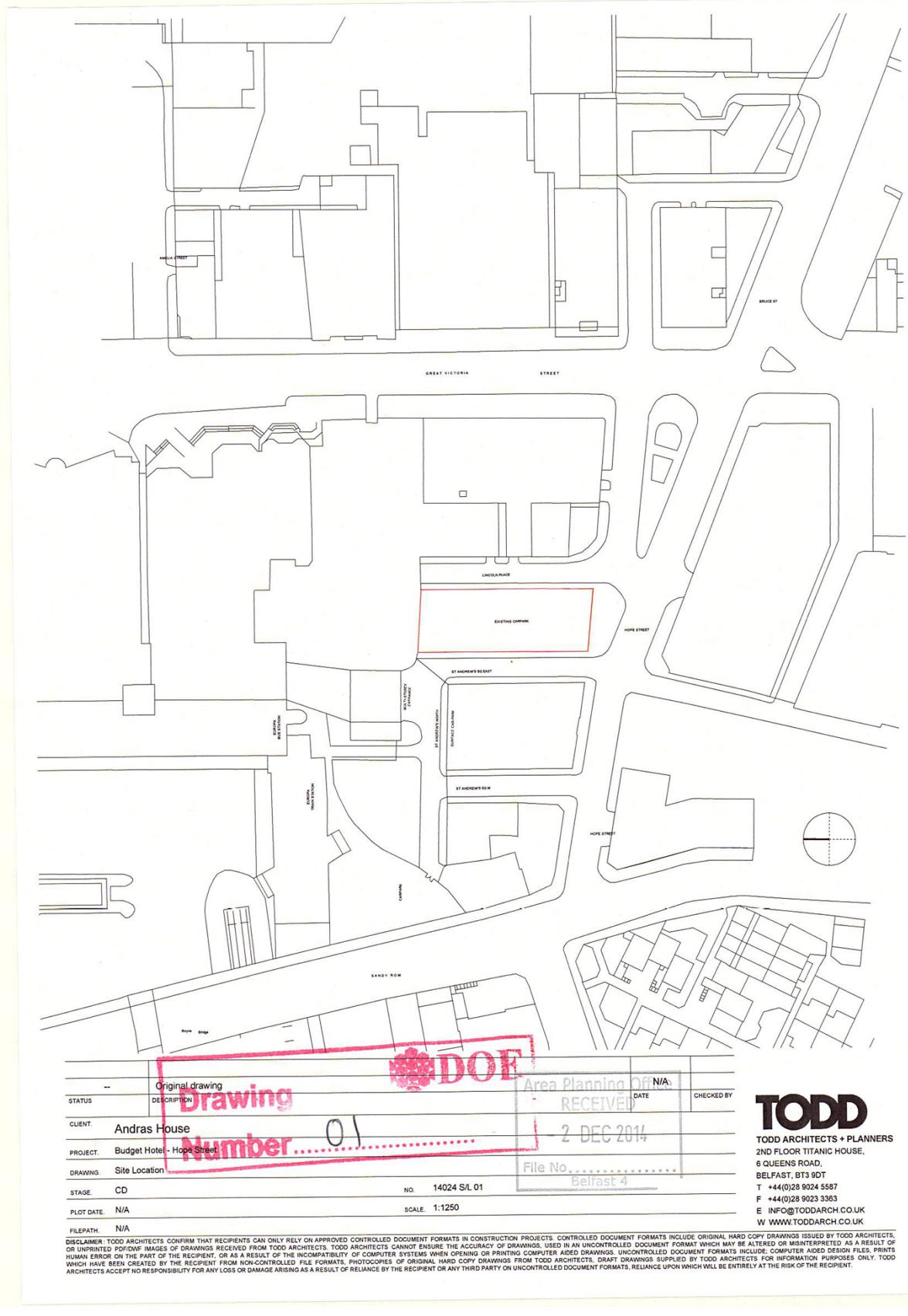


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 January 2016	
Application ID: Z/2014/1627/F	
Proposal: Hotel development, to include 179 No. bedrooms, with support accommodation to include administration, restaurant and staff facilities and associated plant.	Location: 7-13 Hope Street Belfast BT12 5EE
Referral Route: Major application	
Recommendation:	Approval
Applicant Name and Address: Andras Hotels 60 Great Victoria Street Belfast BT2 7BB	Agent Name and Address: Todd Architects 2nd Floor Titanic House 6 Queens Road Belfast BT3 9DT
Executive Summary:	
<p>The key issues in this case are:</p> <ul style="list-style-type: none"> • Principle of hotel use at this location; • Design; • Access, Movement, Parking and Transportation; • Affect on the setting on Whitehall Tobacco Works (listed building); • Contamination; and • Risk of Flooding. <p>The proposed development has been assessed against the Belfast Metropolitan Area Plan, Strategic Planning Policy Statement, Planning Policy Statements - 3 Access, Movement and Parking, 6 - Planning, Archaeology and the Built Heritage, PPS 13 Transportation; 15 (Revised), Planning and Flood Risk and PPS16 - Tourism as well as other relevant guidance and material considerations.</p> <p>The proposal is acceptable in principle at this location as the site is currently used as a surface level car park and is identified as being within Belfast City Centre Boundary (CC 001) and within the Commercial District Character Area (CC 007); the design is considered acceptable in terms of height, scale and mass and materials and is compatible with criteria set out in BMAP; in respect of all other matters consultees, NIEA, Transport NI, Rivers Agency and Environmental Health, have no objections in principle to the proposal and offer conditions should approval be granted.</p> <p>No representations have been received. Recommendation Approval subject to conditions as set out in the case officer report below.</p>	

Case Officer Report

Site Location Plan



Consultations:				
Consultation Type	Consultee	Response		
Non Statutory	NI Transport - Hydebank	Add Info Requested		
Non Statutory	Env Health Belfast City Council	Add Info Requested		
Non Statutory	NI Water - Strategic Applications	Substantive Response Received		
Non Statutory	Rivers Agency	Substantive Response Received		
Non Statutory	Env Health Belfast City Council	Additional Information Required		
Statutory	NIEA	No Objection		
Statutory	NI Transport - Hydebank	Content		
Non Statutory	Env Health Belfast City Council	Substantive Response Received		
Non Statutory	Env Health Belfast City Council	No objection		
Statutory	NIEA	No Objection		
Representations:				
Letters of Support	None Received			
Letters of Objection	None Received			
Number of Support Petitions and signatures	No Petitions Received			
Number of Petitions of Objection and signatures	No Petitions Received			
Characteristics of the Site and Area				
1.0 Description of Proposed Development				
Hotel development, to include 179 No. bedrooms, with support accommodation to include administration, restaurant, staff facilities and associated plant.				
2.0 Description of Site				
The site is currently used as a surface level car park and is bound on 3 sides by roads, Lincoln Place to the east, St Andrews Square to the west and Hope Street to the south. To the north of the site is Millennium House. The site is identified as being within Belfast City Centre Boundary (CC 001) and within the Commercial District Character Area (CC 007). The site is also within an Area of Parking Restraint for the city core (CC 025).				
Planning Assessment of Policy and Other Material Considerations				
3.0 Site History				
3.1 Z/2007/2812/F - Erection of 130 No. apartments with ground floor retail units and parking - Approved - 11/01/10				
4.0 Policy Framework				
4.1 Belfast Metropolitan Area Plan 2015				

4.1.1 Policy UE 1 - Urban Design
4.1.2 TRAN 1 - Area of Parking Restraint
4.2 Strategic Planning Policy Statement (SPPS)
4.2.1 good design paras 4.23 - 4.30
4.3 Planning Policy Statement (PPS) 3 - Access, Movement and Parking
4.3.1 Policy AMP 6 - Transport Assessment
4.4 Planning Policy Statement (PPS) 6 - Planning, Archaeology and the Built Heritage
4.4.1 Policy BH 11 - Development affecting the Setting of a Listed Building
4.5 Planning Policy Statement (PPS) 13: Transportation and Land Use
4.5.1 General Principle 2 - Accessibility by modes of transport other than the private car should be a key consideration in the location and design of development.
4.5.2 General Principle 3 - The process of Transport Assessment (TA) should be employed to review the potential transport impacts of a development proposal
4.5.3 General Principle 9 - Reliance on the private car should be reduced through a modal shift to walking, cycling and public transport
4.6 Planning Policy Statement (PPS) 15 - Planning and Flood Risk
4.6.1 FLD 3 - Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains
4.7 Planning Policy Statement 16 - Tourism
4.7.1 TSM 1 - Tourism Development in Settlements
4.7.2 TSM 7 - Criteria for Tourism Development

5.0 Statutory Consultee Responses

5.1 DARD - Rivers Agency - No objection
5.2 DRD - Transport NI - No objection subject to conditions
5.3 NI Water - No objection
5.4 DoE NIEA - No objection subject to conditions

6.0 Non - Statutory Consultee Responses

6.1 BCC Environmental Health Protection Unit (EPU) - No objection subject to conditions

7.0 Representations

The application has been neighbour notified and advertised in the local press. No representations were received.

8.0 Other Material Considerations

None

9.0 Assessment

The Development Plan identified the site as being within Belfast City Centre Boundary (CC 001). The site is also located within the Commercial District Character Area (CC 007) and within an Area of Parking Restraint for the city core (CC 025). After a number of amendments to the application the proposed development is 9 storeys with roof plant. The proposed development is for 179 bedrooms, all of which are at floors 1 - 8. Hotel use is classified as sui generis as per The Planning (Use Classes) Order (Northern Ireland) 2015 and therefore does not fall within a specified class.

The key issues are:

- Principle of hotel use on this site;
- Design;
- Access, Movement, Parking and Transportation;
- Affect on the setting on Whitehall Tobacco Works (listed building);
- Contamination; and
- Risk of Flooding.

Principle of use at this location

The Belfast Metropolitan Area Plan (BMAP) describes the area as the established office quarter of the city with a small residential enclave. Functions nearby include retail, hotel accommodation and public houses. In terms of the proposed hotel use, the site is within a city centre location, and the proposed use would be expected to bring increased vitality and viability to the City Centre. The principle of hotel use is acceptable on the site and considered generally compatible with the mix of surrounding uses.

Design

Since the site is within the Commercial District Character Area (Designation CC 007) in BMAP, Policy UE 1 applies. BMAP includes urban design criteria for this area which stipulates that part of any development which fronts onto Great Victoria Street shall be a minimum building height of 6 storeys and a maximum height of 9 storeys. The proposed development is 9 storeys and thus complies with BMAP. BMAP also states that new development should respect existing building lines. The side elevation of the Lincoln Building (adjacent to the site) is the only building on Hope Street. The proposal complies with this, in that it respects the building line.

The proposed building is 9 stories with roof plant. It displays a relatively equal solid to void ratio with fenestration displaying vertical emphasis. The external materials are a mix of mostly facing brick with self coloured render. There is painted finish metal screening externally to the roof plant. The ground floor is mainly finished in curtain wall glazing on the elevation to St Andrews Square as well as the elevation to Hope Street. The elevation to the rear of the building is completely blank. The proposed materials are acceptable for the area with examples of this all around, however samples should be submitted and agreed with the Council prior to construction.

A certain amount of overshadowing in non residential space is acceptable in an urban context where buildings are compactly sited together. Although there will be some overshadowing on the rear of Lincoln Building and the rear of Millennium House late afternoon/early evening it will not be to an unacceptable degree. The separation distance of 25m from the rear of the main body of the Lincoln Building is acceptable and there are no issues of overlooking.

Given the proximity of the site to commercial and office accommodation Environmental Health have concerns that occupants of nearby offices may suffer intermittent disturbance and loss of amenity as a result of noise and cooking odours from plant and equipment associated with the proposal. They have suggested conditions, should approval be granted, pursuant to the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

Access, Movement, Parking and Transportation

The proposal will be accessed directly by pedestrians from Hope Street. A Transport Assessment Form was submitted in December 2014 stating that there was no in-curtilage parking associated with the application. The site is located within the city centre area of parking restraint and the lack of parking provision is not unusual given this city centre location and the enhanced policy emphasis on the promotion of public transport. There is also a private car park located adjacent to the site and the proposal is well served by transport links (adjacent to Victoria Street Rail Station/Europa Bus Centre) and pedestrian walkways. The scale of development and transport implications of the proposal were assessed by Transport NI through this and they consider them to be acceptable. Therefore the proposal complies with Policy AMP 6 of PPS 3. A Travel Plan, dated February 2015, outlined measures to encourage the hotel guests and employees to travel to/from the development by means other than the private car. These included the Translink TaxSmart Initiative, Bike2Work Initiative and Translink Corporate Commuter Initiative. Transport NI found these to be acceptable as well the Service Management Plan with no objections to the proposal subject to conditions and Informatives.

Archaeology and the Built Heritage

Development will not normally be permitted which would adversely affect the setting of a listed building, i.e. that which is contrary to Policy BH 11 of PPS 6. Although the proposed site is within the vicinity of Whitehall Tobacco Works, DoE NIEA stated it is sufficiently distant to remain unaffected by any development at this location.

Contamination

Records held by Environmental Protection Unit (EPU) indicate that the site of the development is located close to and on land uses types that have the potential to contaminate land and pose a risk to human health. A Preliminary Risk Assessment dated 23 April 2015, and subsequently an environmental Site Assessment Report dated September 2015, were submitted. Although this report alleviated NIEA's concerns, EPU requested additional information relating to potential gas risk. They responded following the submission of this information in December 2015 with suggested conditions should approval be granted.

Risk of Flooding

The Strategic Flood Map (NI) indicates the site does not lie within the 1 in 100year (200year coastal) fluvial flood plain. Flood maps however indicate surface water in close proximity to the South East and to the East of the proposed hotel. The proposal does not exceed any of the thresholds detailed within FLD 3 of PPS 15 Planning and Flood Risk that then require a drainage assessment. Rivers Agency stated they had no specific reason to object to the proposed development from a drainage or flood risk perspective. They also stated the developer should be advised to obtain advice from competent, suitably qualified persons to assist in determining appropriate finished floor levels. Informatics were suggested should approval be granted.

10.0 Conclusion

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval with conditions

Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, have been submitted to and approved, in writing, by Belfast City Council. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to allow the Council to control the external appearance.

3. Prior to the occupation of the proposed development, the applicant shall provide to Belfast City Council Planning Service, for approval, a Verification Report.

The verification Report shall demonstrate that the identified potential pollutant linkages in the Aecom Phase 2 Geo-environmental Site Assessment report titled "Proposed Hotel Development Site-Hope Street, Belfast" dated December 2015, report no 47075626 are effectively broken.

The Verification Report shall be in accordance with current best practice and guidance as outlined by the Northern Ireland Environment Agency. In particular, this Verification Report should provide evidence that:

Gas protection measures in line with CIRIA's C665 Characteristic Situation 2 and BS8485:2015 have been incorporated into the proposed development.

Reason: Protection of Human Health

4. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Service shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of Human Health

5. A proprietary odour abatement system shall be installed to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation ducting shall be suitably located and directed away from nearby offices.

Reason: In the interests of amenity.

6. The extraction and ventilation system must be cleaned and maintained in accordance with Manufacturer's instructions to ensure compliance with condition 3 above.

Reason: In the interests of amenity.

7. The development hereby permitted shall not become operational until hard surfaced areas and bicycle parking have been constructed in accordance with the approved layout Drawing No. 03A date stamp received 13 April 2015 to provide adequate facilities for parking and servicing.

Reason: To ensure adequate provision has been made for parking, servicing and traffic circulation around the site.

8. The development hereby permitted shall operate in accordance with the approved Travel Plan dated February 2015. This includes provision of the Translink Corporate Commuter Initiative, the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by TransportNI.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

Informatics

1. The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order may introduce retrospective environmental liabilities to the applicant following the development of the site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks. Failure to provide a satisfactory Verification Report on completion of the works may lead to the assumption that the site remains a risk to human health and may be subject to further investigation through forthcoming legislation.

2. In order to reduce the impact of possible odours and noise generated by any proposed extraction and ventilation system, the applicant should consult relevant industry guidance, such as: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by DEFRA in January 2005. (DEFRA/NETCEN Guidance. <http://www.defra.gov.uk/environment/noise/research/kitchenexhaust.pdf>)

3. The applicant is advised to ensure that all plant and equipment, and gym equipment associated with the proposal is so situated, operated and maintained as to prevent the transmission of noise/fumes to nearby offices and hotel guests.

4. The applicant is advised that the development is situated in close proximity to fan units to the rear of 27-45 Great Victoria Street. Future users of the proposed development may suffer intermittent disturbance and loss of amenity as a result of noise arising from the operation of the fan units.

5. Where gas appliance are to be installed there must be a fixed source of ventilation provided to ensure sufficient make-up air is available for the safe combustion of gas.

6. Dependant on the method of heating to be used at the proposal it may be necessary to provide a chimney for a boiler, the height of which should be approved by Belfast City Council. Guidance on chimney height calculation is given in the third edition of the 1956 Clean Air Act Memorandum on Chimney Heights. Further advice may be sought from the Environmental Protection Unit, Belfast City Council, and 4-10 Linenhall Street, Belfast, BT2 8BP.

7. The purpose of the Condition 4 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

8. The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (Northern Ireland) 2006 and/or the Water (Northern Ireland) Order 1999.

9. It is recommended that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.

10. The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Regional Development for which separate permissions and arrangements are required.

11. Notwithstanding the terms and conditions of approval set out above, you are required under Articles 71-83 inclusive of the Roads (Northern Ireland) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is TransportNI, 40a Benson Street, Lisburn. A monetary deposit will be required to cover works on the public road.

12. The design of any street lighting schemes will require the approval of TransportNI Street Lighting Central design Unit, TransportNI.

13. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.

14. All construction plant and materials shall be stored within the curtilage of the site.

15. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

16. Pedestrian Crossing Points across the proposed entrances are to be provided in accordance with the DTER/Scottish Office publication 'Guidance on the use of Tactile Paving'.

17. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.

18. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site: - such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

19. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

20. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.

21. Visual inspection of the site indicated areas which appear liable to water logging. The developer is advised to obtain advice from suitably qualified, competent persons in respect of internal drainage requirements, site levels, finished floor levels etc.

22. There will be a general presumption against the erection of buildings or other structures over the line of culverted watercourses. Any proposal for such requires the written consent/approval of the Rivers Agency. Failure to obtain such approval is an offence under the Drainage Order

which may lead to prosecution or other statutory action as provided for.

23. If there is a public water supply within 20m of your proposal, consultation with NIW is required to determine how your proposals can be served. An application to NIW is required to obtain approval to connect.

24. If there is a foul sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served.

25. If there is a surface water sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served. An application to NIW is required to obtain approval to connect.

26. The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or waterline@niwater.com, upon receipt of this Informative to discuss any areas of concern.

27. If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Waterline on 08458 770002.

28. This development requires the installation of a grease trap. Please contact NIW Waterline on 08458 770002.

29. The applicant's attention is drawn to:

i. the relevant provisions of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and

ii. the Code of Practice for Access for the Disabled to buildings.

30. The applicant is advised that the internal layout of the proposal should make adequate provision for the needs of people with disabilities. Further advice is set out in Development Control Advice Note ""Access for People with Disabilities"" available from Divisional Planning Offices.

31. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.

ANNEX

Date Valid	2nd December 2014
Date First Advertised	19th December 2014
Date Last Advertised	23rd October 2015
Details of Neighbour Notification (all addresses)	
The Owner/Occupier, DRD Roads Service, Hope Street Car Park, Belfast, BT12	
The Owner/Occupier, Great Northern Car Park, St Andrews Sq East, Belfast, BT27	
The Owner/Occupier, Great Victoria Street Train Station, Great Victoria Street, Belfast, BT27	
The Owner/Occupier, Lincoln Building, 24-25 Great Victoria Street, Belfast, BT27	
The Owner/Occupier, Millennium House, 25 Great Victoria Street, Belfast, BT27	
Date of Last Neighbour Notification	21st October 2015
Date of EIA Determination	
ES Requested	Yes /No
Planning History	
Ref ID: Z/1987/2064 Proposal: Proposed car park Address: AREA BOUNDED BY LINCOLN PLACE, ST.ADREWS SQUARE EAST, HOPE STREET AND BLACKSTAFF RIVER. BELFAST BT12 Decision: Decision Date:	
Ref ID: Z/1990/3112 Proposal: Retention of land as temporary car park Address: LAND BOUNDED BY LINCOLN PLACE/ST ANDREWS SQUARE EAST/ HOPE STREET/BLACKSTAFF RIVER, BELFAST BT12 Decision: Decision Date:	
Ref ID: Z/1987/2063 Proposal: Redevelopment of vacant building to form apartments, offices,craft and retail units, restaurants and associated car parking. Address: 17-25 GREAT VICTORIA STREET/2-4 LINCOLN PLACE BELFAST BT2	

Decision:

Decision Date:

Ref ID: Z/1993/2100

Proposal: Retention as temporary carpark

Address: AREA BOUNDED BY LINCOLN PLACE, ST ANDREWS SQUARE EAST AND HOPE STREET, BELFAST BT12

Decision:

Decision Date:

Ref ID: Z/1993/2484

Proposal: Erection of 5 storey building to create accommodation for ground floor showroom with offices

Address: LAND BOUNDED BY LINCOLN PLACE, ST ANDREWS SQUARE EAST AND HOPE STREET BELFAST BT2

Decision:

Decision Date:

Ref ID: Z/2014/1627/F

Proposal: hotel development, to include 179 No. bedrooms, with support accomodation to include administration, restaurant and staff facilities and associated plant.

Address: 7-13 Hope Street, Belfast, BT12 5EE,

Decision:

Decision Date:

Ref ID: Z/1993/2228

Proposal: Erection of shop and office development

Address: 17A-25 GREAT VICTORIA STREET BELFAST BT2

Decision:

Decision Date:

Ref ID: Z/2008/1019

Proposal: Road Scheme.

Address: Belfast City Centre Ring - Southern Section, Belfast.

Decision:

Decision Date:

Ref ID: Z/1991/3013

Proposal: Retention of land as temporary car park

Address: LAND BOUNDED BY LINCOLN PLACE/ST ANDREWS SQUARE EAST/HOPE STREET BELFAST BT12

Decision:

Decision Date:

Ref ID: Z/1994/2575

Proposal: Retention of use as temporary car park

Address: AREA BOUNDED BY LINCOLN PLACE, ST ANDREWS SQUARE EAST,
HOPE STREET BELFAST BT12

Decision:

Decision Date:

Ref ID: Z/2007/2812/F

Proposal: Erection of 130No. apartments with ground floor retail units and parking
(amended scheme).

Address: Hope Street, 7-13 Lincoln Place and 1-17 St Andrews Square East, Belfast

Decision:

Decision Date: 12.01.2010

Ref ID: Z/1996/2051

Proposal: Erection of 80 bedroom hotel

Address: AREA BOUNDED BY LINCOLN PLACE, ST ANDREWS SQUARE EAST AND
HOPE STREET, BELFAST BT12

Decision:

Decision Date:

Ref ID: Z/1995/2901

Proposal: Renewal of permission for temporary car park

Address: AREA BOUNDED BY LINCOLN PLACE, ST ANDREWS SQUARE EAST AND
HOPE STREET, BELFAST BT2

Decision:

Decision Date:

Notification to Department (if relevant):	N/A
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Notification from Elected Members:	N/A
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