



Evening and Nighttime Economy

Supplementary Planning Guidance
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Belfast
City Council



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1 Introduction

1.1 Overview

- 1.1.1 This Supplementary Planning Guidance (SPG) provides additional advice and guidance to support the evening and night time economy. It is intended for use by developers, the public and by planning officers in the assessment and delivery of planning proposals to support the evening and night time economy in Belfast
- 1.1.2 The SPG represents non-statutory planning guidance that supports, and clarifies the policy included within the current planning policy framework, including development plans and regional planning guidance. The information set out in this SPG should therefore be read in conjunction with the existing planning policy framework, most notably the Regional Development Strategy (RDS) for Northern Ireland and the Belfast Local Development Plan Strategy.
- 1.1.3 The Local Development Plan Strategy recognises the increasingly important role of the evening and night time economy providing a mix of leisure and cultural uses to promote the vitality, diversity and attractiveness of the city. The Local Development Plan Strategy contains policies that enables the council's Planning Service to make consistent and transparent decisions on development applications. The Supplementary Planning Guidance note has been prepared to support the council's Plan Strategy, and to provide more detailed information to help prospective applicants to understand and comply with the Plan's policies.
- 1.1.4 The Evening and Night-time Economy SPG provides further details on policy for Tourism Leisure Culture TLC4: Evening and night-time economy contained in Local Development Plan Strategy for Belfast. This will help to ensure that policies are clearly understood and applied effectively to secure the aim and objectives of the Local Development Plan. The SPG should be used alongside the council's other policy guidance aimed at securing high quality sustainable developments within the Plan Area. The Evening and Night-time economy SPG will be a material consideration in the determination of planning applications for change of use and new development.

1.2 What is the Evening and Night-Time Economy

- 1.2.1 The **Evening and Night-time Economy** is the transition from daytime uses into evening and the late night social uses. This shift focuses on the provision of social

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activities offered by cultural and leisure entertainment, food, and drink, predominantly but not exclusively between 6pm and 6am. It performs a unique function of providing opportunities for people to meet and socialise together, as well as an economic one that gives the city its vibrant atmosphere.

2 Policy Context

2.1 Regional planning policy and guidance

Regional Development Strategy (RDS) 2035

- 2.1.1 The regional planning policy context is provided by the RDS. It recognises the importance of accessible, vibrant city centres, which offer people more choice for shopping, social activity and recreation. In particular, it identifies the need to enhance the distinctive role of the city centre as the economic driver of the region. The RDS provides a framework to support the growth of tourism, and the urban renaissance of Belfast as a vibrant capital city. There are a number of regional guidelines, providing a long term policy direction including:-
- **RG4 Promote a sustainable approach to the provision of tourism infrastructure** seeks to encourage a balanced approach that safeguards tourism infrastructure while benefiting society and the economy; improving facilities for tourists and encouraging environmentally sustainable tourism development.
 - **RG7 Support urban and rural renaissance** seeks to support urban regeneration to improve the choice for social activity and recreation. This includes the requirement to reduce noise pollution, to avoid, prevent or reduce, the harmful effects of noise that impacts on wellbeing.
 - **RG11 Conserve, protect and, where possible, enhance our built heritage and our natural environment** seeks to support Investment in new tourism facilities in our towns, and cities, to obtain the maximum benefit from our wealth of cultural and built heritage assets.
 - **SFG3 Enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities** seeks to develop a diverse and distinctive cultural and arts offer to generate a significant influence on investment in the city centre.

Strategic Planning Policy Statement (SPPS) for Northern Ireland (2015)

- 2.1.2 The SPPS establishes the core planning principles with the aim of furthering sustainable development and improving community well-being. City centres are important hubs for a wide variety of employment, retailing, leisure and cultural uses, offering opportunities for social interaction and creating a vibrant sense of place. Tourism makes a vital contribution to the growth of the local economy, creating employment, supporting the vibrancy of the city's culture and heritage. The SPPS safeguards tourism assets, and supports new tourism development to deliver the growth of the tourism sector, and the vibrancy of the city centre economy.
- 2.1.3 It states that safeguarding the residential and work environment from the adverse impact of noise is an important material planning consideration, particularly when assessing development proposals in areas with a vibrant evening and night time

economy. The SPPS directs that Planning Services should pay due regard to the Noise Policy Statement for Northern Ireland to ensure appropriate inter-relationship between the planning system and what is an acceptable noise burden to place on society.

2.2 Local planning policy

Plan Strategy

- 2.2.1 The Local Development Plan comprises the Plan Strategy (PS), and the Local Policies Plan (LPP). The Planning Act (Northern Ireland) 2011 establishes primacy of the Local Development Plan in the assessment of planning applications. The PS provides the planning policy framework for the Council area across a range of topics. It sets out the vision for Belfast, as well as the objectives and strategic policies required to deliver that vision. The suite of topic-based operational policies includes the support for developing the evening and night time economy.

Local Policies Plan (LPP)

- 2.2.2 The LPP sets out site-specific proposals in relation to the development and use of land in Belfast. It contains the local policies, including site-specific proposals, designations and land use zonings required to deliver the council's vision, objectives and strategic policies, as set out in the PS. The LPP defines the city centre and tourism clusters as appropriate areas to support the evening and night time economy. The LPP sets out key site requirements for certain zoned sites, which in some cases will include specific guidance in relation to evening and night-time leisure and cultural venues.

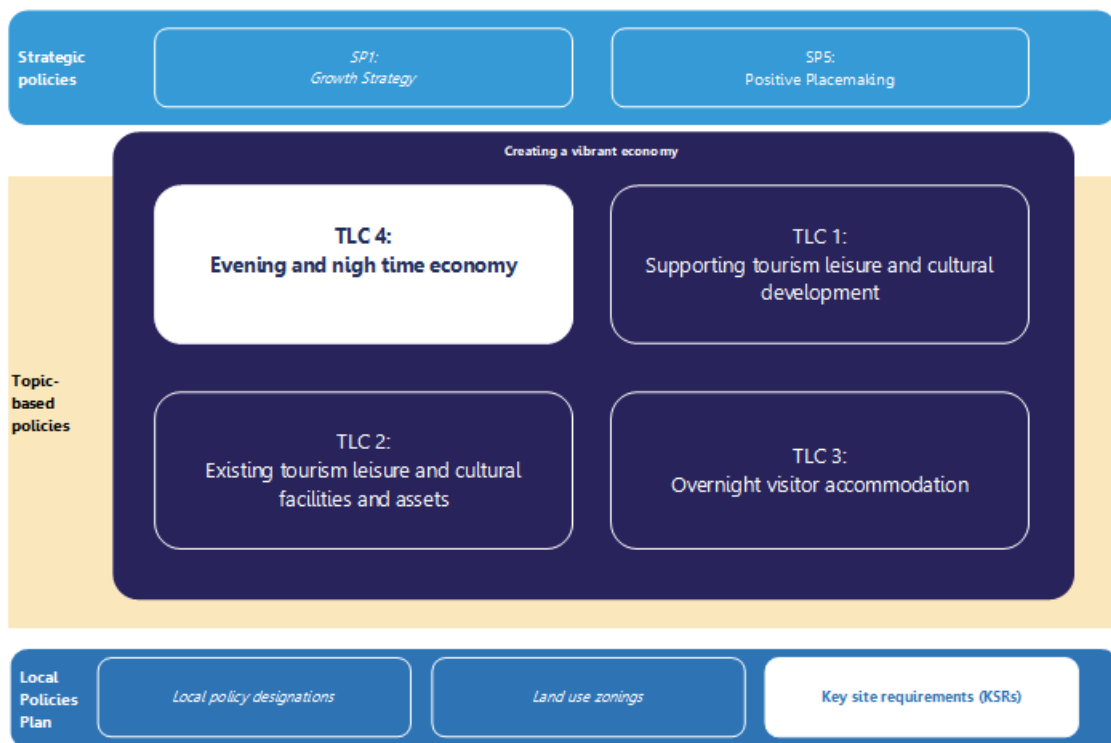
Belfast Agenda (Community Plan)

- 2.2.3 The intention is to develop and enhance Belfast's reputation as an attractive leisure and cultural destination that will contribute positively to the city's tourism offer. The council's Belfast Agenda is committed to growing the tourism sector, to increase visitor numbers and spend within the city. A vibrant evening and night time economy can enhance the attractiveness of the city for the local community, visitors and tourists. It can make a contribution to economic growth, through the creation of jobs.
- 2.2.4 Policy TLC4 Evening and Night time Economy encourages the diversification of evening and night time uses, and protects existing leisure and cultural venues to sustainably develop the city centre and tourism clusters as an attractive vibrant place to visit. The policy supports the Belfast Agenda, the Council's Integrated Tourism Strategy and the Cultural Strategy 2020 – 2030 to promote a diverse tourism package to a wider group of visitors living locally, as well as beyond Northern Ireland. Belfast has a purple flag for its evening and night time economy, and the council has been

awarded the title UNESCO City of Music, the SPG will contribute to strengthening its offer, and protecting its cultural venues,

- 2.2.5 The PS is promoting city centre living, with 8,000 new homes to be developed within the city centre boundary up to 2035. Existing cultural and leisure uses should be protected from being compromised by residents in new housing developments objecting to noises associated with a lively evening and night time economy. Sustaining established evening and night-time economy uses, such as theatres, concert halls, pubs, and live music venues requires a sensitive approach to managing change in the surrounding area. The policy requires new land use developments to be designed in ways which ensure that established evening and night time economy uses remain commercially viable, and can continue to exist in their present form.

Figure 1: Inter-related polices with Evening and Night- time Economy



3 Issues

3.1 General

Policy TLC 4 – Evening and night-time economy

Planning permission will be granted for development proposals that strengthen and enhance the evening and night time economy within the city centre boundary and tourism clusters, subject to meeting normal planning considerations.

Diversifying the evening and night-time economy uses

- 3.1.1 The council is encouraging a wider diversity of leisure and cultural uses to extend activity beyond the normal daytime uses. Traditionally the evening economy is supported mainly by pubs, clubs and restaurants, which from an economic perspective generate high levels of expenditure by visitors and tourists on a night out in the city centre. However, this narrow focus on pubs, clubs and restaurants reduces the appeal of the evening and night time economy to a wider group of people who are not attracted by this traditional offering due to their lifestyle, and who are less inclined to go out in the evening.
- 3.1.2 A strong restaurant, night club and pub presence in an area should be balanced out to offer a wider variety of culture and leisure uses; for example, cafés, theatres, cinemas, bingo halls, small music venues, comedy clubs, escape rooms, art galleries, gyms / fitness centres, late night convenience stores, and family indoor entertainment spaces that provide crazy golf, bowling alleys, climbing walls and would offer a wider choice of attractive social experiences for families, the young and older people.
- 3.1.3 Creating a continuous mix of activities between the daytime economy and the evening and night-time economy will create a lively, relaxed atmosphere that appeals to all age groups; and is more effective at mitigating the disorder that can potentially deter people from experiencing high quality recreational, cultural and leisure activities. In strengthening the diversity of the evening and night-time uses in the city centre and tourism clusters, it would offer good access to a choice of public transport routes, cycling and walking, thereby reducing the need to use a car.

Social Inclusiveness

- 3.1.4 The council is promoting the development of a balanced mix of cultural and leisure uses within the city centre and tourism clusters to deliver a socially inclusive evening and night-time economy. This should ensure that there is a good provision and improvement of premises for cultural activities and performance spaces that meet the

needs of the disabled, elderly, LGBT+ community, and younger people. The loss of these facilities without adequate justification or replacement should be resisted. It is important to encourage a wider demographic group of people to participate in leisure and cultural activities, to make the city centre a more socially inclusive destination for visitors and tourists. Nurturing inclusive social interaction is an important element of the authentic cultural tourism experience; that have the advantages of increasing footfall and improving passive-surveillance and public safety.

Clustering of evening or night-time uses

- 3.1.5 While a variety of evening and night-time uses can offer a choice, the proliferation, and clustering of new or additional evening or night-time uses, could push out day time uses. This could be detrimental to the character and vitality of the streetscape. Proposed evening or night-time uses within the primary retail frontage are unlikely to be permitted where it is considered that the integrity and continuity of the existing retail frontage would be eroded. Applicant's should refer to the retail policies contained with the PS and relevant SPG- Retail and Main Town Centre uses. There may however be exceptions where there are high levels of long-term vacant retail units that may be suitable for appropriate evening or night-time uses to reduce vacancy levels and improve footfall to enhance vitality of the streetscape.
- 3.1.6 Proposals for evening and night-time uses in frontages where there are concentrations of existing and/or approved similar evening or night-time uses are unlikely to be acceptable. The intention is to avoid extensive dead frontages during the daytime, which would reduce footfall and the attractiveness of the area. An overabundance of any evening and night-time uses will have an adverse impact on the vitality and viability of the city centre. It would be appropriate to introduce a mix of uses that are open throughout the daytime and evening / night-time to generate sustained activity.
- 3.1.7 A high-quality design can improve the visual attractiveness and image of the area in the evening. Well-designed frontages and lighting can enhance the character of the streetscape, adding a sense of vibrancy and vitality to attract visitors and tourists. This will contribute to the Instagramable cultural tourism experience sought by visitors. Proposals should avoid giving the appearance of blank or shuttered façades, during the daytime. The planning assessment of proposals for new evening and night-time economy uses, or for a change of use of the ground floor of established shops in the city centre and tourism clusters, will involve consideration of a number of factors including:
- The impact of the proposal (including any extension to an existing use), by itself or cumulatively, with other evening or night-time uses, on the role, character, vitality and viability of the city centre or tourism clusters.

- The impact of the size of the premises and whether they can be absorbed without visually dominating the prime retail frontages.
- The period for which the premises have been vacant, and the general level of vacancy in the area. This will be dependent on the merits of each individual case.
- The possibility of the proposal causing parking and/or traffic difficulties with associated congestion and inconvenience, thereby jeopardising the safety of pedestrians and road users.

Environmental Quality

- 3.1.8 Consideration will be given to the potential of the proposal to adversely affect the ambience of the city centre or tourism cluster for other environmental reasons, for example, unsightly litter, odours or excessive late night noise particularly at closing times associated with patron dispersal. Concerns over these issues could harm the character and amenity of the area. The likely impact of such proposals on the character and amenity of the adjoining or surrounding area will be an important consideration when determining planning applications.
- 3.1.9 Consideration will be given to the potential impact of the proposal to adversely impact the amenity of nearby existing or approved sensitive receptors such as residential and/or offices. A noise and vibration or odour impact assessment may be required.
- 3.1.10 The environmental impact of new evening and night-time use proposals, where possible, will be mitigated by imposing planning conditions on the proposed development. The Council's Environmental Health will be consulted as appropriate, during the processing of planning applications, and in the formulation of any conditions considered necessary for approval of development. The Council has extensive regulatory control of the uses associated with the evening and night time economy, especially entertainment licensing, food safety and hygiene aspects, Building Control, litter enforcement, and noise and statutory nuisance legislation, Sensitive Uses SPG will provide further information.

3.2 Protecting the Evening and Night-time Economy

Policy TLC 4 – Evening and night time economy

The council will also protect and support existing evening and night-time cultural venues. The 'agent of change' principle will be applied to new development near existing evening and late night-time cultural venues. The council may refuse development proposals that have not clearly demonstrated how noise impacts from existing evening and night time uses will be mitigated and managed.

- 3.2.1 Protecting the existing culture and leisure venues recognises the valuable economic role they play in providing an authentic cultural experience that makes the city attractive to visitors and tourists. The 'agent of change' principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on to the new development. This ensures that the existing land uses should not be unduly impacted by the development of new noise-sensitive uses.
- 3.2.2 The council will seek to protect existing evening and night-time economy noise-generating uses to ensure that they remain viable, and can continue to operate or grow without unreasonable restrictions being placed on them due to new noise sensitive residential developments. It is critical to ensure that established cultural and leisure venues can continue to be viable in their present form without the prospect of licensing restrictions, due for example to noise complaints from new uses or occupiers.
- 3.2.3 The agent of change principle to protect a vibrant evening and night-time economy is a material consideration in the planning process. Owners of evening and night-time economy businesses can raise any material concerns about the potential impact that the new developments may have on their activities and commercial viability. New noise sensitive developments should be designed in ways that do not prejudice existing uses or operation of adjoining land and/or the surrounding area.
- 3.2.4 The planning assessment will consider the proximity of new residential development to existing evening and night-time economy businesses to determine the possible impact on residential amenity. To plan for good environmental quality, involves assessing the noise environment at the beginning of the design process, rather than trying to mitigate the negative effects in retrospect. Good acoustic design is not just compliance with recommended noise limits/standards ; it requires an integrated design solution to achieve the optimum acoustic outcome, without compromises that could adversely affect residential living conditions and well-being objectives. Where windows in residential premises must be kept closed to achieve the recommended internal noise limits, consideration should be given to noise impact associated with

the operation of alternative mechanical ventilation systems and the impact of closed windows on thermal comfort of future occupants.

- 3.2.5 Prior to the determination of any planning application for residential development in the city centre and/or in a tourism cluster, a Noise and Vibration Impact Assessment should be undertaken. This should identify adverse noise and/or vibration from an existing evening and night-time economy source that may impact on proposed noise sensitive development. All other relevant noise sources such as traffic, and plant and equipment noise, etc. should also be considered. The purpose is to demonstrate whether significant adverse noise impacts are likely to occur and, if so, identify effective measures to reduce, control and mitigate the impact. The Assessment should outline the mitigation measures to be incorporated into the new noise sensitive development. To create an attractive indoor and outdoor residential environment, consideration should be given to the positioning of the building, design features, including outdoor amenity areas, layout of habitable rooms such as locating bedrooms on a quieter façade, and sound proofing of the proposed development to mitigate the impacts of the noise, to achieve a where possible a good standard of amenity for future occupiers.
- 3.2.6 The assessment shall include representative noise measurements of sufficient duration and including the times of day that existing evening and night time economy uses are operating. The assessment shall examine the impact of all associated activities, music noise (particularly lower frequency bass type music), patron noise in external areas and at egress, and, noise from existing plant and equipment. The assessment must present any calculations in full and describe any assumptions used in the prediction of noise levels and calculations to demonstrate how the predicted noise levels have been attained. Due regard shall be had to relevant noise guidance and standards. Where predictive noise modelling software is used all input data must be provided. Where insufficient information is provided in a noise impact assessment, it is likely to result in delays in determining the application or ultimately in refusal.
- 3.2.7 The physical and operational acoustic mitigation measures identified as necessary in a noise impact assessment will be secured through planning conditions. An acoustic verification report, prior to occupation of a new noise sensitive development, will often be required by way of a condition. The verification report must demonstrate that the recommended noise mitigation measures have been installed to achieve the agreed internal and external target noise limits presented in the supporting noise impact assessment and conditioned in the planning decision notice.
- 3.2.8 In certain circumstances it may be appropriate for the developer responsible for new sensitive developments, to pay for the soundproofing for the existing evening and

night-time economy noise-generating uses. The developers' contribution will be secured through a Section 76 Agreement with the council's Planning Service.

- 3.2.9 When new evening and night-time economy noise-generating uses are proposed near existing or permitted sensitive land uses, the agent of change principle will be applied. New noise-generating development, such as music venues, night club, pubs, cultural spaces, entertainment, and leisure venues proposed close to existing or permitted residential and other noise sensitive development will be required to mitigate any noise impacts on neighbouring residents and businesses. New noise generating uses such as bars and nightclubs or hot food bars should be discouraged below or directly adjacent to existing or committed residential developments.
- 3.2.10 A Noise Impact Assessment (NIA) will be required where new noise-generating uses are proposed in close proximity to existing and/or approved residential or other sensitive receptors. The NIA should include a baseline noise measurement survey and should consider the worst case noise level likely to be generated by the development. In particular, potential for low frequency music breakout should be considered in any noise impact assessment submitted for an entertainment venue. The noise report should identify any necessary mitigation measures to ensure the development does not impact on the amenity of the nearest noise sensitive receptor. The development shall be required through conditions to install the acoustic measures outlined in an approved noise impact assessment to ensure that the music, and other noise associated with the development such as that from plant and equipment, and noise from patrons using and leaving the venue late at night does not materially impact on the amenity of occupiers of surrounding properties. Where appropriate, the Planning Service may agree sound limits for the volume of amplified sound and live music that shall be secured through planning conditions and/or recommend conditions with respect to the installation of music noise level limiting devices and acoustic insulation/lobbies etc. Furthermore it may be appropriate to prohibit/limit amplified and non-amplified sound within external terraces/beer gardens. Reference should be made to current guidance and any updated/superseded versions of the following:
- BS4142:2014+A1:2019 methods for rating and assessing industrial and commercial sound;
 - BS8233:2014 guidance on sound insulation and noise reduction for buildings
 - WHO Guidelines for Community Noise 1999;
 - BS6272-1:2008 guide to evaluation of human exposure to vibration in buildings- Vibration sources other than blasting;
 - IEMA (Institute of Environmental Management and Assessment) Guidelines for Environmental Noise Impact Assessment, version 1.2, 2014;
 - Acoustics and Noise Consultants, Institute of Acoustics, Chartered Institute of Environmental Health ProPG: Planning & Noise. Professional Practice Guidance on Planning & Noise – New Residential Development May 2017 (ProPG);

- The Institute of Acoustics' Good Practice Guide on the Control of Noise from Pubs and Clubs; and
- The Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01/20:2020.

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