

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 17 November 2015	<b>Item Number:</b>
<b>Application ID:</b> LA04/2015/0418/F	
<b>Proposal:</b> Redevelopment of the former Belfast Metropolitan College Campus into a mixed use development. This application is to erect a 206 bedroom hotel building to the northern aspect of the site. The hotel use is supported by: reception, restaurants, bars, external terrace(s), meeting, conference, banqueting, leisure accommodation and associated ancillary facilities.	<b>Location:</b> Land south of Franklin Street East of Brunswick Street and West of McClintock Street Belfast BT2 7GX
<b>Referral Route: Major Application</b>	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> McAleer and Rushe 17-19 Dungannon Road Cookstown BT80 8TL	<b>Agent Name and Address:</b> Consarc Design Group Ltd The Gas Office 4 Cromac Quay Belfast BT7 2JD
<b>Executive Summary:</b> The application seeks full planning permission for the redevelopment of the former Belfast Metropolitan College Campus to provide a 206 bedroom hotel building to the northern aspect of the site. The hotel use is supported by: reception, restaurants, bars, external terrace(s), meeting, conference, banqueting, leisure accommodation and associated ancillary facilities.  The main issues to be considered in this case are: <ul style="list-style-type: none"> <li>• The acceptability of proposed hotel use at this location</li> <li>• Demolition within the Linen Conservation Area</li> <li>• Impact upon character and appearance of Linen Conservation Area</li> <li>• Impact upon setting of adjacent listed buildings</li> <li>• The impact on existing roads infrastructure</li> <li>• Flooding</li> </ul> Demolition of the existing structure on the site has been previously granted in June 2006 (Planning application Ref: Z/2005/0209/DCA).  The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within the Linen Conservation Area and Commercial District Character Area (Designation CC0007). The principle of the hotel use is acceptable given the city centre location. The scale, mass and design are also considered on balance to be acceptable. NIEA Historic Buildings Unit is content with the principle of the proposal given the existing context of the site and approvals in and around the listed buildings on Bedford Street.	

Transport NI, NIWater, Waste Management Unit, NIEA Historic Monuments Unit, Rivers Agency and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

The proposal has been assessed against the following Policies – Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: Access Movement and Parking, Planning Policy Statement 6: Planning, Archaeology and Planning Policy Statement 15 (Revised) – Planning and Flood Risk.

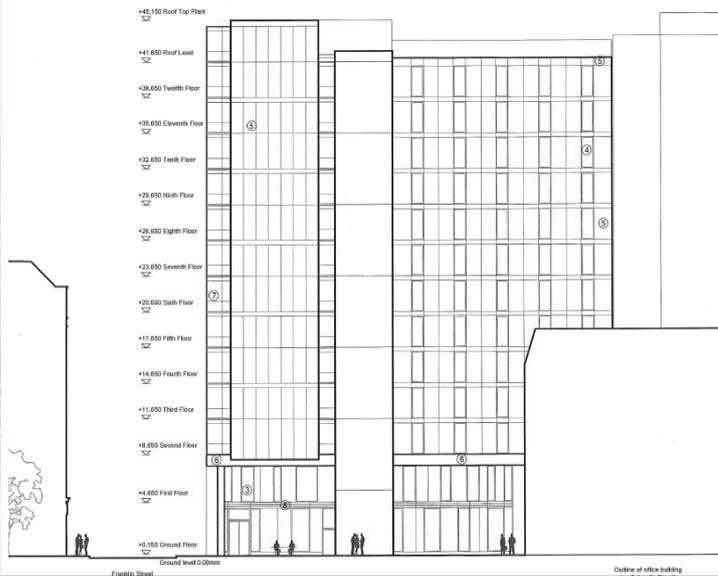
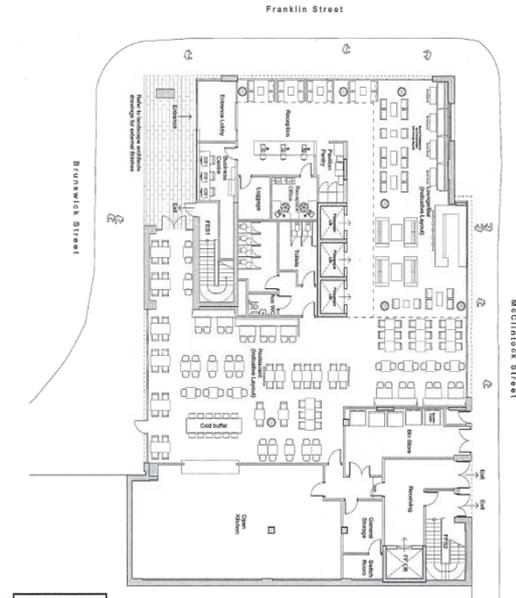
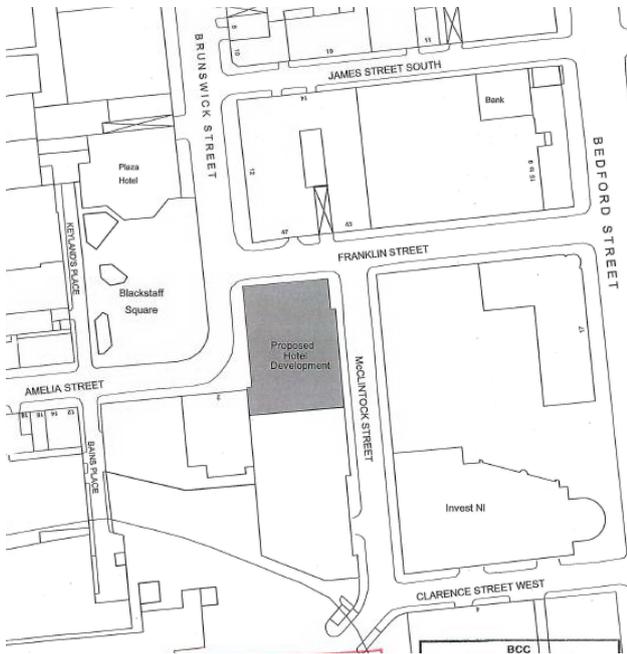
The proposal is in accordance with the development plan, relevant planning policies, and other material considerations;

**Recommendation**

That the proposal should be approved subject to conditions set out below and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions (see paragraph 9.20 below)

# Case Officer Report

## Site Location Plan



## Characteristics of the Site and Area

1.0	<p><b>Description of Proposed Development</b>                  14 storey mixed use development with a proposed ridge height of approximately 45m. This application is to erect a 206 bedroom hotel building to the northern aspect of the site. The hotel use is supported by: reception, restaurants, bars, external terrace(s), meeting, conference, banqueting, leisure accommodation and associated ancillary facilities.</p>
2.0	<p><b>Description of Site</b>                  Brownfield site. Previously Belfast Metropolitan College Campus building. Corner site at junction of Brunswick Street and Franklin Street. A 7 storey flat roofed building</p>

	previously occupied the site. This building has been recently demolished. The site is undefined with the previous building directly abutting the footpath on Franklin Street and Brunswick Street with a narrow strip between the building and the footpath on the McClintock Street side.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2011/0447/F - Redevelopment of Belfast Metropolitan College Campus comprising demolition of existing building and erection of a 17no. storey office building including commercial/retail uses (Class A1 & A2) at ground and first floor levels. (Change of application type from Reserved Matters to Full). Approved August 2012
3.2	Z/2005/0196/O- Replacement of Belfast Institute of Further and Higher Education (BIFHE) campus to provide new educational facility, including retail (class A1) and service (class A2) uses associated with college operations. Approved June 2006
3.3	Z/2005/0209/DCA - Demolition of existing Belfast Institute of Further and Higher Education (BIFHE) campus. Demolition granted June 2006
3.4	Z/2007/0891/O - Redevelopment of BIFHE Brunswick Street Campus as new office building, including commercial/retail uses at ground & first floor. Proposed new building to be up to 70 metres in height above ground level. Approval March 2008.
3.5	Z/2005/2567/F- 26 storey mixed use development (retail, gallery, offices), with basement car parking and completion of new civic square. Approved June 2007.
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	SPPS Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 15 (Revised) - Planning and Flood Risk
5.0	Statutory Consultees Transport NI – No objection Rivers Agency – No objection NIEA Historic Buildings Unit – No objection NIEA Historic Monuments Unit – No objection NIEA Water Management Unit – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – No objection
7.0	Representations None received
8.0	Other Material Considerations Linen Conservation Area guidance document
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- The acceptability of proposed hotel use at this location</li> <li>- Demolition within the Linen Conservation Area</li> </ul>

	<ul style="list-style-type: none"> <li>- Impact upon character and appearance of Linen Conservation Area</li> <li>- Impact upon setting of adjacent listed buildings</li> <li>- The impact on existing roads infrastructure</li> <li>- Flooding</li> </ul>
9.2	<p>The site is located within the development limits of the Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below.</p> <p>The site is located within the commercial district (CC007) and within the Linen Conservation Area as designated in BMAP. The site is also located within the commercial district.</p>
9.3	<p>The proposal is a 14 storey building, where there was previously a 7 storey building located. A significant material consideration in this instance is the planning history on the site, which includes a 17 storey office building, approved on 28/08/12, and is thus still a live permission.</p>
9.4	<p>The site is located within the commercial district as designated in the Belfast Metropolitan Area Plan. This sets out a number of urban design criteria for the area. Although there are no criteria specific to this area (Brunswick Street and McClintock Street), there are criteria requiring new development to take account of the height of adjoining buildings and respecting the established building line. In terms of the adjoining buildings the now derelict Belfast Metropolitan College stands at 10 storeys high. The proposal is 14 storeys high (45m). Having said this there is a live approval on the site for a 17 storey office building at a total height of 72.2m. The proposal will therefore be more sympathetic to the height of the adjoining building (currently the subject of a planning application for a 476 bedroom, 16 storey (45m) high, student accommodation building). In terms of the proposed building line the footprint shall project further towards McClintock Street than the existing structure, however the previous approval, still live on the site, has a very similar footprint to that proposed.</p>
9.5	<p>The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The design is contemporary with a modern take on the typical vertical proportions of such a building, with the imposition of anodized metallic cladding on the Brunswick Street and Franklin Street elevations to break up the monotony of the fenestration and create something of a landmark corner building. A degree of interest has been added to the McClintock Street elevation with blocks of silver/ grey granite cladding demarcating each side of the structure and framing the central glazed and painted aluminium facade. The design provides a more interesting facade than the existing approval on the site which is defined by rows of continuous glazing broken up with silver aluminium framed curtain walling.</p>
9.6	<p>In terms of the proposed hotel use, the site is within a prime city centre location. The proposed hotel use will ensure the continued and intensified use of the existing listed building and will bring increased vitality and viability onto the City Centre.</p>
9.7	<p>The proposal has been assessed against paragraphs 4.11 and 4.12 of the SPPS. Environmental Services Department have offered no objections to the proposal and have requested that consideration is given to conditions being attached to any approval, should approval be granted, to ensure the occupiers of nearby commercial premises are not affected by noise or odours from operations associated with the hotel development. These conditions are detailed below.</p>
9.8	<p>Environmental Services Department have offered no objections to the proposal and have requested that consideration is given to conditions being attached to any approval, should approval be granted, to ensure the occupiers of nearby commercial premises are</p>

	not affected by odours from cooking operations associated with the hotel development. These conditions are detailed below.
9.9	The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. Transport NI (TNI) considers this application acceptable as submitted subject to a number of conditions which are detailed below.
9.10	The proposal has been assessed against Policy BH4 of PPS6. NIEA Historic Monuments Unit has considered the impact of the proposal and is content, conditional on the agreement and implementation of a developer-funded programme of archaeological works to identify and record any archaeological remains in advance of construction or to provide for their preservation in situ. Conditions are detailed below.
9.11	The proposal has been assessed against policy BH11 of PPS6. The application site is located in close proximity to and impacts upon the listed building of 17 Bedford Street HB26/30/055 which is of special architectural and historic importance and is protected by Section 80 of the Planning Act (NI) 2011.
9.12	NIEA Historic Building Unit (HBU) has considered the impacts of the proposal, on 17 Bedford Street a B+ Listed building and is content in principle with the proposal given the existing context of the proposal site and previous approvals in an around the listed building of 17 Bedford Street.
9.13	The proposal has been assessed against Policy BH12 of PPS6 .The site is located within the Linen Conservation Area as designated in the Area Plan. Comments were sought from the Conservation Area Officer (CAO) in respect of the proposed development, he raised concerns in terms of scale, mass and design. The building in terms of its sheer height and massing would be unsympathetic to the characteristic built form of the conservation area with a much lower streetscape, of a scale similar to the building to the other side of Franklin Street, being the norm. However a key consideration is the planning history on the site, with a live approval (granted under Z/2011/0447/F) on the site until August 2017. The previous approved building is of a much larger scale, almost 30m higher than the proposed structure. For this reason it would not be reasonable to suggest that the proposal is unacceptable in terms of scale and massing.
9.14	In terms of design, the CAO considered the elevations to be a weak expression of the hotel function; the proposed building is faced in materials of alien form, texture and colour – i.e. aluminium – which does not predominant in the area. The proposed facing materials should be replaced with contextually appropriate materials that predominated historically in the area. The CAO concluded that the proposed does not conform to BH12 of PPS 6. However, taking account of the history and the existing building (currently being demolished) it is considered on balance that the design should be seen as a marked improvement to the previous approval and this should be considered to not only maintain the offer on the site, but to enhance the character of the area with the introduction of a contemporary designed building.
9.15	The proposal has been assessed against Policy BH14 of PPS6. The existing building makes no material contribution to the character or appearance of the area. Conservation area consent for demolition was granted on the site in June 2006 under application Z/2005/0209/DCA.
9.16	The proposal has been assessed against Policy FLD3 of the Revised PPS15 Rivers Agency have stated that the site lies outside the 1 in 100 year fluvial floodplain and based on the information submitted in the proposed Drainage Works report have stated they have no reason to object to the proposal. This redevelopment was approved under

	outline planning approval Z/2007/0891/O and subsequent Full approval Z/2011/0447/F. For the reasons stated above the current proposal has also been found acceptable.
9.20	<p><b>Developer Contributions</b></p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council to provide contributions to local environmental improvements.</p> <p>In this case it is considered that this should take the form of public realm improvements of in particular to Blackstaff Square. The area currently does not provide a quality environment, the public space is poor and does not encourage people to gather or to move through the area.</p> <p>The sum of monies / works to be undertaken are to be agreed with the developer / landowner with the aim of providing physical environmental improvements to the area and to aid pedestrian connectivity from the main transport hub at Great Northern Mall to the City Centre.</p>
10.0	<p><b>Summary of Recommendation:</b></p> <p>Hotel proposal in a highly accessible city centre location. History of planning approvals on the site including a live approval for a 17 storey office building considerably higher than the proposal and offers a lower quality design. The demolition of the existing building on the site (at the time the application was submitted) was granted approval in June 2006.</p>
10.1	<p>The proposal is considered to be acceptable in the context of the character of the Linen Conservation Area. Statutory and non-statutory consultees have offered no objections subject to the conditions set out below.</p> <p>The proposal is therefore recommended for approval subject to conditions set out below and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 between the developer and Belfast City Council in respect of developer contributions.</p>
11.0	<p><b>Conditions</b></p>
11.1	<p>As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit.</p>
11.2	<p>The development hereby permitted shall operate in accordance with the approved Travel Plan received by the Belfast City Council Planning Office 29th May 2015. This includes provision of the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by TransportNI.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.3	<p>Prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).</p> <p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing</p>

	<p>all the risks and achieving the remedial objectives.</p> <p>Reason: In the interests of environmental protection.</p> <p>11.4 All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Pollution Prevention Land, Soil &amp; Air Guidance (PPG2, PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 2 will apply.</p> <p>Reason: In the interests of environmental protection.</p> <p>11.5 No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' available at <a href="http://publications.environment.agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf">http://publications.environment.agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf</a>.</p> <p>Reason: In the interests of environmental protection.</p> <p>11.6 Prior to the occupation of the proposed development, the applicant shall provide to Belfast City Council, for approval, a Verification Report. This report must demonstrate that the remediation measures outlined in section 8.2 of the Mason Evans Report titled: 'Lands Quality Assessment (PRA &amp; GQRA) - Proposed Development, McClintock Street, Belfast (dated June 2015, Rev B, project reference P15/099) have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:</p> <p>a. That gas protection measures in line with CIRIA's C665 Characteristic Situation 2 have been incorporated into all new buildings on the site which include:</p> <ul style="list-style-type: none"> <li>- A re-enforced concrete cast in-situ floor slab (suspended, non-suspended or raft) with at least 1200g DPM or a beam and block or a pre-cast concrete slab with a minimum 2000g DPM/reinforced gas membrane;</li> <li>-A proprietary hydrocarbon resistant gas membrane installed and certified by a specialist contractor under CQA. All service entrance points, joints and penetrations must be identified and demonstrated to be sealed.</li> </ul> <p>Reason: Protection of human health</p> <p>11.7 Prior to occupation of the development, a Noise Verification Report shall be submitted to Belfast City Council demonstrating that the Rating Level (dBLAr.Tr) from all combined plant and equipment does not exceed the typical Background Sound Level (for both day time and night time hours) as presented in the F.R Mark Noise Impact Assessment dated May 2015. The sound rating level shall be determined and all sound measurements shall be made in accordance with BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound.</p> <p>Reason: In the interests of residential amenity.</p>
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11.8	<p>Prior to development commencing, a Noise Management Plan shall be developed and submitted for review and approval by Belfast City Council's Environmental Protection Unit. This Plan should outline the methods to be employed to minimise any noise and vibration impact of demolition and construction operations demonstrating 'best practicable means'. The Plan should pay due regard to BS 5228:2009 Noise and Vibration Control on Construction and Open Sites and include a detailed programme for the demolition/construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and evidence of neighbour liaison.</p> <p>Reason: In the interests of residential amenity.</p>
11.9	<p>Details of all odour abatement technology to be employed (e.g., filters, odour-counteractant /neutralising systems) to suppress and disperse odours created by cooking operations on the premises shall be submitted, for approval, to Belfast City Council and agreed in writing before installation and prior to operation. Information submitted must be sufficient to demonstrate there will be no adverse impact on amenity of nearby residential premises due to odour and noise.</p> <p>Reason: In the interests of public amenity.</p>
11.10	<p>Details of the discharge height and direction of ventilation/extraction equipment shall be provided to the Council prior to installation and operation.</p> <p>Reason: In the interests of public amenity.</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member: None

### ANNEX

<b>Date Valid</b>	29th May 2015
<b>Date First Advertised</b>	26th June 2015
<b>Date Last Advertised</b>	26th June 2015

**Details of Neighbour Notification** (all addresses)

1 Bedford Square Town Parks Belfast  
10 Brunswick Street Town Parks Belfast  
12-16 Amelia Street Town Parks  
14-16 Thomas House, James Street South, Town Parks, Belfast, Antrim, BT2 7GA,  
15 Brunswick Street, Town Parks, Belfast, Antrim, BT2 7GE,  
17 Brunswick Street Town Parks Belfast  
18 Amelia Street Town Parks Belfast  
2 Amelia Street Town Parks Belfast  
4 Clarence Street West Town Parks Belfast  
W.D.M Flinn  
42/46 Fountain Street, Belfast, BT1 5EF  
43 Franklin Street Town Parks Belfast  
9-11 Frances House Brunswick Street Town Parks  
9-15 Windsor House Bedford Street Town Parks  
Brunswick Street Building, Brunswick Street, Town Parks, Belfast, Antrim, BT2 7GX,

Franklin House 10 Brunswick Street Town Parks Franklin House 12 Brunswick Street Town Parks Linum House 2 Bedford Square Town Parks	
<b>Date of Last Neighbour Notification</b>	17th June 2015
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	