Planning Committee

Development Management Report

Summary

Committee Date: 18th March 2025

Application ID: LA04/2024/0126/F and LA04/2024/0138/LBC

Proposal: Conversion of existing buildings into hotel, comprising of 102 no. bedrooms with public bars and restaurants. Development includes ground floor extension, staff and service elevator, interior and exterior alterations and all associated works.

Location: 15-16 Donegall Square South and 2-14

Bedford Street, Belfast

Referral Route: Major hotel development.

Recommendation: Approve and grant consent, subject to conditions

Applicant Name and Address:

Martin Property Group 37-41 High Street

Belfast BT1 2AB **Agent Name and Address:**

Emma McIlwaine TSA Planning Ltd 20 May Street Belfast

Belfast BT1 4NL

Date Valid: 19th March 2024

Target Date: 15th October 2024

Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)

Executive Summary:

The application seeks full permission for the conversion of existing buildings into a hotel, comprising 102no. bedrooms with public bars and restaurants. The development includes a ground floor extension, staff and service elevator, interior and exterior alterations and all associated works.

This report should be referred to for consideration of LA04/2024/0138/LBC, the current accompanying Listed Building Consent for "Proposed ground floor extension, staff and service elevator, interior and exterior alterations and all associated works to facilitate conversion of the existing building into a hotel."

The site is located at the junction of Bedford Street, Donegall Square South and Donegall Square West in Belfast City Centre and is within the Linen Conservation Area.

The site is occupied by the existing Scottish Mutual Building which is a Grade B1 listed building which is finished with red sandstone. It is characterised by its projecting turrets, high level arcades and crow-stepped gables, curved glass shop fronts and ornate arched entrance on Donegall Square South. The area is of mixed use and includes retail, banks, cafes, restaurants and offices on the ground floor of buildings with predominantly offices on the upper floors. City Hall is located opposite the site on Donegall Square South.

The key issues for consideration of the application are set out below.

- Background
- Principle of hotel use
- Impact on the listed building
- Impact on the conservation area
- Archaeology
- Design & placemaking
- Climate change
- Access & transport
- Health impacts
- Environmental protection
- Flood risk & drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Section 76 legal agreement
- Pre-application community consultation

The site is within the City Centre as defined by both the Belfast Urban Area Plan 2001 and draft Belfast Metropolitan Area Plan 2015 (dBMAP). It is located within the Linen Conservation Area and is split between the Civic Precinct and Commercial District as defined by dBMAP.

The principle of the conversion to a hotel use is considered 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 ground floor extension are considered to be in keeping with the listed building and the Conservation Area.

The physical fabric and setting of the Listed Building will be safeguarded through the works; DfC Historic Environment Division (HED) is fully content with the proposal subject to conditions. Overall, it is considered that the character and appearance of the conservation area would be enhanced.

The proposal would provide no dedicated parking; however, this is considered acceptable given the long-standing existing uses 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.

Dfl Roads, DfC HED, Environmental Health, NI Water, DAERA NIEA, BCC Waste Management and BCC Conservation & Heritage are all content subject to conditions.

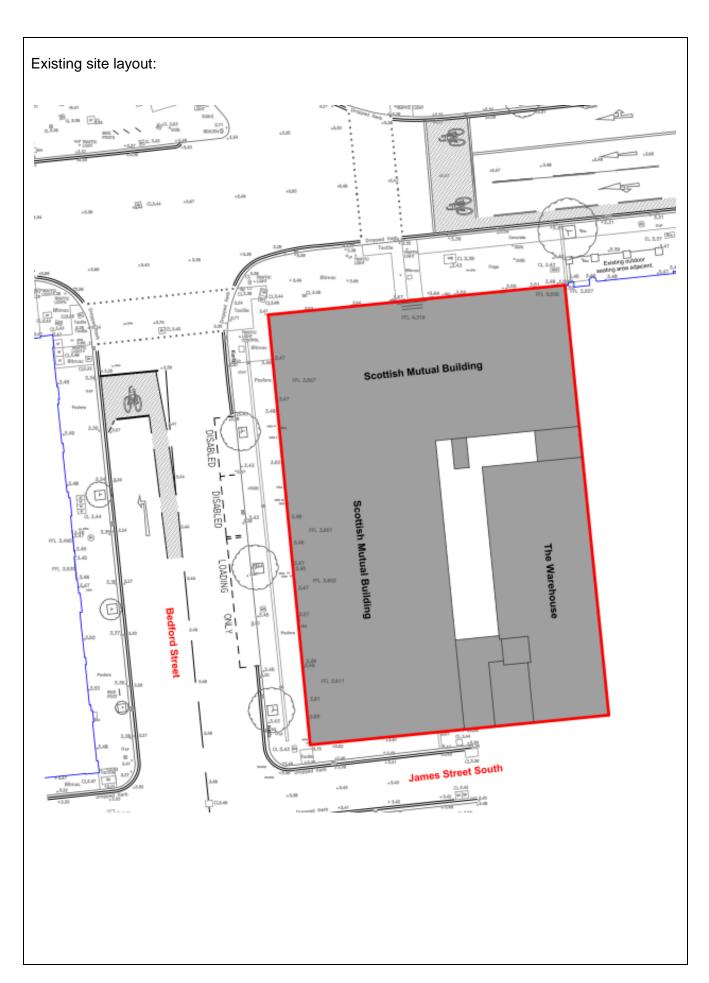
No third-party representations were received.

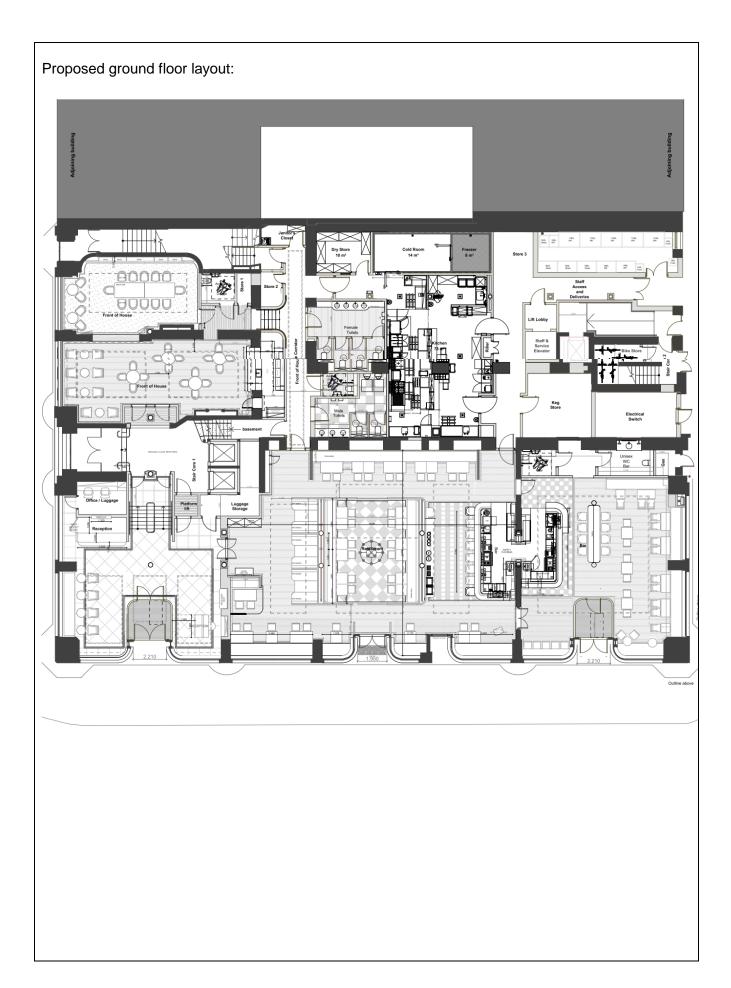
Recommendation

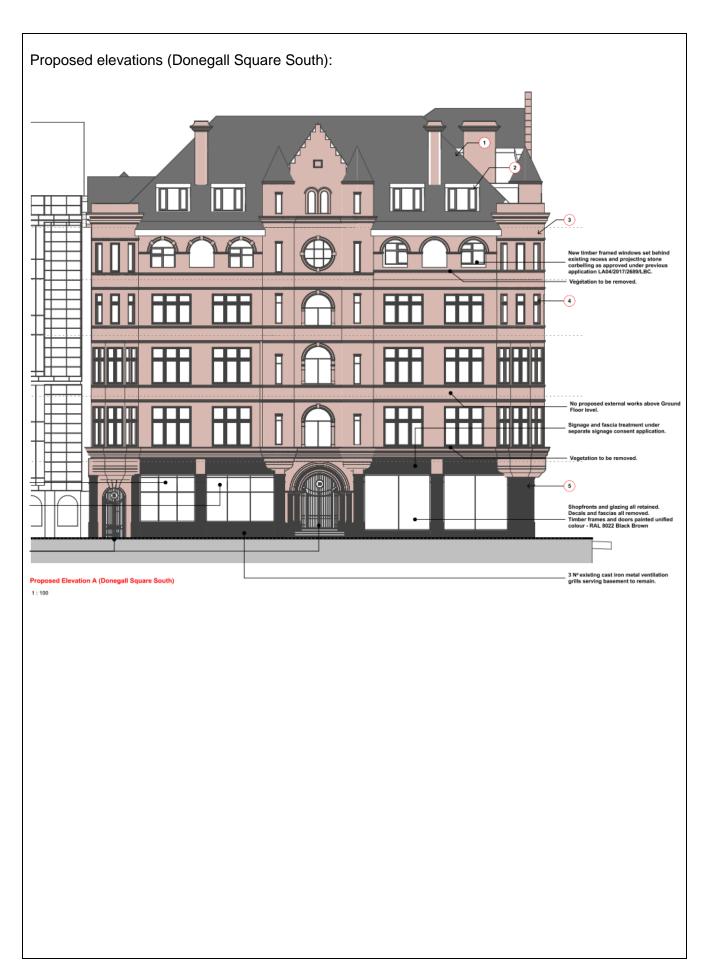
Having regard to the Development Plan and material considerations, it is recommended that planning permission and listed building consent are granted subject to conditions.

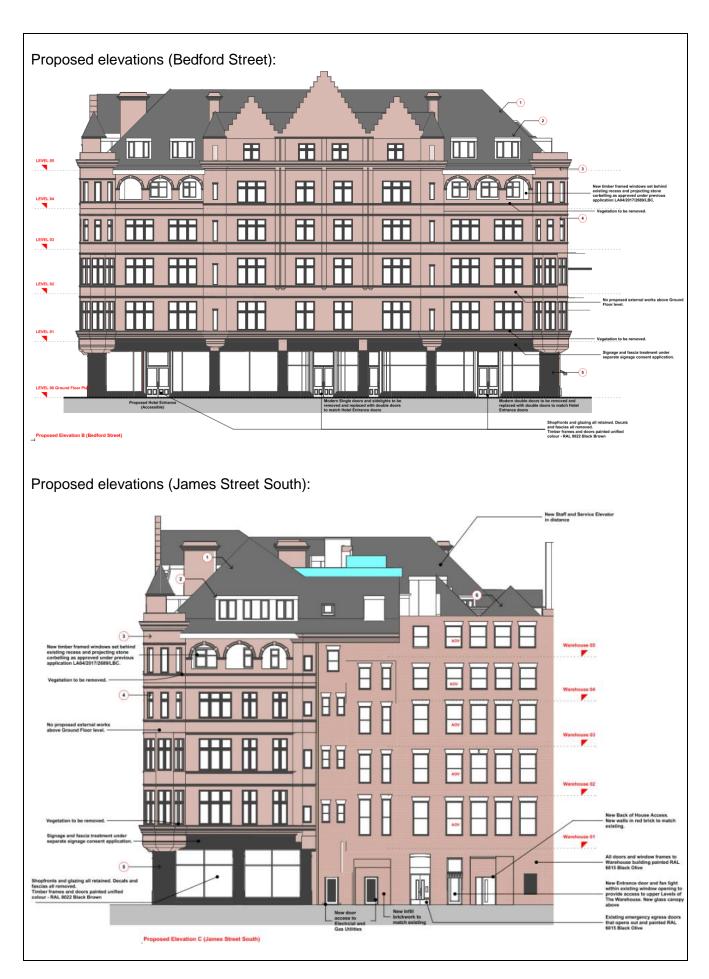
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions deal with any other issues that arise, provided that they are not substantive.



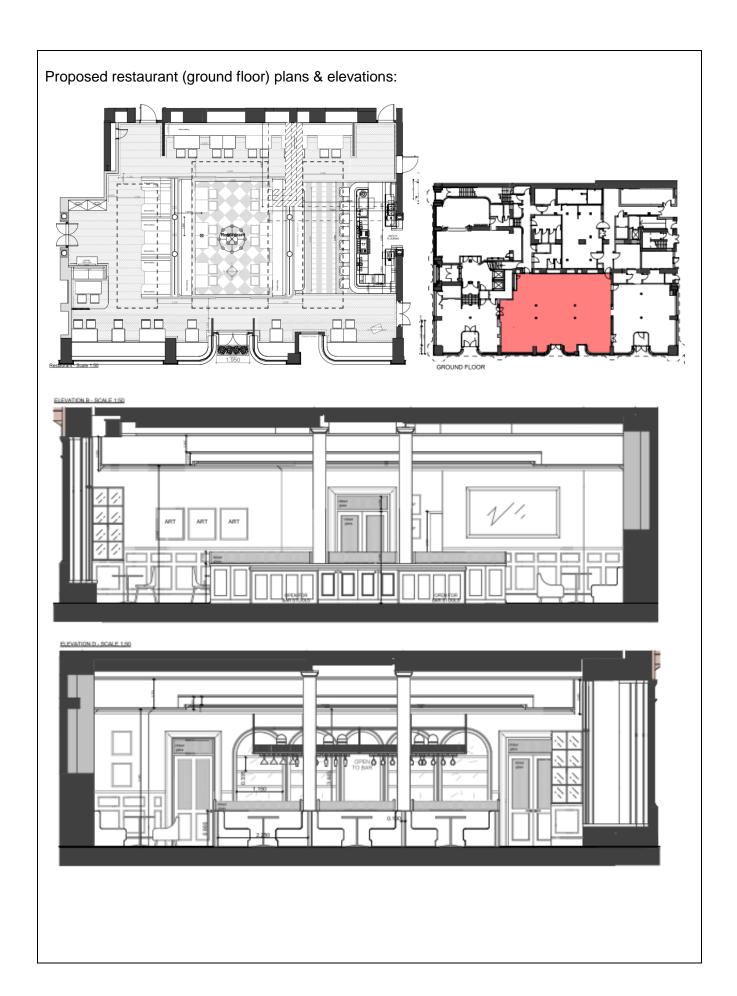














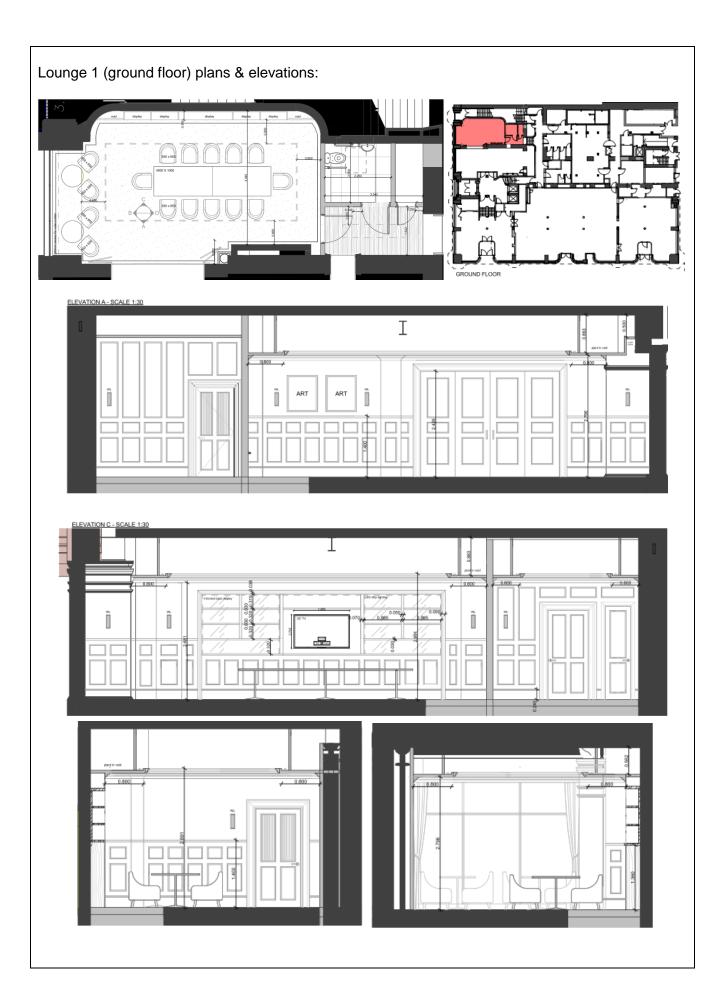
Proposed bar area (ground floor) elevations:



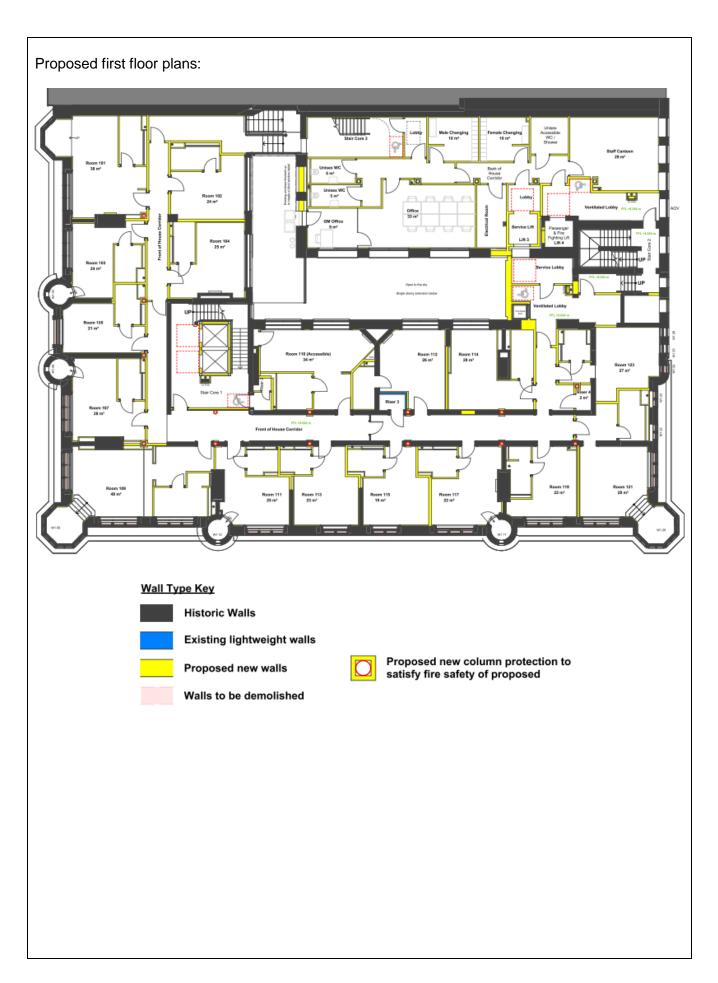
Bar Area Elevation 3

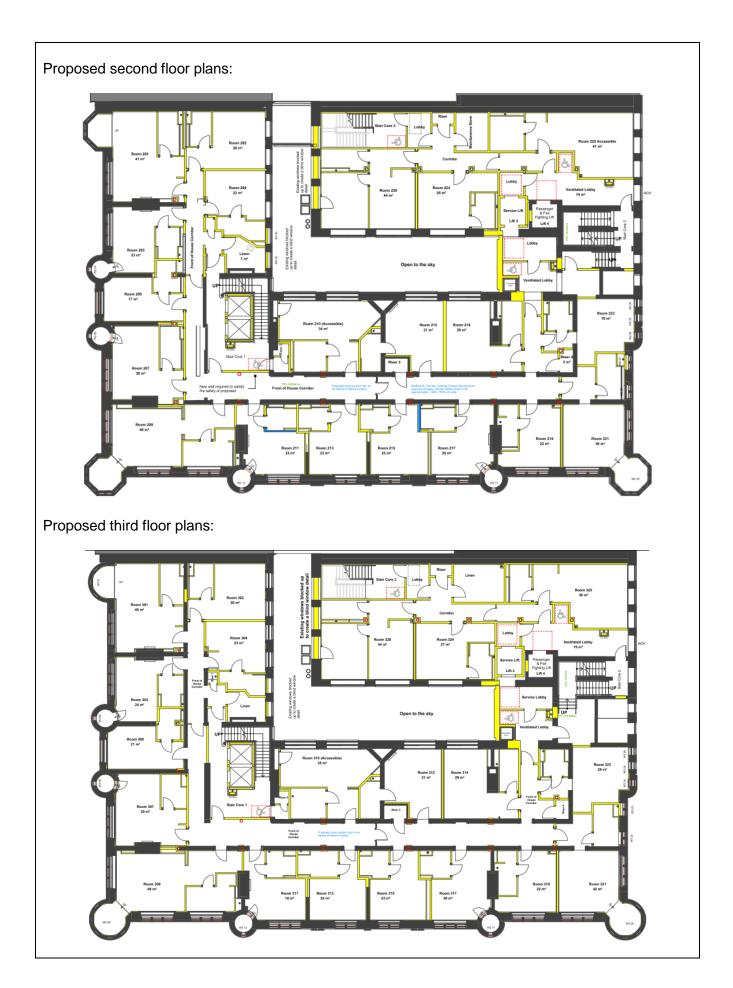


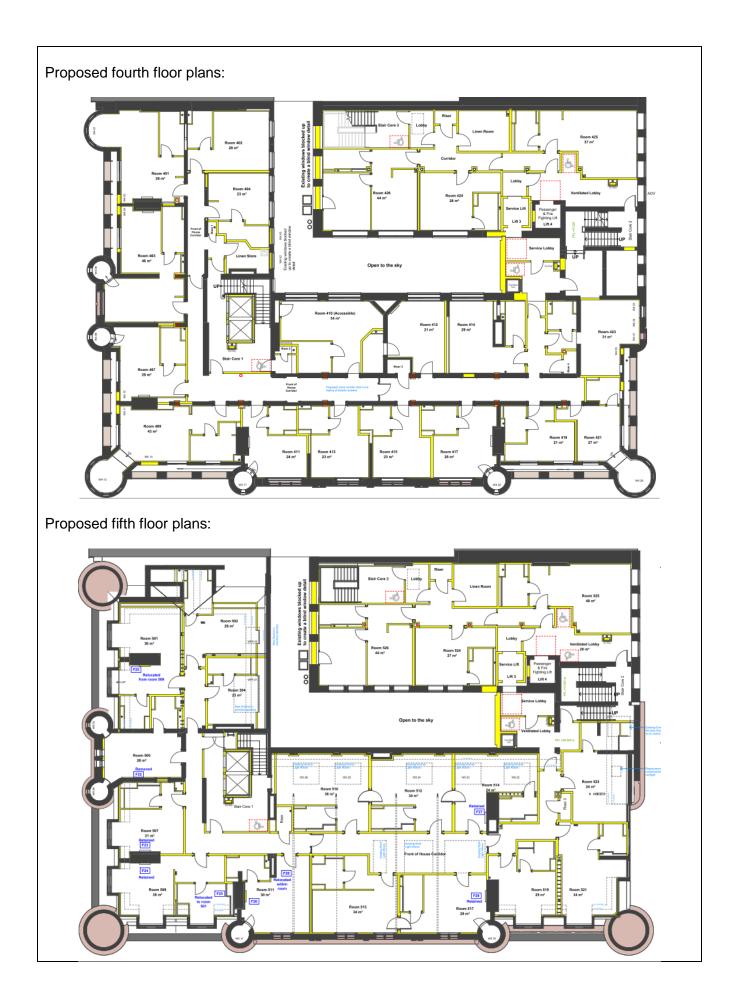
Bar Area Elevation 4











1.0 Characteristics of the Site and Area

- The site is located at the junction of Bedford Street, Donegall Square South and Donegall Square West in Belfast City Centre. It is occupied by the existing Scottish Mutual Building which is a Grade B1 listed building which is finished with red sandstone. It is characterised by its projecting turrets, high level arcades and crow-stepped gables, curved glass shop fronts and ornate arched entrance on Donegall Square South. The area is of mixed use and includes retail, banks, cafes, restaurants and offices on the ground floor of buildings with predominantly offices on the upper floors. City Hall is located opposite the site on Donegall Square South.
- The site is located within the city centre, the Linen Conservation Area, and is split between the Civic Precinct and Commercial District as defined in dBMAP. It is also located within the City Centre as defined by BUAP.

Description of Proposal

- 1.3 The Committee is considering two applications as set out below.
 - LA04/2024/0126/F seeking full planning permission for the conversion of the existing buildings into a 102 no. bedroom hotel, with 3 no. public bars and restaurants. The proposal includes the erection of a ground floor extension, staff and service elevator, interior and exterior alterations and all associated works.
 - LA04/2024/0138/LBC seeking Listed Building Consent for the erection of the proposed ground floor extension, staff and service elevator, interior and exterior alterations and all associated works to facilitate conversion of the existing building into a hotel.

2.0 PLANNING HISTORY

There have been a number of planning applications associated with this site in recent years.

2.2 Z/2013/1300/F

- Conversion of existing Scottish Mutual Building to Boutique Hotel comprising public bars, restaurants, function spaces, hotel bedrooms and loft apartments to include internal and external alterations.
- Permission granted 04/03/2014

2.3 <u>Z/2013/1296/LBC</u>

- Proposed conversion of existing Scottish Mutual Building to Boutique Hotel to include internal alterations; external repairs to stonework; repairs and replacement of windows, repairs and replacement of roof coverings and rooflights alterations to existing shopfronts including provision of a lightweight awning; extension to building in rear courtyard, alterations to James Street South elevation to create service area.
- Consent granted 04/03/2014

2.4 <u>LA04/2016/0688/F</u>

- Conversion of existing Scottish Mutual Building to Boutique Hotel comprising public bars, restaurants, function spaces and hotel bedrooms to include internal and external alterations and additions, including cone roofs to corner turrets and enclosed external seating areas on Bedford Street.
- Permission granted 20/07/2017

2.5 LA04/2016/0569/LBC

- Conversion of existing Scottish Mutual Building to Boutique Hotel comprising public bars, restaurants, function spaces and hotel bedrooms to include internal and external alterations and additions proposed.
- Consent granted 20/07/2017

2.6 LA04/2017/2745/F

- Conversion of building to create 63 No. bed hotel with ancillary function space, bars, restaurants, including all associated works. Single storey rear extension.
- Permission granted 12/03/2020

2.7 LA04/2017/2689/LBC

- Conversion of existing building to 63 bed hotel and all associated works.
- Consent granted 12/03/2020
- The current applications represent a reconfiguration of the plans approved under the above 2017 applications, and differ from them insofar as follows:
 - Inclusion of 'The Warehouse' at 7 James Street South,
 - Increase in overall bedrooms from 63 no. bedrooms to 102 no. bedrooms,
 - Additional bedrooms on floors 1; 2; 3; and 4 through subdivision of very large, previously approved bedrooms,
 - Bedrooms now included on Fifth floor,
 - Enhanced back-of-house facilities and servicing,
 - Relocation of principal entrance to Bedford Street, improved drop-off location availing of existing loading bay / accessible locations adjacent; and
 - Enhanced street frontages to Donegall Square South, Bedford Street and James Street South.

3.0 PLANNING POLICY

3.1 **Development Plan – Plan Strategy**

Belfast Local Development Plan, Plan Strategy 2035

Strategic Policies:

- 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

Operational Policies:

- Policy DES1 Principles of urban design
- 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 NH1 Protection of natural heritage resources

3.2 Supplementary Planning Guidance

- Placemaking and Urban Design
- Sustainable Urban Drainage Systems
- Transportation
- Evening and Nighttime Economy

3.3 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)

3.4 Regional Planning Policy

- Regional Development Strategy 2035 (RDS)
- Strategic Planning Policy Statement for Northern Ireland (SPPS)

3.5 Other Material Considerations

- Belfast Agenda (Community Plan)
- Linen Conservation Area Design Guide
- Linen Quarter Vision and Guidance

4.0 **CONSULTATIONS AND REPRESENTATIONS** 4.1 **Statutory Consultees Dfl Roads:** No objection subject to conditions **DfC HED**: No objection subject to conditions DAERA (NIEA): No objection subject to conditions NI Water: No objection subject to conditions 4.2 Non-Statutory Consultees • BCC Conservation & Built Heritage: No objections BCC Environmental Health: No objection subject to conditions **BCC Waste Management**: No objections subject to conditions Representations 4.3 The application has been advertised in the newspaper and neighbours notified. No third-party representations were received. 5.0 PLANNING ASSESSMENT **Main Issues** 5.1 The main issues relevant to consideration of the application are set out below. Background • Principle of hotel use

- Impact on the listed building
- Impact on the conservation area
- Archaeology
- Design & placemaking
- Climate change
- Access & transport
- Health impacts
- Environmental protection
- Flood risk & drainage
- Waste-water infrastructure
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Development Plan Context

Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any 5.2 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.

- 5.3 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.
- 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.

Operational Polices

The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.

Proposals Maps

- Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (BUAP), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (dBMAP) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in dBMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
 - **Belfast Urban Area Plan 2001**: The site is un-zoned "white land" within the city centre.
 - Belfast Metropolitan Area Plan 2015 (2004): The site is un-zoned "white land" within the city centre, the Linen Conservation Area, and is split between the Civic Precinct and Commercial District.
 - Belfast Metropolitan Area Plan 2015 (v2014): The site is un-zoned "white land" within the city centre, the Linen Conservation Area, and is split between the Civic Precinct and Commercial District.

Background

- 5.7 Due to the size and scale of the proposal and in line with Section 27 of the Planning Act (Northern Ireland) 2011, a Proposal of Application Notice (PAN) was submitted to the council under LA04/2023/4100/PAN on 29/09/2023. The council confirmed on 03/10/2023 that the PAN was acceptable.
- Full details of the public consultation process and associated PAN information were provided in the Pre-Application Community Consultation Report, which is considered further in the report below.

	Principle of hotel use
5.9	Full planning permission and listed building consent is sought for the conversion of the existing building to hotel, with new ground floor extension and other alterations.
5.10	Policy TLC1 (Supporting tourism leisure and cultural development) recognises that tourism contributes to the prosperity of the local economy and the wider region. Proposals will be supported for new overnight accommodation in the city centre where it improves daytime and nighttime choices for visitors and improves the quality and accessibility of tourism facilities and assets. New tourism proposals should be of the highest standard and align with the council's integrated tourism strategy vision. Policy TLC3 (Overnight visitor accommodation) identifies that improving the supply of overnight accommodation is vital for encouraging visitors to stay in Belfast, whilst Policy TLC4 (Evening and nighttime economy) seeks to strengthen and enhance the evening and nighttime economy in the city centre.
5.11	The proposed development will contribute toward the aim to increase hotel bedroom numbers with an additional 102 no. bedrooms, which is an increase of 59 no. rooms over the previous approval. This will increase tourism footfall, helping strengthen the day and nighttime economy and supporting the hospitality sector through higher levels of overnight visitor expenditure. The proposed bars and restaurant will also assist in strengthening the evening and nighttime economy. For these reasons the proposal complies with policies TLC1, TLC3 and TLC4.
5.12	Policy EC1 (Delivering inclusive economic growth) highlights the strong growth potential for the hospitality and tourism sectors, whilst Policy CC1 (Development opportunity sites) supports new development within the development opportunity areas of the new Transport Hub and Linen Quarter.
5.13	By its nature, a 102 no. bedroom hotel would be a positive addition to the hospitality and tourist sector in the city centre in line with Policy EC1 and is located within the development opportunity area as referenced within Policy CC1.
5.14	Strategic Policy SP1 (Growth strategy) seeks to support additional jobs throughout the city over the plan period, whilst Policy SD3 (City centre) directs the council to support new development that will help create a compact and vibrant city centre.
5.15	The redevelopment of this site will provide a suitable and productive use of this city centre site, providing a high-end boutique hotel within a prime city centre location. Once operational it is expected to create c125 no. jobs within the hospitality sector, and as such, the proposal accords with the strategic aims of the RDS, the SPPS, and policies SP1 and SD3 of the Plan Strategy.
5.16	Having considered the above, the principle of the proposed hotel use is considered acceptable. The acceptability of the proposal in its entirety will depend upon the other planning considerations discussed below.
	Impact on the listed building
5.17	The Scottish Mutual Building (SMB) is a Grade B1 listed building (Ref: HB26/30/054). Policy BH1 (Listed buildings) of the Plan Strategy states that planning permission will be granted for a change of use where it secures the buildings upkeep and survival whilst preserving or enhancing its character, architectural and historic interest. Alterations and extensions will only be permitted where they preserve, restore or compliment the

existing buildings' architectural and historic importance, respect its essential character, makes use of quality materials and sympathetic detailing, and are subservient in terms of height, scale and massing. Partial demolition will only be allowed where it is required to facilitate an otherwise acceptable extension or alteration.

- 5.18 Section 91(2) of the Planning Act states that when assessing any development which affects a listed building or its setting, the council must have special regard to preservation of the building, its setting, and any features of special architectural or historic interest. Policy SP2 (Sustainable development) also seeks to proactively promote development where it also protects and enhances the city's built heritage.
- The proposal includes not only the change of use to hotel, but also a number of alterations, ground floor extension, and partial demolition to facilitate movement between the listed building and the adjacent 'The Warehouse' building, which is now incorporated within the scheme.
- In respect of the change of use of the building to a hotel, the principle has been established both in the assessment above and through the approval and consent of the previous planning applications LA04/2017/2745/F and LA04/2017/2689/LBC. A number of alterations have already been made to the building which remain incomplete, and as noted some of these works were unauthorised. Ownership of the site has since changed, and this application has been submitted by the new owners with a view to gain approval for a reconfiguration of the previous plans and to rectify those works already carried out, ensuring that they are fully in line with policy and guidance.
- The main differences from the previous approval have been detailed above in paragraph 2.8. These changes aim to provide a more sympathetic development and improve the relationship between the building and street level through the inclusion of additional entrances. Whilst previous works were carried out without authorisation, the council acknowledges that the new owners have engaged directly with BCC planning officers, HED and Building Control throughout this application process to ensure delivery of a high quality hotel development which can also ensure the sensitive protection, restoration and survival of the listed building, and thereby secure its long-term future. This includes the use of high quality materials and detailing both internal and external that are not only sympathetic to the architectural and historical importance of the building but to meet all required standards relating to fire control etc.
- 5.22 The proposed renovation of the building would provide the following elements:
 - Reception / lobby,
 - 3 no. bars / restaurants.
 - 102 no. hotel bedrooms.
 - Staff facilities; and
 - Ancillary areas (including toilets; kitchen; and stores etc.)
- The ground floor would extend throughout the SMB, The Warehouse and the proposed ground floor extension. The extension would be erected on the vacant yard space between the two buildings at the rear, and as it will not be visible from public vantage points, it would not impact on the setting of the listed building or the conservation area. The upper floors will internally connect the SMB and The Warehouse to house the bedrooms and will also incorporate a new staff and service elevator to the rear of the buildings. An amount of internal demolition is proposed in order to facilitate access between the SMB and The Warehouse across all floors, and HED have confirmed that this is acceptable on balance and having regard for the wider proposals.

- Three pedestrian accesses are proposed on Bedford Street (main access to hotel lobby and two access points to restaurant) and one pedestrian access from Donegall Street South (secondary access to hotel lobby), all of which comprise existing accesses or minor alterations to existing accesses. The James Street South frontage will include an alteration to the existing access to The Warehouse for deliveries as well as a new back-of-house access and use of an existing emergency access.
- The proposal will secure the upkeep and survival of a prominent, vacant listed building within the city centre, bringing back to active use and enhancing its character and architectural interest. The proposed works to facilitate the conversion, including the rear extension, will preserve and restore the buildings' historic importance, and incorporate quality materials and detailing that are sympathetic and sensitive and will ensure that the building retains its visual primacy. Likewise, the partial demolition is considered acceptable in this instance given the wider benefits that will be achieved through the renovation and restoration of a key built heritage asset.
- 5.26 Following initial assessment of the proposal, HED sought additional information from the applicant and engaged directly in a number of site visits with both the applicant and Building Control. A substantive suite of additional plans and details was subsequently submitted, and following review of this HED confirmed on 06/03/25 that, subject to conditions, the proposal, and its impact on the listed building and its setting, is of suitable quality to satisfy the requirements of Policy BH1 and the SPPS p6.13. For the same reasons, it is also considered to comply with the strategic aims of the RDS, Section 91(2) of the Act and Policy SP2 of the Plan Strategy.

Impact on the conservation area

5.29

- Policy BH2 (Conservation areas) requires alterations and extensions within a conservation area to be subservient with a focus on retention and reinstatement of traditional features, and the utilisation of traditional materials and techniques. Section 104(11) of the Planning Act requires the enhancement of the character or appearance of the conservation area where the opportunity arises, and its preservation where an opportunity to enhance does not exist. Regard must also be given to the Linen Conservation Area Guide.
- The proposed extension to the rear will not be visible from a public vantage point, therefore the impact of the proposal on the conservation area will relate primarily to the minor works and alterations that are required to facilitate conversion of the building to a hotel. The council's Conservation & Built Heritage team was consulted and confirmed that the proposal broadly complies with conservation principles for works to historic buildings and offered no objections subject to the works being of suitable quality to protect and enhance the building and promote its status as a key built heritage asset. Clarification was sought in this regard on a number of elements relating to the internal and external fabric of the building, materials and detailing, and the council is satisfied that these have been fully addressed through the substantive information provided through consultation with HED, who as noted above, have confirmed that all works to the building, including materials and detailing, are acceptable subject to conditions.
 - In this regard the council is satisfied that the proposal is of suitable quality to enhance the conservation area by way of protecting and conserving the distinctive architectural and historic character of a characteristic building which is prominently sited to the south of City Hall. It will bring a vacant building back into use and secure its long-term future through a high quality hotel development, restoring and reinstating its key features through the use of sensitive and traditional materials and techniques. The proposal

therefore complies with Policy BH2, the relevant provisions of the SPPS and the Linen Conservation Area Guide and will enhance the character and appearance of the conservation area as per Section 104(11) of the Planning Act.

<u>Archaeology</u>

- Policy BH5 of the Plan Strategy requires that the council seeks to conserve, protect and where possible, enhance archaeological assets, and applicants will be required to provide sufficient evidence to clarify the impact of any proposal on important archaeological remains.
- A Heritage Impact Assessment has been submitted with the application which recommends that development-led archaeological monitoring is carried out in areas of the site to undergo invasive ground works, including the cobbled service yard and proposed lift shaft within the lobby, to confirm whether any un-identified sub-surface archaeological remains survive within the site boundaries. HED have confirmed that this is acceptable in line with Policy BH5 and the relevant provisions of the SPPS, and this will be controlled through condition.

Design & placemaking

- Policy DES1 (Principles of urban design) of the Plan Strategy promotes good placemaking, high quality design and the importance of proposals responding positively to local context. Policy SP5 (Positive Placemaking) states that development should maximise the core principles of good design and positive placemaking in the creation of successful and sustainable places. Within the Linen Quarter Vision and Guidance document, the Scottish Mutual Building is identified as a Landmark building on a key corner, contributing to views along Donegall Square South and Bedford Street. Vision objective 4 of the document highlights the importance of restoring key historical assets and bringing them back into productive use.
- The merits of the design, scale, height and massing have been assessed above, and the council is satisfied that the development represents a high quality, sustainable design that will make a positive contribution to placemaking within the city centre. It will sensitively renovate a vacant, important historical asset back into use on an important landmark junction, with access points to both Donegall Square South and Bedford Street, which will help enhance the sense of place and strengthen civic pride. The inclusion of bars and restaurants will reinstate active frontages at ground floor, promoting good design principles. For these reasons the proposal complies with policies DES1 and SP5 of the Plan Strategy, the relevant provisions of the SPPS, and aligns with the key objectives of the Linen Quarter Vision and Guidance document.

Climate change

Policy SP6 (Environmental resilience) of the Plan Strategy reinforces the RDS policy on climate change which also aligns with the Belfast Agenda, by seeking to reduce greenhouse gas emissions and adapt to a changing climate to build environmental resilience. Policy ENV1 (Environmental quality) allows for development that will maintain and, where possible, enhance environmental quality. Any proposal must protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment. Policy ENV2 (Mitigating environmental change) 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 (Adapting to environmental change) states

that planning permission will be granted for development that incorporates measures to adapt to environmental change.

- The application has been accompanied by a number of supporting reports including a Climate Change Statement (CCS). This identifies measures to reduce the energy demand associated with the proposed development. The thermal mass of the existing external building fabric has the ability to absorb and store heat, moderating temperature fluctuations and improving energy efficiency. In addition, interior spaces have been designed to minimize the need for artificial lighting and heating. Continuous monitoring systems will be implemented to track energy usage and performance, allowing for ongoing optimization based on real time data.
- 5.36 Subject to conditions to ensure implementation of these measures, there would be no conflict with policies SP3, SP6, ENV1, ENV2 and ENV3 of the Plan strategy, and the strategic aims of the RDS the SPPS, and the Belfast Agenda.

Access & transport

- Policy SP7 (Connectivity) supports connectivity to and within the city by sustainable transport modes, such as public transport, walking and cycling. Policy TRAN1 (Active travel, walking & cycling) supports development proposals which take account of the needs and safety of walkers and cyclists, their convenience to walking, cycle and public transport access and secure cycle parking facilities. Policy TRAN2 (Creating and accessible environment) promotes suitable access to buildings and their surroundings whilst taking account of the specific needs of people with disabilities or impaired mobility. Development which will generate significant travel uses require a Travel Plan under Policy TRAN4 (Travel plan), whilst Policy TRAN8 (Car parking & servicing arrangements) sets out the criteria under which reduced levels of car-parking will be assessed. The current parking standards for designated areas of parking restraint set out in Policy TRAN9 (Parking standards within areas of parking restraint).
- 5.38 A Transport Assessment Form, Service Management Plan and Travel Plan have been submitted in support of the application which have been fully assessed by DfI Roads.
- The site is located within a designated area of parking restraint, and due to the nature of the proposal, i.e. a change of use of existing building which had no parking previously, it promotes a car-free sustainable environment with no dedicated in-curtilage parking. Being in a highly accessible location in the city centre, it is well served by sustainable modes of transport, including walking, cycling, and public transport, which will reduce reliance on private car use and help tackle congestion. Internal secure cycle parking will be provided with access from James Street South. The Transport Assessment form notes that the number of vehicle trips generated by the proposal will be minimal, with the majority of trips being via sustainable travel modes which will be promoted through the implementation of the Travel Plan via condition. The Service Management Plan, which clarifies that the hotel would be serviced via James Street South, will also be controlled through condition.
- The hotel will be available for use by overnight visitors from both out-of-state and the wider province, whilst the bars and restaurants will be open to the public. The site is within short walking distance from bus and rail services, including all local bus and Glider services operating from Donegall Square, Lanyon Place Train Station and the Belfast Grand Central Transport Hub, which provides public transport links to the wider province including Belfast City and International Airports, Dublin Airport and Dublin city. Pedestrian footpaths throughout the locality link the site to shops, bars, restaurants and leisure facilities within the city centre, with the Cathedral Quarter, Victoria Square,

Castle Court, Belfast City Hall, the Ulster Hall, the Grand Opera House, St Georges Market, the Waterfront Hall, Custom House Square, Queen's University and the forthcoming Belfast Stories Visitor Attraction all within close waking distance. Other tourism assets and conference facilities are also easily accessible from the site, including Ten Square Hotel, Grand Central Hotel, Europa Hotel, The Odyssey Complex and SSE Arena, Crumlin Road Gaol and Titanic Belfast.

- Whilst no disabled parking is provided, the highly accessible location of the site is acknowledged, together with the layout of the scheme which ensures there would be no prejudice to people with disabilities or impaired mobility accessing the hotel. Suitable drop-off and pick-up areas would be provided on Bedford Street.
- Dfl Roads has been consulted on the proposals and confirmed no objection subject to conditions requiring implementation of the secure cycle parking and compliance with both the Service Management Plan and Travel Plan. As such and having regard to the highly sustainable location of the site and proximity to city centre car parks, the proposed access and transport arrangements are considered acceptable under policies SP7, TRAN1, TRAN2, TRAN4, TRAN8 and TRAN9 of the Plan Strategy, and relevant provisions of the SPPS.

Health impacts

- Policy SP3 (Improving health & wellbeing) of the Plan Strategy requires new development to take health and wellbeing into account during early design stages. Policy HC1 (Promoting healthy communities) 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.
- As assessed above, 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. This would be a car-free development and is supported by a Travel Plan. Subject to conditions to ensure implementation of the Travel Plan, the proposal is considered to satisfy the requirements of policies SP3 and HC1.

Environmental protection

- Policy SP6 (Environmental resilience) of the Plan Strategy reinforces the RDS policy on climate change which also aligns with the Belfast Agenda to build environmental resilience. Policy ENV1 (Environmental quality) requires new development to protect communities from materially harmful development and must not result in an unacceptable adverse impact on the environment.
- The proposal will repurpose existing buildings utilising existing land which will contribute towards a sustainable form of development by reducing the use of raw materials and enhancing the built heritage of the city which will all contribute to environmental resilience. The design of the development has been carefully balanced to maximise environmental mitigation whilst respecting the sympathetic restoration of a listed building. Through the reuse of existing buildings, the development contributes towards a sustainable pattern of development.

- The proposed development has been assessed by Environmental Health in terms of noise impact, air pollution and ambient air quality, odour and general amenity, contaminated land and other considerations. This has taken full account of all supporting information provided with the application, including:
 - Noise Impact Assessment (NIA),
 - Odour Impact Assessment (OIA),
 - Air Quality Impact Assessment (AQA).
 - Acoustic Statement (AS),
 - Transport Assessment Form (TAF)

Noise impact

The AS submitted in support of the application provides clarification on the proposed noise mitigation measures, plant sound level data and noise levels at nearest receptors. Having reviewed these details, Environmental Health have no objection subject to conditions to ensure the proposed mitigation measures and plant equipment are installed and operated in line with relevant BS methodology and requirements.

Air pollution & ambient air quality

The AQA and TAF demonstrates that the operational air quality impacts, as a result of traffic generated by the development, are expected to be negligible. The TAF confirms that the hotel will be car-free and as such the impacts from vehicular movements (during construction and operational traffic) are not considered to be significant. A qualitative assessment of the operational phase of the development demonstrates that the screening criteria for combustion sources (as outlined in Environmental Protection UK and the Institute of Air Quality Management, Land-use Planning & Development guidance) would not be exceeded. The proposed energy system is not likely to be significant in terms of nitrogen dioxide emissions and will avail of modern efficient boiler technology. Having considered the above, Environmental Health has confirmed there are no concerns in relation to the air pollution or ambient air quality impact.

Odour & general amenity

The OIA assesses the impact of the proposed development in terms of odour, and provides details of the proposed extraction, discharge and odour control technology. Environmental Health have no objection regarding these details, subject to conditions requiring the installation, retention and maintenance of suitable extraction, odour abatement and ventilation systems in line with the findings of the report.

Contaminated land

Environmental Health have confirmed there is no evidence of the site being potentially contaminated as a result of a previous use, adjacent land uses or naturally occuring levels of contamination, and therefore there are no objections. A standard condition will be attached however to ensure that in the event that contamination is discovered during development, a remediation strategy is submitted to the council for approval and to ensure appropriate mitigation is implemented on site to protect end-users and the sublevel environment.

5.52	Subject to the conditions noted above, the proposal is considered compliant with policies SP6 and ENV1 of the Plan Strategy and aligns with the strategic aims of the RDS and Belfast Agenda.
	Flood risk & drainage
5.53	Policy ENV4 (Flood risk) of the Plan Strategy 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). Policy ENV5 promotes SuDS measures to effectively manage surface water, reduce surface water runoff and to ensure flooding is not increased elsewhere.
5.54	The Climate Change Statement confirms that there is no risk of fluvial flooding, coastal flooding, tidal flooding, and a low risk of pluvial flooding with no historical or anecdotal reports of pluvial flooding, which is clarified on Flood Maps (NI), and therefore a FRA is not required in this instance. Nonetheless, the statement confirms that the development will follow a hierarchical approach to define a storm water drainage strategy in compliance with 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems 2018'.
5.55	NI Water and NIEA Water Management Unit note that the proposal has the potential to adversely affect the surface water environment, and a condition is therefore attached to ensure that public surface water drainage can be appropriately dealt with on-site and off-site, in line with DAERA Standing Advice 'Sustainable Drainage Systems'. Subject to this NI Water and NIEA have no objection and there would be no conflict with policies ENV4 and ENV5.
	Waste-water infrastructure
5.56	Policy SP1A (Managing growth and supporting infrastructure delivery) of the Plan Strategy require that necessary infrastructure is in place to support new development.
5.57	NI Water has confirmed there is available capacity at the receiving Waste Water Treatment Works, and there is a public foul sewer and public water main within 20m of the boundary which can adequately service the proposed development. Subject to standard conditions, the proposal would comply with Policy SP1A.
	Waste management
5.58	A Waste Management Plan and Service Management Plan accompanied the planning application. These have been reviewed by the council's Waste Management service who have confirmed that the proposed management arrangements are acceptable. A condition will be attached ensuring adherence to both.
	Natural heritage
5.59	Policy NH1 (Protection of natural heritage resources) requires the council to adopt the precautionary principle when considering the impacts of a proposed development on local heritage resources.
5.60	As the existing building is currently vacant, a Preliminary Bat Roost Assessment has been carried out and the associated report was submitted in support of the application. This identifies that no evidence of bats was found during the survey; however, the use of the application site for roosting bats cannot be ruled out, and as such,

recommendations are set out the report including that as a precautionary measure, no works should occur during the hibernation period.

5.61 NIEA Natural Environment Division have assessed all supporting information including the preliminary assessment and confirmed that this approach is acceptable and have no objections under Policy NH1.

Section 76 legal agreement

- As this is a major application it would normally attract developer contributions through a Section 76 legal agreement, specifically to secure a contribution towards Employability and Skills in line with the council's Developer Contribution Framework.
- It is acknowledged however that there is an extant permission on site under LA04/2017/2745/F (alongside LA04/2017/2689/LBC) which did not require contributions in light of the significant costs that would have been incurred through the restoration and active re-use of the listed building. As noted previously these works were commenced but not completed and, in some cases, unauthorised.
- Given that these applications seek to gain approval and consent for all works carried out to date along with a re-configuration of the previous scheme, the council does not deem it appropriate to seek a developer contribution at this stage.

Pre-application community consultation

- The applicant undertook their statutory duty to submit a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. LA04/2023/4099/PAN was submitted to the Council on 29th September 2023, following notice was served to local elected representatives on 2nd October 2023. The council confirmed on 3rd October 2023 that the PAN was acceptable in line with the requirements of Section 27 of the Planning Act 2011.
- 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, which included:

5.67 *Pre-exhibition phase*

- 1. Advertising: newspaper advert, Belfast Telegraph, 13th November 2023:
 - Details of in-person consultation event and basic project information,
 - Community Consultation Manager contact details.
- 2. **Neighbour notification**: x c. 500 information packs hand delivered to residents and businesses within 200m radius of the centre of the development site, week commencing 13th November 2023:
 - Trifold leaflet including comment card,
 - Information on the in-person PACC process,
 - Information on the proposals,
 - Point of contact details of Technical Team for guestions or feedback.
- Local stakeholder audit: audit carried out prior to the consultation process of all local businesses and organisations located within the immediate area of the site.

- 4. **Press Coverage**: press statement prepared and issued, widely covered by local newspapers:
 - Proposal details,
 - Applicant information.

5.68 Exhibition phase

1. **Community Exhibition Event**: in-person PACC event, Grand Central Hotel, 22nd November 2023 1:00pm-7:00pm

The event attracted 6 no. visitors who viewed and discussed the plans with the design team, which included:

- Planning consultant,
- Communications consultant.

5.69 Post-exhibition phase

- 1. Analysis of Community Feedback: those who visited the community consultation event had a chance to view eleven presentation boards outlining the proposals. A5 comment cards were available at the event to complete and return to the design team. As noted above, comment cards were also provided to neighbours with the neighbourhood notification leaflet prior to the consultation event. There were no responses received from any party in response to the PACC.
- 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.

Conclusion

- The principal of the proposed hotel use is considered acceptable under the strategic aims of the RDS, the SPPS and policies TLC1, TLC3 and TLC4, EC1, CC1, SP1 and SD3 of the Plan Strategy, in that it will increase hotel bedroom numbers and tourism footfall, strengthen the economy, support the hospitality sector through the creation of jobs within a development opportunity area, and provide a productive and suitable redevelopment of a city centre site.
- In assessing its impact on the listed building and its setting, the proposal is of suitable quality to satisfy the requirements of Policy BH1 and the SPPS p6.13. The preservation of the building, its setting and its features of special architectural and historic interest is in line with the strategic aims of the RDS, Section 91(2) of the Act and Policy SP2 of the Plan Strategy.
- For the same reasons it is considered of suitable quality to enhance the character and appearance of the conservation area as per Policy BH2, the relevant provisions of the SPPS and the Linen Conservation Area Guide and Section 104(11) of the Planning Act. Development-led archaeological monitoring ensures compliance with Policy BH5.
- By way of its high quality design and positive response to its local context, it accords with policies DES1 and SP5, the relevant provisions of the SPPS, and the key objectives of the council's Linen Quarter Vision and Guidance.

5.75	All aspects relating to environmental considerations would comply with policies SP3, SP6, ENV1, ENV2 and ENV3 and the strategic aims of the RDS, the SPPS and the Belfast Agenda. Subject to suitable public surface water drainage, the proposed measures to deal with flood risk, drainage and wastewater also comply with policies SP1A, ENV4 and ENV5.
5.76	Access and transport arrangements are considered acceptable under policies SP7, TRAN1, TRAN2, TRAN4, TRAN8 and TRAN9 of the Plan Strategy and relevant provisions of the SPPS. Through the delivery of the Travel Plan, the proposal also complies with policies SP3 and HC1.
5.78	Measures proposed for the protection of natural heritage resources comply with Policy NH1, and the applicant has carried out their statutory duty under Section 27 of the Planning Act 2011 with regard to pre-application community consultation.
5.79	All statutory and non-statutory consultees have indicated their support of the proposal and the above policy position, subject to conditions and having regard for all material considerations, and there have been no objections from any third party representations.
6.0	Recommendation
6.1	Having regard to the Local Development Plan and all material considerations, it is recommended that planning permission and listed building consent are granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.
7.0	CONDITIONS
7.1	LA04/2024/0126/F – PLANNING PERMISSION CONDITIONS:
	Time implementation
	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
	Transport & Access
	 The development hereby permitted shall not be occupied shall be occupied until the secure cycle storage area has been fully provided in accordance with the approved plans and shall be permanently retained as such at all times.
	Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car and to mitigate the absence of dedicated parking within the development.

3. The development shall operate in accordance with the Service Management Plan.

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

4. The development shall operate in accordance with the Travel Plan.

Reason: To encourage alternative modes of transport to the private car.

Environmental

5. The development hereby approved shall not be occupied unless the proposed climate change measures 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

6. 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.

7. After completing the remediation works under Condition 5; 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.

8. Prior to operation of the development, the noise mitigation measures recommended in Section 2.2 of the Commercial Connections Limited report - 'Acoustic Statement Proposed Revised Floor Plan Layout of Bedford Hotel at Former Scottish Mutual Building, 15-16 Donegal Square South and 2-14 Bedford Street Belfast Impact Assessment', Reference 0440-106- L02, dated January 2024 shall be implemented and retained thereafter.

Reason: Protection of nearby amenity.

9. The plant and equipment associated with the development hereby permitted, shall be selected and designed so as to achieve a combined rating level (LAr) no greater than the Background Sound Level, LA90, both during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014+A1 2019 Methods for rating and assessing industrial and commercial sound.

Reason: Protection of nearby amenity.

10. Prior to the commencement of operation of the hereby permitted restaurant a kitchen extraction and odour abatement system capable of providing a high level of odour control as recommended in section 3 of the AONA Consulting report titled: 'Odour Impact Assessment Report LA04/2024/0126/F – Conversion of existing buildings into hotel comprising of 102 No. bedrooms with public bars and restaurants. Development includes ground floor extension, staff and service elevator, interior and exterior alterations and all associated works', dated May 2024, referenced: ENV-9221 shall be installed to suppress and disperse odours created from operations on the premises. The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above the main eaves and discharge at an efflux velocity of 10-15m/sec in accordance with F.M. Stewarts & Associates Consulting Engineers section drawing numbered 93 on the planning portal, project no. 2336-S1 and dated February 2025.

Reason: Protection of nearby amenity.

11. The installed kitchen extraction and odour abatement system must be retained and maintained thereafter.

Reason: Protection of nearby amenity.

<u>Drainage</u>

12. 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.

13. All services within the development should be laid underground.

Reason: In the interests of visual amenity.

Waste Management

14. 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.

7.2 LA04/2024/0126/F – PLANNING PERMISSION INFORMATIVES:

Compliance with planning permission

1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

Discharge of condition(s)

2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

Non-planning requirements

3. The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.

Protected Species

- 4. The applicant's attention is drawn to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:
 - a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat,
 - b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection,
 - c) Deliberately disturb such an animal in such a way as to be likely to:
 - i. affect the local distribution or abundance of the species to which it belongs,
 - ii. Impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - iii. Impair its ability to hibernate or migrate.
 - d) Deliberately obstruct access to a breeding site or resting place of such an animal; or
 - e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 905 69605

- 5. The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly:
 - kill, injure or take any wild bird, or
 - take, damage or destroy the nest of any wild bird while that nest is in use or being built, or
 - at any other time take, damage or destroy the nest of any wild bird included in Schedule A1, or
 - obstruct or prevent any wild bird from using its nest, or
 - take or destroy an egg of any wild bird, or
 - disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young, or
 - disturb dependent young of such a bird.

Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence.

It is therefore advised that any tree, hedge loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season including 1st March to 31st August, unless pre-clearance surveys show an absence of breeding birds.

7.3 LA04/2024/0138/LBC – LISTED BUILDING CONSENT CONDITIONS:

Time implementation

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

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011

Listed building works

- 2. Notwithstanding the submitted details, the following internal features shall not be installed, implemented or carried out unless in accordance with further details which shall have been submitted to and approved in writing by the Council:
 - a) Stair core 1:
 - i. Historic handrail, newels, balustrade/spindles shall be retained in-situ, and repaired.
 - ii. Replacement handrail, newels, balustrade/spindles shall duplicate the materials, details and profiles of the historic features.

The details of these internal features shall include the following:

b) Cross sections of a scale not less than 1:20

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 Listed Building.

- 3. Notwithstanding the submitted information:
 - a) The original corridor glazed tiles to corridor, lobby and stairwell areas shall be retained and exposed. Any missing or damaged tiles shall be replaced to match the original regarding colour, material, profile and finish.
 - b) Original terrazzo flooring shall be retained and exposed. Any missing or section shall be replaced to match the original regarding colour, material and texture.
 - c) All new internal joinery, including skirting, architraves, mouldings and doors shall match the historic joinery regarding materials, dimensions, profiles.
 - d) All new internal decoration plasterwork, including cornices and mouldings shall match the historic joinery regarding materials, dimensions, profiles.
 - e) New glazing and repairs to the historic internal feature ceiling light well features along the 'Front of House' Corridor (fifth floor) shall duplicate the materials, details and profiles of the historic elements.

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

7.4 LA04/2024/0138/LBC – LISTED BUILDING CONSENT INFORMATIVES:

Non-planning requirements

1. The grant of listed building consent does not dispense with the need for the applicant to be aware of additional information/advice. The responses from consultees in their response to the application can be accessed on the Northern Ireland Planning Portal website. This includes general advice for the benefit of the applicant or developer under other legislation or protocols.