

# Planning Committee

Tuesday, 16th February, 2021

## PRE DETERMINATION HEARING HELD REMOTELY VIA MICROSOFT TEAMS

- Members present: Councillor Hussey (Chairperson);  
Councillors Brooks, Matt Collins,  
Garrett, Groogan, Hutchinson,  
Maskey, McCullough, McKeown,  
Murphy, Nicholl and O'Hara.
- In attendance: Mr. A. Thatcher, Director of Planning and  
Building Control;  
Mr. E. Baker, Planning Manager  
(Development Management);  
Ms. N. Largey, Divisional Solicitor;  
Ms. C. Donnelly, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

### Apologies

Apologies for inability to attend were reported from Councillors Carson and Hanvey.

### Declarations of Interest

No declarations of interest were recorded.

### Pre-Determination Hearing

**LA04/2020/0659/F - Refurbishment of existing four storey terrace including alteration, extension to rear, partial demolition and reinstatement. Part change of use from art galleries to two cafes at ground floor. Retention of offices within existing building at second, third and fourth floor. Erection of new 13 storey aparthotel building to rear and associated works including public realm improvements at 29-33 Bedford Street**

The Planning Manager (Development Management) provided the Committee with the details of the application. He explained that there was an accompanying application which sought Demolition Consent in a Conservation Area for the removal of parts of the terrace for access purposes.

He outlined that the application had previously been considered by the Committee, at its meeting on 13th October 2020, when it had resolved to approve the application subject to notification to the Department for Infrastructure (DFI). The Members were

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reminded that, under the Planning (Notification of Applications) Direction 2017, the notification was necessary because the resolution to approve was contrary to the views of the Historic Environment Division (HED), a statutory consultee.

It was reported that DFI had advised the Council that it did not consider it necessary for the application to be referred to it for determination, nor the associated application for Conservation Area consent. Following the return of the applications to the Council for a decision, Regulation 7(1) of the Planning (Development Management) Regulations (Northern Ireland) 2015 required it to hold a pre-determination hearing to give the applicant and interested parties the opportunity to appear before and be heard by the Planning Committee and for the Committee to seek clarification from the parties on the facts surrounding the development.

He outlined the key issues which had been considered in the assessment of the proposed development, including the principle of hotel and café use at the location, the impact on built heritage and the principle of demolition in the conservation area, scale, height, massing and design, the impact on traffic and parking, site drainage, the consideration of economic benefits, amenity and developers contributions.

The Members were advised that the site was located within the city centre, the Commercial Character Area and the Linen Conservation Area.

The Planning Manager explained that, at the October Committee meeting, the Committee had delegated authority to officers to resolve outstanding matters pertaining to noise and odour.

In relation to odour issues, he advised the Committee that the Environmental Health team was content with the application, subject to a condition prohibiting the frying of food on the premises.

In respect of noise issues, the Members were reminded that the applicant had requested a maximum stay of 90 days rather than 30 days, and officers had advised that that was appropriate. The Planning Manager outlined that officers felt that the relevant British Standards should be applied in this instance, as the use was for an aparthotel rather than a standard hotel, where stays of up to 90 days would be permitted in any twelve month period and, therefore, a condition was considered both reasonable and necessary.

The Committee's attention was drawn to the Late Items pack, whereby the applicant had advised that it understood that a condition related to noise standards would be included on any decision notice issued by the Council.

The Committee was advised that the applicant would provide a developers contribution in the form of public realm improvements along the site frontage on Bedford Street and that it was proposed to be dealt with by condition.

The Members were advised that, since the Planning Committee meeting of 13th October 2020, one additional objection had been received from Belfast Civic Trust.

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The objection raised issues regarding the height of the new build portion of the proposal, the design of the new build portion not reflecting the redbrick vernacular of the Victorian terrace and that the proposal detracted from the streetscape of the Linen Conservation Area. He advised that the issues had been addressed within the Case Officers report.

The Planning Manager explained that both HED and the Conservation Officer were now content with the design and proposed interventions to the front terrace, but that they maintained an objection to the 13-storey element on the basis of height, in that they felt it was too dominant on the existing listed building. The Committee was advised that officers felt that the design was respectful to its surrounding environment.

In respect of concerns raised, the Planning Manager outlined that the Park Inn hotel was an existing feature of the site context and therefore part of the character and appearance of the conservation area and that it provided a backdrop of the terrace in that location, especially when viewed from Ormeau Avenue. In that context, it was therefore considered that the proposed 13-storey element in the application was acceptable and would, on balance, preserve the character and appearance of the conservation area and complied with policy BH12 of PPS6. He explained that that the proposed 13 storey building would be visible from the opposite side of Bedford Street and from Ormeau Avenue. The Members were advised that, from those two key views, the existing Park Inn hotel was already a prominent feature and that the proposed development would abut it and read with it.

The Chairperson welcomed Mr. B. McKervey, HED. He advised that HED felt that:

- the 13 storey element would impact adversely on the setting of a number of listed buildings in the immediate area, including numbers 21, 23, 25 and 35-37 Bedford Street;
- the proposal would impact on Broadcasting House on Ormeau Avenue;
- the 4 storey unlisted historic buildings also contributed to the overall visual harmony of the area;
- the heritage assets were central to the character of the Linen Conservation Area and defined the historic townscape at the key junctions with the Dublin Road, Ormeau Avenue, Bedford Street and Linenhall Street;
- HED remained concerned regarding the 13 storey tower as it was too tall, it would dominant the terrace and the wider setting of the listed buildings by becoming a competing focus as opposed to framing views;
- HED recognised that there were several multi-storey buildings in the city centre side of the site but it considered that a 50metre height would have an adverse effect on the overall setting of significant heritage assets and would add to the growing cluster of high rise development in the area; and
- further intensification would likely impact on the wider Linen Conservation area.

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In response to a Member's question regarding HED's suggestion of a condition regarding the materials to be used for the 13 storey building, Mr. McKervery advised that HED considered that the materials used should be in-keeping with the surrounding context and suggested that brick be used. He advised the Committee that it would help the development to integrate better with the historic character of the area.

The Chairperson then welcomed Mr. G. Rolston, agent, Mr. R. Rana, applicant, and Mr. A. Murray, architect, to the meeting. Mr. Rolston advised the Committee that:

- no new material considerations had arisen since the Committee had resolved to agree the application in October, 2020;
- the detail of HED's objection had been fully considered by the Planning officers within their original report;
- HED's stance in relation to the application had changed in that, HED had recommended that the building at the rear should be set back in line with the adjacent Park Inn hotel and also adhere to its height;
- the August 2020 plans which had been submitted by the applicant had addressed both of those issues, but that HED continued to object to the height of the proposed rear building, contrary to its original comments;
- the applicant was in talks with an operator for the aparthotel and hoped to commence development later in 2021, providing a much needed economic boost for the construction and tourism industries.

In response to a question from a Member regarding the impact of the pandemic on the City, and particularly on the tourism trade, Mr. Rana advised the Committee that he was confident that the market would recover and grow to pre-pandemic levels and that there was a need for this kind of accommodation within Belfast.

In response to a further question regarding the choice of materials for the 13 storey building, the agent and the architect advised the Committee that they had explored a number of different designs throughout the PAD stage and that they had been open to working with all parties to ensure that the design complemented the Conservation area. Mr. Murray explained that the final design in front of the Committee was the result of extensive dialogue with the Urban Design officer and the consultees.

In response to a further Member's question, the agent confirmed that there had been engagement throughout the consultation process with the built heritage organisations.

A Member stated that they were concerned that the adjacent hotel which had been referred to within the Case officer's report was being used as a precedent in which to justify the 13 storey tower in the current application, and that it would have a cumulative detrimental impact on the built heritage in the area.

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The Committee noted the information which had been provided and noted that no decision would be taken on the application until the application was formally presented at a Committee meeting later that evening.

Chairperson