

Development Management Report

Summary	
Committee Date: 12 th November 2024	
Application ID: LA04/2024/0664/F	
Proposal: Demolition of the existing buildings on the site and construction of a new Purpose Built Managed Student Accommodation development across 4 blocks of 6 to 18 stories in height, comprising of 560 student rooms, including landscaped roof terraces, associated amenity, site and access works (amended description)	Location: Lands comprising existing Fanum House, Norwood House and adjacent lands, No's 96-110 Great Victoria Street, Belfast, BT2 7BE
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and S76 planning agreement	
Applicant Name and Address: South Bank Square Ltd 6 Bank Square Maghera BT46 5AZ	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Date Valid	19 th April 2024
Target Date	15 th November 2024
Contact Officer	Ed Baker, Planning Manager
<p>Executive Summary:</p> <p>This application relates to lands comprising the existing Fanum House, Norwood House and adjacent lands at 96-110 Great Victoria Street.</p> <p>The application seeks full planning permission for the demolition of the existing buildings on the site and construction of a new Purpose Built Managed Student Accommodation (PBMSA) development across four blocks of 6 to 18 stories in height. The proposal includes 560 rooms made up of 205 studio rooms and 355 cluster rooms. There will be an associated café, communal facilities including a gym, cinema, meeting/study rooms, laundry rooms, and landscaped roof gardens. The proposed material treatments of the building include a mix of red/orange brick and white/grey brick which has been used to break up the building into four distinct blocks. There would be four accessible disabled parking spaces at the rear with access off Dublin Road and Great Victoria Street.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of PBMSA in this location • Design and Placemaking • Impact on Heritage Assets • Impact on the Conservation Area • Impact on Amenity 	

- Climate Change
- Open Space
- Access and Transport
- Health Impacts
- Environmental Protection
- Flood risk and Drainage
- Waste-water Infrastructure
- Natural Heritage
- Waste Management
- Section 76 Planning Agreement
- Pre-Application Community Consultation

The site is a very sustainable location within the City Centre and close to transport links such as Grand Central Station and other public transport services. The application is supported by satisfactory evidence of need for the proposal.

Following negotiations and amendments to the scheme, the proposed building is considered to be of a design appropriate to its context that will introduce active frontages and support the regeneration of the surrounding area.

NI Water have recommended refusal and this is addressed within the report.

DFI Roads has requested a fully dimensioned drawing to demonstrate how vehicular access will be gained to the accessible disabled parking spaces. The drawing has been submitted and DfI Roads have been reconsulted. Delegated authority is sought to deal with this matter.

Two objections have been received as detailed within the main report.

The proposal was not subject to a Pre-Application Discussion (PAD) and the applicant has entered into a Planning Performance Agreement to work through the design issues.

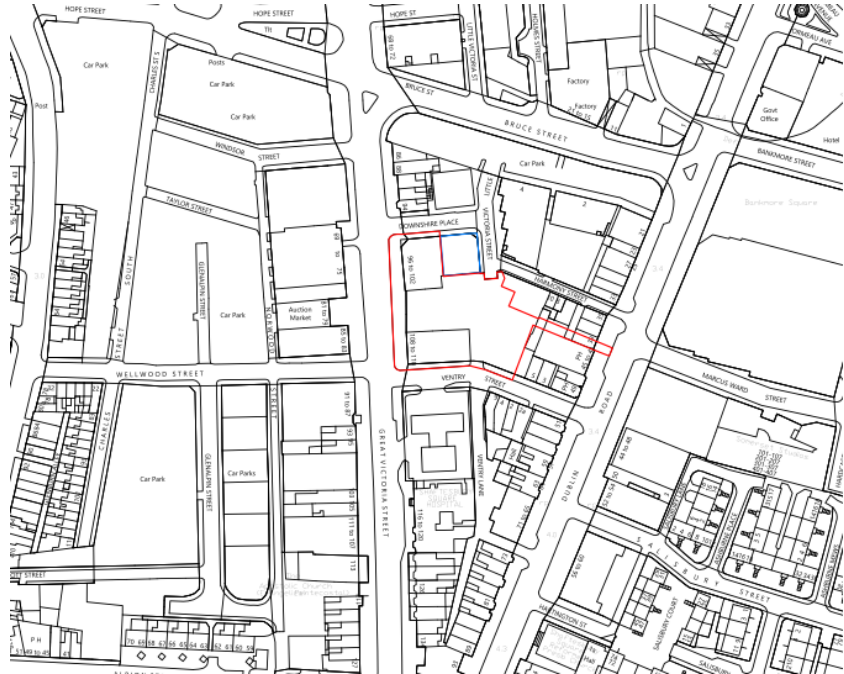
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

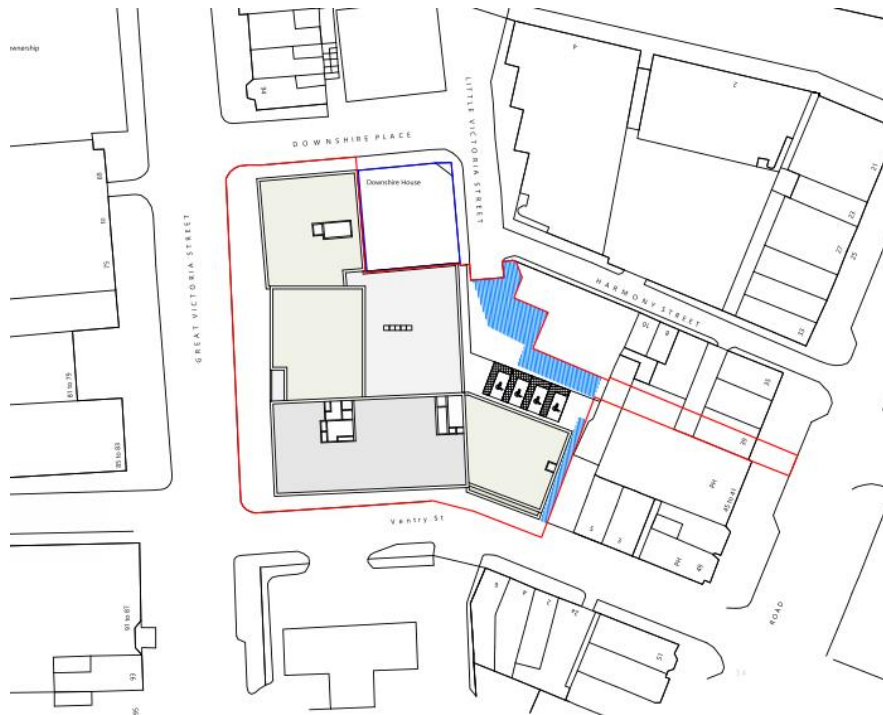
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and resolve the outstanding issue raised by DfI Roads in relation to the details of the access to the development, and deal with any other issues that arise, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

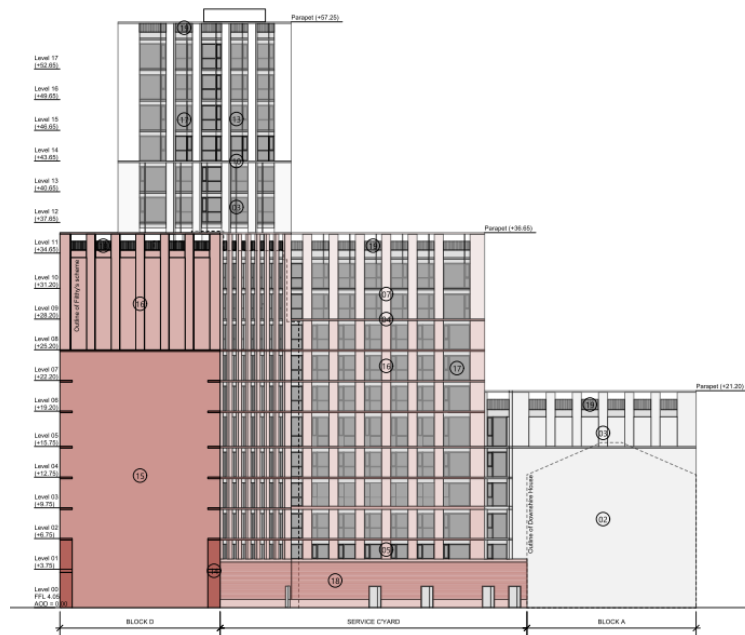
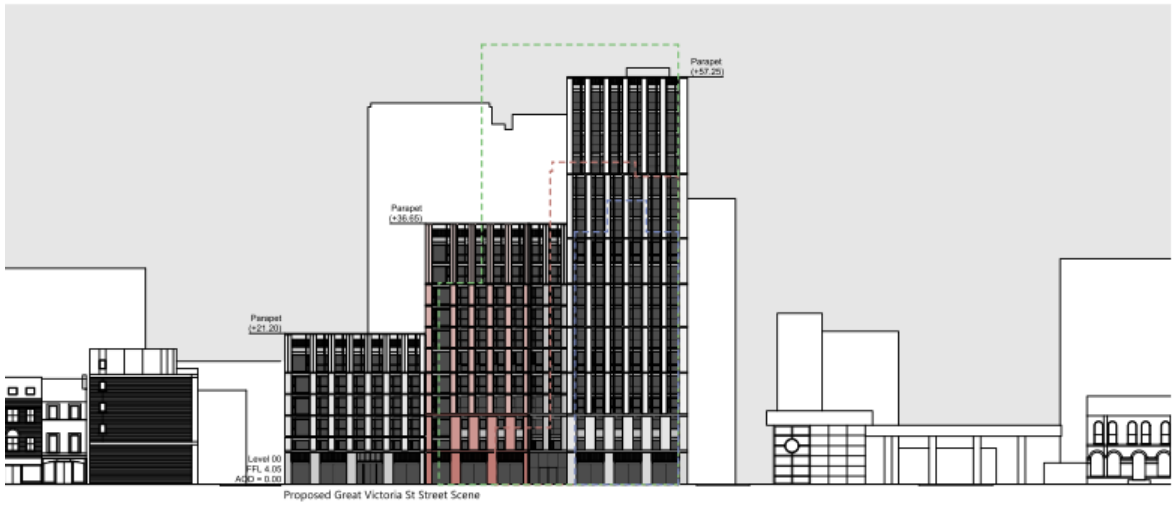
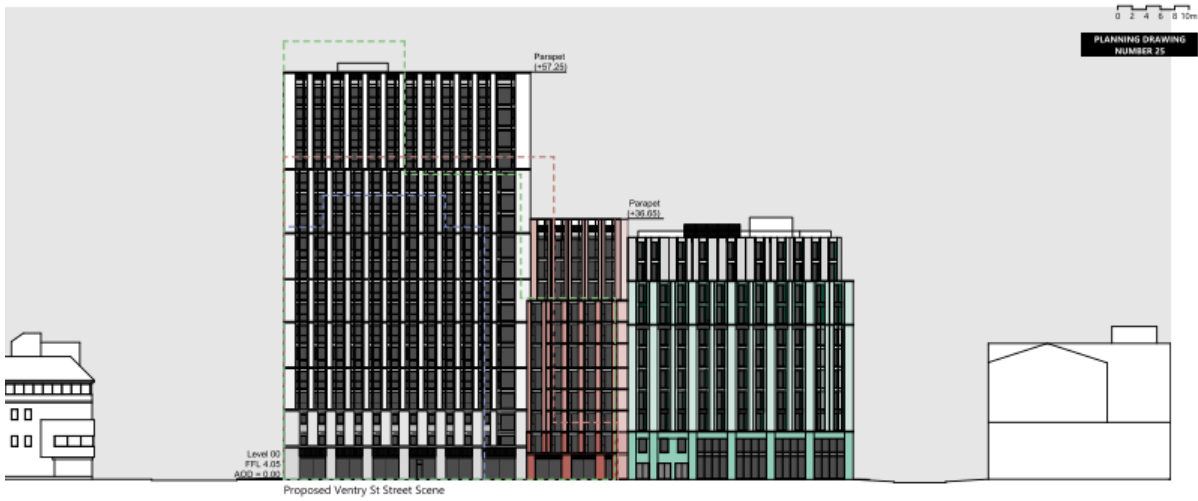
Site Location Plan:

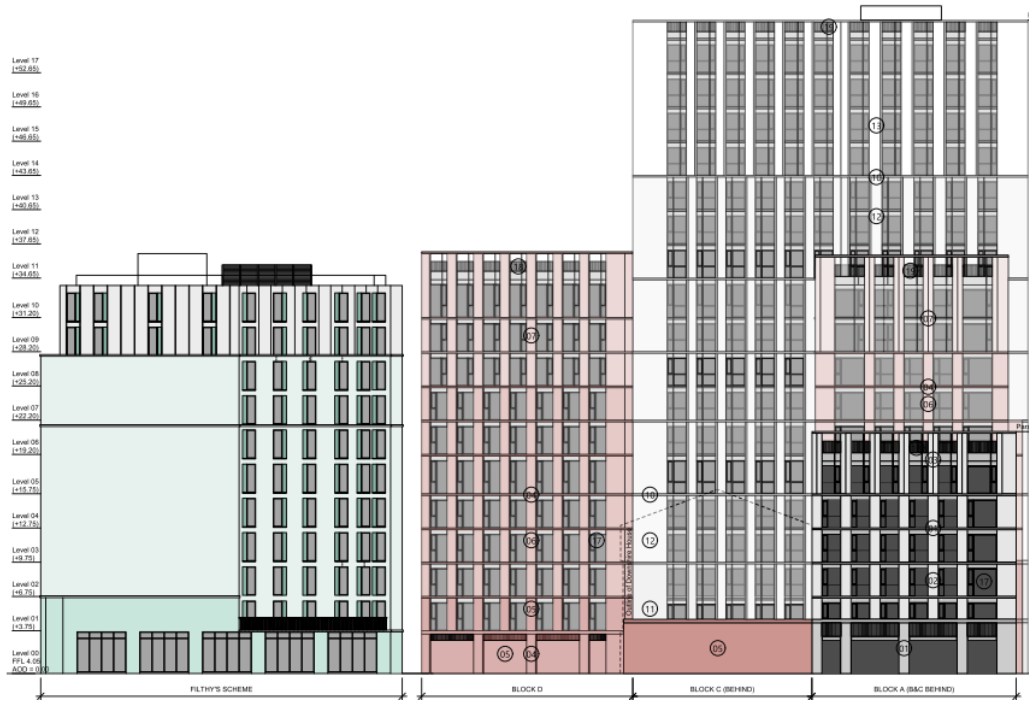


Proposed Site Layout:

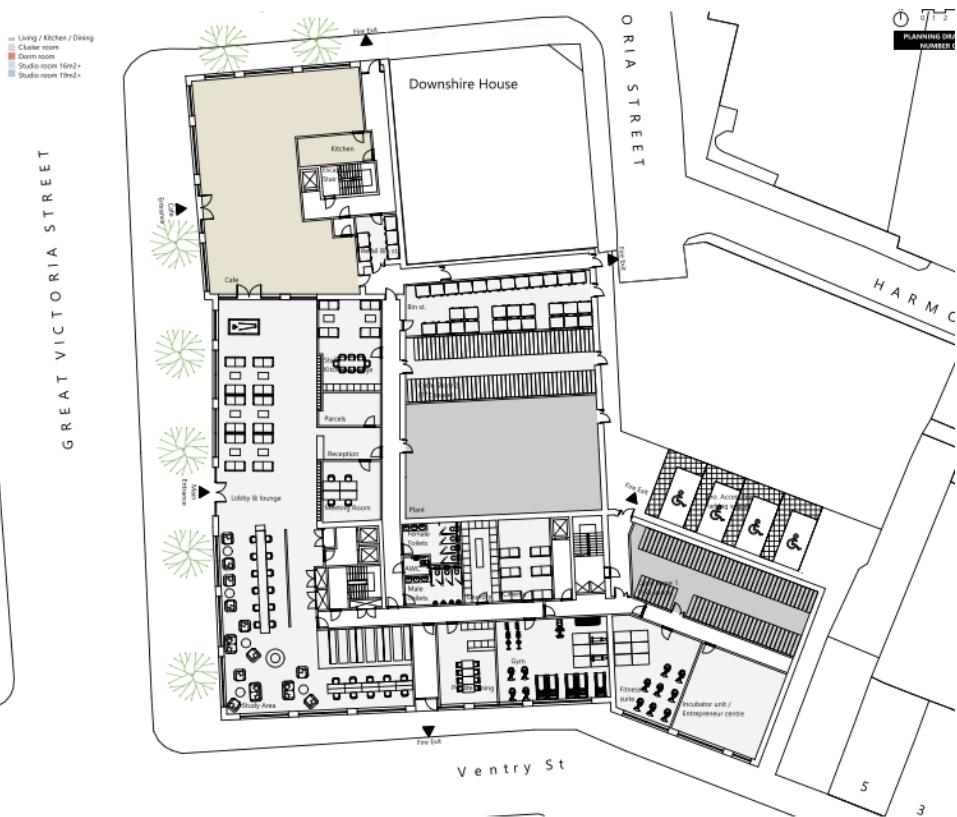


Proposed Elevations:





Ground floor plan:



Photomontages:





1.0	Characteristics of the Site and Area
1.1	This application relates to lands comprising the existing Fanum House, Norwood House and adjacent lands at 96-110 Great Victoria Street.
1.2	The site is approximately 0.3 hectares (ha). It comprises the 11-storey building Fanum House, and a four-storey red brick office building (known as Norwood House) with retail and commercial uses on the ground floor. Fanum House which has been vacant for a number of years but was previously retail at ground floor and offices above. It occupies the corner at the junction of Great Victoria Street and Ventry Street while the Norwood House office building occupies the corner of Great Victoria Street and Downshire Place. Lands between the two buildings and to the rear of Fanum House are occupied by an area of hardstanding used as a car park.
1.3	The surrounding area is largely commercial in nature reflecting the City Centre location. However, there are residential apartments on Downshire Place to the immediate north with community use at ground floor. The site abuts an office building, Downshire House, which is to the rear of Norwood House to the east.
1.4	The immediate context of Great Victoria Street is comprised of lower height office buildings (with the exception of Fanum House itself) of two to five stories with ground floor retail units. To the east towards Dublin Road is generally comprised of taller buildings. To the east of the site is the 7-storey ETAP hotel, a pub/bar (Filthy McNasty's) and community use. The latter have approval for redevelopment for an 11-storey PBMSA building (LA04/2023/3030/F) on the neighbouring land on Ventry Street.
1.5	Further to the north, to the north of the junction of Great Victoria Street and Bruce Street are generally taller buildings. Buildings are generally a minimum of 5-storeys while an emerging higher context is established with a new 15-storey PBMSA on Bruce Street. Further to the north-east at 14 Dublin Road (former cinema site), a 17-storey PBMSA scheme and 14-storey office building are currently under construction.
1.6	To the immediate south of the site is a petrol filling station, beyond which is the Shaftesbury Square Hospital, an end terrace two storey multi bay polychromatic brick former hospital (Listed Building dated to 1867; HB26/30/072).
1.7	The materials on Great Victoria Street are primarily red brick buildings with the exception of Fanum House which is made of a grey render.

<p>1.8</p> <p>1.9</p> <p>1.10</p> <p>1.11</p> <p>1.12</p>	<p>The Linen Conservation Area is located to the north east of the site and runs along the northern side of Bruce Street at the junction of Holmes Street. Directly north beyond the junction of Great Victoria Street and Amelia Street is the City Centre Conservation Area.</p> <p>Description of Proposed Development</p> <p>The application seeks full planning permission for the demolition of the existing buildings on the site and construction of a new PBMSA development across four blocks of 6 to 18 stories. The proposal includes 560 rooms made up of 205 studio rooms and 355 cluster rooms. There will be an associated café, communal facilities including a gym, cinema, meeting/study rooms, laundry rooms, and landscaped roof gardens.</p> <p>The proposal includes four accessible disabled parking spaces at the rear with vehicular access from Dublin Road via Harmony Street and from Great Victoria Street via Downshire Place.</p> <p>The proposed material treatments of the building include a mix of red/orange brick and white/grey brick which has been used to break up the building into four distinct blocks.</p> <p>The proposal was not subject to a Pre-Application Discussion (PAD) and the applicant entered into a Planning Performance Agreement to seek to resolve the design issues.</p>
<p>2.0</p> <p>2.1</p>	<p>RELEVANT PLANNING HISTORY</p> <p>Z/2011/1178/F – the application sought planning permission for the replacement of Fanum House with the erection of a 15-storey, 173 bedroom hotel with basement, including car parking. The application remains extant following the submission of evidence to demonstrate commencement had occurred. This is discussed further in the assessment of the application.</p>
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>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</p> <p><i>Operational Policies:</i></p> <p>Policy HOU12 – Purpose Built Managed Student Accommodation (PBMSA)</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy DES3 – Tall buildings Policy RD1 – New residential developments Policy BH1 – Listed Buildings</p>

	<p>Policy BH2 – Conservation Areas Policy BH5 – Archaeology</p> <p>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 TRAN9 – Parking standards within areas of parking restraint</p> <p>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)</p> <p>Policy HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Residential Design Sustainable Urban Drainage Systems Transportation Planning and Flood Risk Development and Trees</p>
3.3	<p>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)</p>
3.4	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations Purpose Built Managed Student Accommodation in Belfast (June 2016) Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework (2020) Belfast Agenda (Community Plan)</p>
4.0	<p>CONSULTATIONS AND REPRESENTATIONS</p>
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – Further details of the vehicular access were requested and have been submitted. Awaiting further response. (see main assessment).</p>

4.2	<p>DfC HED – No objection.</p> <p>DfI Rivers – No objection.</p> <p>DAERA – No objection subject to conditions.</p> <p>NI Water – Recommends refusal (see main assessment).</p> <p><u>Non-Statutory Consultees</u></p> <p>Planning Service Urban Design Officer – Content</p> <p>Conservation Advice – Comments provided and set out in main report.</p> <p>Environmental Health – No objections and recommends conditions.</p> <p>BCC Landscape and Development – No objection.</p> <p>BCC Economic Development Unit – Recommends an employability and skills developer contribution for the construction phase.</p> <p>Shared Environmental Services (SES) – No objection.</p> <p>Belfast City Airport – No objection.</p> <p>Development Plan Housing Team – Comments provided and set out in main report.</p> <p><u>Representations</u></p>
4.3	<p>The application has been advertised in the newspaper and neighbours notified.</p>
4.4	<p>Two letters of objection have been received and are summarised below:</p> <ul style="list-style-type: none"> • There would be 500 students living within a mile radius of residents and that social housing is required in this area. <i>Officer Response: any impact on neighbouring residents is considered within the report, the site is un-zoned and the Council must consider the application before it on its merits in accordance with the Local Development Plan and relevant material considerations.</i> • Overlooking from Rooftop Terraces. <i>Officer Response: the rooftop terraces contain a 1.7m parapet which will prevent harmful overlooking. This will be implemented by condition.</i> • Noise Control on Downshire Place. <i>Officer Response: an Outline Student Management Plan has been submitted and will be subject to a S76 agreement to ensure sufficient measures are in place to manage amenity issues such as noise. There are no entrances onto Downshire Place which will minimise footfall on this street.</i> • Representation advocates the removal of parking spaces on Downshire Place. <i>Officer's Response: this land is not within the applicant's control.</i> • The proposal should include Green Spaces and Trees. <i>Officer Response: the proposal includes roof top landscaped terraces and a high quality public realm scheme with the inclusion of new tree planting.</i>

5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p>
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of PBMSA in this location • Design and placemaking • Impact on heritage assets • Impact on Conservation Area • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Section 76 planning agreement • Pre-Application Community Consultation <p>Development Plan Context</p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any 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.</p>
5.3	<p>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.</p>
5.4	<p>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 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Polices</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	<p>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 (“Departmental Development Plan”), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area</p>

	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 draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit.
5.8	Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014) – the site is within the City Centre and an Area of Parking Restraint. Further to the north, to the north of Bruce Street and Bankmore Street are the Linen and City Centre Conservation Areas. <u>Principle of PBMSA in this location</u>
5.9	The site is located within the urban development limit in the BUAP 2001 and both versions of dBMAP 2015.
5.10	Policy HOU12 of the Plan Strategy relates to proposals for PBMSA and lists a number of criteria that proposals should meet, as discussed below. <i>Accessibility:</i>
5.11	In locational terms, criterion a. requires that PBMSA proposals are easily accessible to higher education institution campuses by sustainable transport modes and not within established residential areas. The site is located within the City Centre boundary. It is located approximately 1 km from Queen’s University and 1.8 km from Ulster University with walking times of 14 and 23 minutes and cycling times of 5 and 8 minutes.
5.12	The site benefits from excellent access to public transport services due to its City Centre location. There are nearby bus stops on Great Victoria Street and Dublin Road. The closest train station is Botanic, which is a 6-minute walk, while the new Grand Central Station is an 8-minute walk.
5.13	Having regard to these factors, the proposal satisfies the accessibility requirements of criterion a. <i>Development not within an Established Residential Area:</i>
5.14	In addition, criterion a. of Policy HOU12 requires that new PBMSA development is not within an established residential area. Appendix B of the Plan Strategy states that an Established Residential Area is ‘...normally taken to mean residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens. These areas may include buildings in commercial, retail or leisure services use, usually clustered together and proportionate in scale to the size of the neighbourhood being served.
5.15	The site is located on Great Victoria Street which is a mixed- use area comprising mainly offices and retail. There are a number of residential apartments at No. 97 Great Victoria Street and Downshire Place but these form part of a wider mixed use, commercial frontage. Further residential development is located to the west of the site with an apartment block facing onto Glenalpin Street and more traditional terrace housing on Charles St South. However, the area is not dominated by recognisable forms of housing.

5.16	<p>It is concluded that the site is within a mixed-use area and not within an Established Residential Area.</p> <p><i>Minimum of 200 occupants:</i></p>
5.17	<p>Criterion b. specifies that PBMSA proposals should consist of a minimum of 200 occupants. The proposal is for 560 bedrooms with a mix of studios and clusters, therefore satisfying this criterion.</p> <p><i>Need for additional PBMSA:</i></p>
5.18	<p>Criteria e. requires that proposals meet an identified need for the type of accommodation proposed, demonstrated through a statement of student housing need. The application is supported by a “Statement of Student Need”. The statement details that in 2021/22 there were 42,660 students in total with 31,135 full time students enrolled in higher education institutions in Northern Ireland. In Belfast, the higher education institutions are Queens University (QUB), Ulster University, Stranmillis University College, St. Mary’s University College and Belfast Met the largest Further and Higher Education College in Northern Ireland.</p>
5.19	<p>QUB and Ulster University gave a joint presentation to the Council’s City Growth and Regeneration Committee (CGRC) in December 2022. The Committee was advised that the city required a further 6,000 rooms for students by 2028/30. In addition, there was a growing demand for PBMSA over private rental sector accommodation and insufficient rooms either in the planning process or being constructed to address the shortfall.</p>
5.20	<p>In reality, in light of the emerging trend of PBMSA accommodation being increasingly favoured over traditional house shares, the increase in the number of international students choosing to study in Belfast and the projected increase in NI school leavers seeking university places by 2030, the scale of need for student beds is likely to continue to grow beyond the presently projected 6,000 beds.</p>
5.21	<p>The Statement of Student Need confirms that since the most recent expression of need for 6,000 further student beds (by 2028-2030) by the two main Belfast Universities, Queens University Belfast (QUB) and Ulster University (UU), a total of 2,523 additional bed spaces have received planning consent and all but 551 are operational or under construction.</p>
5.22	<p>The Council’s Plans and Policy Team have been consulted on the issue of need. It states that there is a current supply of 7,690 student bed spaces at present (Table 1). It has confirmed that following the CGRC meeting in 2022, a total of 2,523 additional bed spaces have received planning consent and all but 551 are operational or under construction (Table 2). There are also 3,018 beds currently pending from existing applications (Table 3).</p>

Table 1: Existing operational PBMSA supply

Project Name	Address	Beds	Operational	Savills (December 2023)
Mark Royal House	70-74 Donegal Street	-	-	45
John Bell House	1A College Square East	413	Sep-16	413
Botanic Studios	78-86 Dublin Rd, Belfast BT2 7HP	156	Sep-17	160
Great Patrick Street	28-30 Great Patrick Street	475	Sep-18	475
Elms BT1	78 College Avenue	747	Sep-18	Inc. as part of university operated accommodation below
Elms BT2	McClintock Street	490	Sep-18	
Swanston House	41-49 Queen Street	317	Sep-18	317
123 York Street	123-137 York Street	407	Sep-19	501*2
Little Patrick Street	26-44 Little Patrick Street	430	Sep-20	430
101 York Street	81-107 York Street	717	Sep-21	717
Completed as at December 2022		4,152		3,058
University owned accommodation		2,621		4,543
Total PBMSA in December 2022 (university and private)		6,773		7,601
Bruce Street	Little Victoria St, Bruce St & Holmes St	271	Sep-23	271
Aster House	University Rd & Botanic Avenue	253	Sep-23	253
Alma Place	18-26 Library Street	393	Sep-23	393
Additional PBMSA Operational from September 2023		917		917
Total existing PBMSA (university and private)		7,690		8,518

Table 2: Future Supply figures for PBMSA accommodation in Belfast

Under Construction			
Project Name	Address	Beds	Savills (December 2023)
Athena House	Little York St, Great George's St & Nelson St	774	774
Bradbury Place	30-44 Bradbury Place	156	156
	48-52 York Street	307	307
123 York Street Extension	8-12 Little Patrick Street	94	* Included above
	140 Donegall Street	724	724
Total Under construction		2,055	1,961
Approved (Not started)			
Sinclair House	89-101 Royal Avenue	30	30
	118-122 Royal Avenue	21	-
Catholic Chaplaincy	28-38 Elmwood Avenue	41	41
QUB Dublin Road	14 Dublin Road, Belfast, BT2 7HN	459	463
Total Not started		551	534

Table 3: Pending PBMSA Planning Applications

Reference	Address	Beds
LA04/2022/1284/F	Library Street and Little Donegall Street	862
LA04/2023/2922/F	Site bounded by <u>Glenalpin Street</u> , Wellwood Street and Norwood <u>Street, Belfast</u>	354
LA04/2023/3030/F	41-49 Dublin Road and 3-5 <u>Ventry Street, Belfast</u> , BT2 7HD	201
LA04/2024/0664/F	Lands comprising existing Fanum House, Norwood House and adjacent lands, No's 96-110 Great Victoria Street	594
LA04/2024/0681/F	Lands to the northeast of Olympic House, east of Queen's Road and south of Belfast Metropolitan College	1,007
Total pending		3,018

- 5.23 The Plans and Policy team advises that *'the need for 3,400 spaces expressed by the universities in 2022, will therefore have been largely met by the existing supply should all of the approved PBMSA developments be implemented, although this excludes the two additional sites that QUB have already acquired to meet their requirements directly. Should the need of 6,000 units also quoted by the universities at the same meeting be taken as the stated requirement, capacity for up to 2,900 additional bed spaces may remain.'*
- 5.24 The response goes on to state that if the five pending applications were to be approved, they would deliver a combined total of 3,018 (since updated to 3,839) bed spaces, which would represent 6,362 beds in total, exceeding the 6,000 bed space requirement quoted by the universities.
- 5.25 However, the response acknowledges that if the additional 3,018 (since updated to 3,839) bed spaces were approved this would take the pipeline of development to 14,231 bed spaces *which would represent a bed ratio of 2.9, without taking into account any growth in student numbers in the intervening period. Such a ratio would still remain behind most of the comparator university cities such as Exeter, Brighton, Leicester and Cardiff.*
- 5.26 Since the tables above were provided by the Plans and Policy team, there have been a number of updates to PBMSA applications as shown below:
- Table 2:
The referenced QUB Dublin Road scheme is now under construction.
- Table 3:
LA04/2022/1284/F - Application has been Refused but there is a pending appeal.
LA04/2023/3030/F - Application has been Approved.
- 5.27 A further planning application has been received at lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast (LA04/2024/1138/F) for 821 rooms which increases the pending number of beds within table 3 to 3,839 beds.
- 5.28 The pending applications combined with those approved gives a bed total of around 6,350 beds which exceeds the 6,000 bed space requirement quoted by universities. The statement of need demonstrates that with projected student growth and the current bed ratio in comparison to similar university cities that there remains a need for student accommodation. Due consideration must also be given to the fact that while there are a number of extant approvals not all of the schemes may be built.

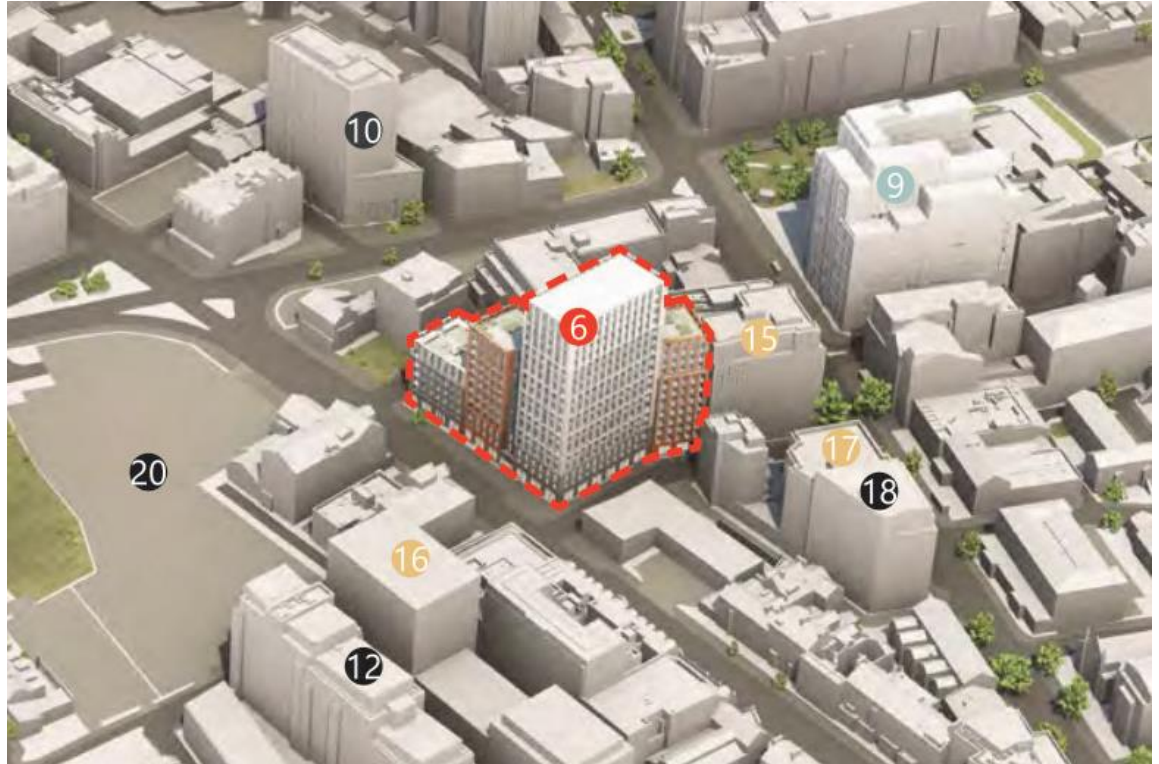
5.29	<p>Having regard to these factors, it is considered that a need for the proposal is established and that criterion e. is satisfied.</p> <p><i>Purpose Built Managed Student Accommodation in Belfast SPG:</i></p>
5.30	<p>In the absence of specific planning policy at that time, in 2016 the Council published PBMSA Supplementary Planning Guidance to support the consideration of such planning applications. Updated SPG is currently the subject of public consultation and does not currently have determining weight.</p>
5.31	<p>The 2016 SPG is material and sets out similar requirements to Policy HOU12 and other relevant policies in the Plan Strategy, covering areas such as accessibility, controlling development in established residential areas, open space, space standards, parking, waste and recycling. The Plan Strategy is the statutory Development Plan and carries greater weight than the 2016 SPG. Nevertheless, for the reasons set out in this report, it is considered that the proposal is consistent with the objectives of the guidance.</p> <p><i>Economic development:</i></p>
5.32	<p>The Council's Economic Development Unit notes that the estimated construction cost of the development is £42 million. It is expected that approximately 280-300 jobs will be created during the design and construction stages. These are material considerations that support the case for the granting of planning permission.</p>
5.33	<p>The Economic Development Unit advises that an Employability and Skills Developer Contribution is required for the construction period and this should be secured by a Section 76 planning agreement.</p>
5.34	<p>Having regard to the factors discussed above, the principle of PBMSA development in this location is considered acceptable.</p>
	<p><u>Design and Placemaking</u></p>
5.35	<p>The proposal has been assessed against Policies SP5, DES1, DES2 and DES3 of the Plan Strategy, the SPPS and Creating Places. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development, while Policy DES3 relates to the assessment and siting of tall buildings.</p> <p><i>Status of previous planning approval for a hotel:</i></p>
5.36	<p>Planning permission was previously granted for a 15-storey hotel on part of the site on 18th September 2012 (Z/2011/1178/F). The applicant has submitted evidence that commencement had taken place and officers are satisfied that the planning permission remains extant. There was a sole pre-commencement condition (condition 7) requiring a Piling Risk Assessment to be submitted and agreed by the Department. That condition was discharged on the 30th June 2017. The applicant was therefore required to provide evidence that the commencement of development took place prior to the 18th September 2017. The submitted evidence is as follows:</p>

	<ul style="list-style-type: none"> • Map showing a piling location; • Email dated the 6th September 2017 with photographs showing the piling works carried out on site; • An affidavit from Seamus Gillian declaring the work completed on 6th September 2017 comprised of the excavation of a foundation beam, driving of mini pile foundations, pouring of concrete into foundations and installation of rebar and pouring of concrete foundation beam.
5.37	<p>The evidence submitted demonstrates that that mini pile foundations were carried out on the eastern side of the proposed building on the 6th September 2017. The works fall within the remit of <i>'any work of construction in the course of the erection of the building'</i> as set out in Section 63 (2) (a) of the Planning (Northern Ireland) Act 2011. The nature of the works is considered to be material and in accordance with the planning approval.</p>
5.38	<p>This establishes fallback position of the 15-storey hotel building (45.3m) on the site and sets a baseline when considering the scale, massing and height of the proposal.</p> <p><i>Demolition:</i></p>
5.39	<p>To facilitate the proposed redevelopment, the 11 storey existing Fanum House and 4 storey Norwood House will need to be demolished.</p>
5.40	<p>In placemaking terms, neither building has any architectural merit worthy of retention and their demolition allows for a coherent development of form, massing and architectural detail that makes more effective use of land.</p>
5.41	<p>A Demolition Justification Statement has been submitted and is assessed in the Climate Change section later in the report.</p> <p><i>Scale, height and massing:</i></p>
5.42	<p>The proposal comprises four blocks (Blocks A to D) that graduate in height to the tallest element on the corner of Great Victoria Street and Ventry Street where the existing Fanum House is currently located. The proposal then drops in height again along Ventry Street. The four blocks are shown in the image overleaf and described below.</p> <ul style="list-style-type: none"> • Block A is to be located on the northern edge of the site, replacing Norwood House, and is a six-storey building at 21.2m; • Block B is proposed at a height of 11-storeys and a height of 36.65m, which is just below the height of the existing Fanum House at 39.9m; • Block C – this is the tallest element of the scheme at the corner of Great Victoria Street and Ventry Street replacing Fanum House. Block C is proposed at a height of 18 storeys and 57.25m. For context, the existing height of Fanum House is 39.9m and the extant hotel permission is 45.3m; and • Block D is located on Ventry Street and contains a shoulder height of 25.2m and a total height of 11 stories at 36.65m.

5.43

In comparison, the heights of other buildings in the vicinity include:

- The Gallery (34 metres) to the south;
- Victoria Place Apartments (42 metres) and the Holiday Inn (36m) to the west;
- Bruce Street Student Accommodation (47 metres), Centre Point (42 metres), Great Northern Tower (55 metres) and Europa Hotel (58 metres) to the north ;
- Under construction to the North East is a PBMSA scheme at 14 Dublin Road (57.25m) and an Office scheme (54.3m).



Aerial Image showing proposal within surrounding tall buildings

5.44

The surrounding area on Great Victoria Street largely comprises 2 to 5 storey buildings with the exception of Fanum House at 11 stories which is an anomaly in the street-scene. Ventry Street contains an existing 7-storey building and has an approval for an 11 storey PBMSA scheme on the corner with Dublin Road (LA04/2023/3030/F).

5.45

To the north of the site after the junction of Great Victoria Street and Bruce Street are generally taller buildings. Buildings are generally a minimum of 5 storeys with an emerging higher context established through the new 15 storey student accommodation block on Bruce Street. To the north east at No. 14 Dublin Road at the junction of Dublin Road with Bruce Street and Bankmore Square (former cinema site), a 17 storey PBMSA scheme and 14-storey office building are currently under construction.

5.46

In assessing the height of the proposed building, the existing context and planning history are important considerations. Fanum House itself is 11 stories in height and considered to be of limited architectural merit. The existing building has not been in use for a number of years. As previously indicated, there is an extant permission for a 15-storey hotel, which provides a baseline for considering height and scale. The site is larger than the previous hotel approval, extended to include Norwood House which aids in providing opportunity for a more coherent block and form.

5.47	Following negotiations and amendments to the scheme, it is considered that the proposal is contextually appropriate in terms of height, scale and massing. Block A has been reduced from eight to six stories and its height reflects that of the immediate area of Great Victoria Street and would sit comfortably within the existing context. The Senior Urban Design Officer (SUDO) advises that the reduction in the height of Block A is particularly welcomed and is more representative of the height of neighbouring buildings along GVS and Downshire Place providing a transition piece for the massing of the adjacent Blocks B and C.
5.48	Block B proposed at 11 stories provides a bridge between the lower height of Block A and the tallest element of Block C. The height is below that of the existing Fanum House and aids in ensuring the tallest Block C is a focal point for the development. Block B includes a 3m section setback in the building where it adjoins Block C; this aids in breaking up the massing of the building and maintaining Block C as the focal point. Block C itself is of 18 stories in height (57.25m) which is 7 stories taller than Fanum House (17.35m) and 3 storeys taller than the extant hotel permission (11.95m). The site of Block C will remain the tallest point in the locality. Whilst taller than the extant hotel, it is not as wide as the hotel approval onto Ventry Street. Furthermore, architecturally, Block C is considered to represent a significant improvement over the hotel approval. Having regard to these factors, the height of Block C is considered to be on balance acceptable.
5.49	The extant approval did not incorporate Norwood House. By acquiring this additional land, this provides greater opportunity for graduating the height of the scheme along Great Victoria Street, whilst remaining sympathetic to the surrounding context. Block D similarly steps down in an appropriate manner to 11-storeys and provides a visual break to the approved PBMSA scheme on Ventry Street and Dublin Road, which is taller again. The 3 upper storeys of Block D are set back from the building line and shoulder height below the adjacent PBMSA approval, providing visual relief to street-scene before rising to the upper shoulder height on the approved neighbouring building.
5.50	In summary, it is considered that the height, scale and massing of the proposal would be in keeping with the character and appearance of the area and are justified. The SUDO raises no concerns in relation to the height of the scale and massing.
	<i>Architectural treatment:</i>
5.51	The proposed architectural treatment of the building is modern but with reference to historic design cues in terms of fenestration and bay treatment. The façade treatment includes vertical emphasis through the ordering of windows to reflect that of Victorian buildings within the city. The proposal has been amended to provide subtle variations in detailing across the buildings and decrease the solid to void ratio which has aided in preventing the building from appearing heavy and monolithic in nature.
5.52	The SUDO states that the vertical design features to both Blocks B and D help break up the massing along both GVS and Ventry Street as well as placing emphasis on the taller Block C and are welcomed. It is also noted by the SUDO that the blocks present new street facing edges onto three routes helping to repair a significant section of the urban block and the widths reflect the surrounding grain.

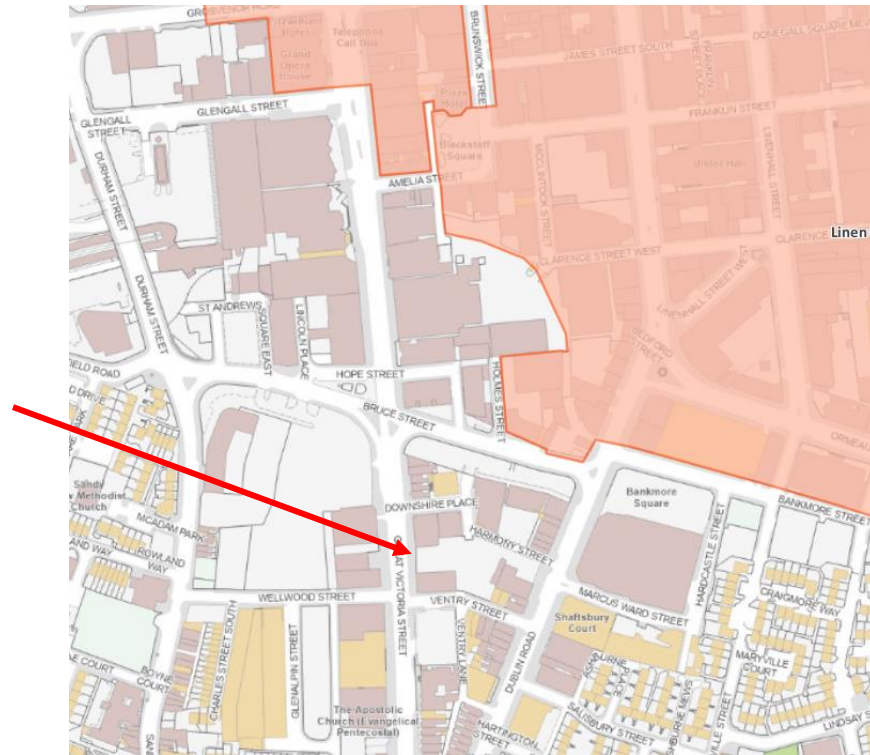
5.53	<p>The proposed material treatment includes a palette of different tones of grey brick to Blocks A and C and red/orange brick to Blocks B and D. Red/Orange reflects the predominant brick colour within the surrounding area. The use of lighter grey brick tones aids in breaking up the massing of the proposal and compliments the red brick. The initial proposal was for the tallest element Block C to be red brick, however, this was considered too overpowering and heavy within the streetscape, while the lighter grey brick provides a contrast to the red brick prevalent within the area and the buff brick of the Listed Shaftesbury Hospital in the foreground when viewed from the southern end of Great Victoria Street.</p>
5.54	<p>Blocks B and C use a variation in brick colour to the lower three storeys along with a defined lintel to reflect the existing shoulder height along Great Victoria Street and ensure the proposal is sympathetic to its surrounding context form.</p>
5.55	<p>A condition is recommended to require final approval of the external materials including a physical sample panel.</p> <p><i>Active frontage:</i></p>
5.56	<p>The proposal contains active ground floor frontages along both Great Victoria Street and Ventry Street. Block A to the northern end of the site is to contain a café with a separate entrance to the student accommodation; this is the only portion of the site which currently contains a level of active frontage from retail units and the office entrance to Norwood House. The remaining frontage along Great Victoria Street serves as a lobby, lounge and study area which turns the corner onto Ventry Street. Ventry Street itself contains a secondary entrance as well as a dining area and gym.</p> <p><i>Wind Microclimate</i></p>
5.57	<p>Policy DES3 states that proposals should avoid the effects of wind turbulence and other adverse microclimatic impacts. The application includes the submission of a Wind Microclimate Assessment Report. The Report concludes that there would be a suitable comfort level of existing off site thoroughfares, roadways, entrances, bus stops and café/restaurant/bar external seating areas. The café entrance when tested in existing conditions is a category windier than the target and there are some localised exceedances of the S15 (distress) criteria in the passageway to the east of the site and Ventry Street. It is considered these are short term impacts and these will be mitigated following the construction of future consented schemes in the surrounding area. Windier conditions would exist on the western and southern extremities of the terraces but additional screening would provide mitigation; it is noted there is a parapet proposed which is conditioned and should aid in this regard. It is not considered the proposal would cause any adverse microclimatic impacts.</p> <p><i>Public realm:</i></p>
5.58	<p>The proposal includes improvements to the public realm in accordance with the Developer Contribution Framework. The proposed scheme will replace the existing asphalt pavement with a high-quality natural stone paving surrounding the building on Downshire Place, Great Victoria Street and Ventry Street. In addition, existing street trees will be retained and supplemented with seven additional street trees retained in planters. The public realm and tree planting will be required to be implemented by planning condition. It is further acknowledged that DfC's Streets Ahead 5 project is intended to include Great Victoria Street and Ventry Street and the condition will ensure that the final public realm details are submitted for agreement to ensure tie in with the Streets Ahead 5 project where possible.</p>

	<i>Masterplanning:</i>
5.59	Policy DES2 contains a number of masterplanning principles for major development.
5.60	The proposal adopts a holistic approach, the incorporation of Norwood House into the site ensures a coherent block of form and scale. The proposal is mindful of the adjacent PBMSA approval along Ventry Street/Dublin Road by incorporating an appropriate shoulder height and avoiding prejudice by ensuring no windows are proposed on the facing elevation. The proposal seeks to achieve BREEAM Excellent rating and would contribute to the public realm with high quality materials and landscaping.
5.61	In summary, the proposal is considered acceptable having regard to Policies DES1, DES2, DES3 and relevant provisions of the SPPS.
	<u>Impact on the heritage assets</u>
5.62	There is one Listed Building within close proximity to the site, located to the south on Great Victoria Street: <ul style="list-style-type: none"> • HB26 30 072 - Shaftsbury Square Hospital, 116 Great Victoria Street, Grade B1
5.63	The former Shaftsbury Square Hospital forms part of a key view of the site from the south on the approach from the city centre. The building is a two-storey end of terrace in yellow brick with redbrick courses and detailing.
5.64	DfC HED (Historic Buildings and Monuments) were involved in the design negotiations which led to amendments to the scheme. It offers no objection to the proposal in terms of potential impact on historic buildings and archaeology. HED is in the round supportive of the scheme and considers that the proposal will not substantially harm the contribution the urban setting makes to the understanding or experience of the essential character to the listed building.
5.65	While HED does not object to the proposal, its response does state that there are missed opportunities to make the scheme a 'wholly integrated urban development underpinning the distinctive historic character'. It states that the applicant's Design and Access Statement does not include the Shaftsbury Square Hospital within the Taxonomy Studies which would have allowed the character, proportions etc of the listed building to be used to inform the character of the proposed development.
5.66	Officers advise that whilst there is a lack of commentary in the Design and Access Statement in terms of how the Listed Building was considered, a series of design workshops, which included representation from HED, were held to improve the design of the scheme, including its impact on the setting of the Listed Building.
5.67	The applicant has provided a response to HED's comments to confirm how the design has considered the Listed Building. Detailing such as the course band between the second and third stories and the darker brick within the lower three stories are used to acknowledge the scale and height of the Listed Building, as well as other buildings on Great Victoria Street. Block C was also amended from red to grey brick to provide a better and less overpowering contrast to the Listed Building which would not detract from views from the south of the site.

5.68 Having regard to the advice from HED and the further assessment by officers, it is considered that the setting of the Listed former Shaftesbury Square Hospital and other Listed Buildings in the vicinity of the site, would be safeguarded. The proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS.

Impact on the Conservation Area

5.69 The map overleaf below the proximity of the site to both the Linen Conservation Area and the City Centre Conservation Area.



5.70 Policy BH2 states that development proposals partly located or neighbouring a Conservation Area will not be permitted where they are considered to impact negatively on the character or appearance with regards to views into out of, within or across the area.

5.71 Given its height and scale, the proposal will impact on long distance views of the Linen and City Centre Conservation Area from the south, and out of the Conservation Areas from the north. Conservation advice states that perspective/horizon lines are reasonably uniform along Great Victoria Street and only interrupted by the existing Fanum House which may have been approved due to the existence of a larger building on site adjacent. The advice acknowledges that a taller building has occurred historically on the site but in terms of the objective of appreciation, enjoyment, understanding and perception of the Linen Conservation Area this would be best served by lower storey buildings that restored historic legibility; this equates to the building to the north of the site. The advice acknowledges the fallback positions of the existing Fanum House and extant approval and considers that the height of any acceptable approval should be guided by the minimum that would be facilitated in those scenarios.

5.72	<p>The proposed overall height is greater than the existing Fanum House and extant Hotel permission, however it remains the case that the height, scale, massing and architectural treatment are considered appropriate. The site is considered sufficiently separated from the Linen Conservation Area that the impact on views is considered to be no greater than that of the existing Fanum House or the extant hotel approval. It is considered that the proposal would not have an adverse impact on the setting of the Conservation Areas. Their character and appearance would be safeguarded with no obvious opportunities for the proposal to provide their enhancement.</p>												
5.73	<p>Conservation Advice also raises concerns regarding the impact on Listed Buildings and that the proposal would perceptually diminish the remaining heritage assets and the wider perception of historicity of the setting of the Conservation Area. However, HED, as statutory consultee, does not consider the proposal to have a negative impact on the setting of the listed buildings.</p>												
5.74	<p>It is considered that the proposal complies with Policy BH2 and relevant provisions of the SPPS.</p> <p><u>Impact on amenity</u></p> <p><i>Space standards:</i></p>												
5.75	<p>Criterion c. of Policy HOU12 requires PBMSA proposals to provide a quality residential environment for students in accordance with the space standards for HMOs set out in Appendix C of the Plan Strategy. The proposed bedrooms would exceed the relevant space standards as set out in the table below. Criterion c. is therefore satisfied.</p> <table border="1" data-bbox="339 1099 1490 1249"> <thead> <tr> <th data-bbox="339 1099 759 1137">Room type</th> <th data-bbox="759 1099 1179 1137">Appendix C standard</th> <th data-bbox="1179 1099 1490 1137">Proposed</th> </tr> </thead> <tbody> <tr> <td data-bbox="339 1137 759 1176">Standard bedroom</td> <td data-bbox="759 1137 1179 1176">6.5 sqm</td> <td data-bbox="1179 1137 1490 1176">Min 10.5 sqm</td> </tr> <tr> <td data-bbox="339 1176 759 1214">Studio</td> <td data-bbox="759 1176 1179 1214">13 sqm</td> <td data-bbox="1179 1176 1490 1214">16 sqm and 19 sqm</td> </tr> <tr> <td data-bbox="339 1214 759 1249">Accessible studio</td> <td data-bbox="759 1214 1179 1249">13 sqm</td> <td data-bbox="1179 1214 1490 1249">25.5 sqm</td> </tr> </tbody> </table> <p>Space standards for the proposed bedrooms</p> <p><i>Open space and amenity space:</i></p>	Room type	Appendix C standard	Proposed	Standard bedroom	6.5 sqm	Min 10.5 sqm	Studio	13 sqm	16 sqm and 19 sqm	Accessible studio	13 sqm	25.5 sqm
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Accessible studio	13 sqm	25.5 sqm											
5.76	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>												
5.77	<p>The proposal includes three landscaped rooftop amenity spaces measuring approximately 875sqm in size which will includes planting and seating areas. The amount of open space would be 28% of the site area, therefore, exceeding the 10% open space requirement. The requirements of Policy OS3 are met.</p>												

5.78	<p>The external amenity areas would equate to an average of 1.5sqm per bedroom. <i>Creating Places</i>, published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm, however, this applies to apartment or flat developments, or 1 and 2-bedroom houses on small urban infill sites, and is not directly applicable to PBMSA development. In any event, Policy OS3 (open space) carries greater weight as part of the statutory Local Development Plan and is satisfied. In addition, the scheme would provide internal amenity areas such as lounges and a gym, which would support the residential living environment. The overall external and internal amenity space would be 3.1sqm per bedroom. This level of private amenity space provision is considered acceptable.</p> <p><i>Daylight and sunlight to bedrooms:</i></p>
5.79	<p>A Daylight/Sunlight Assessment was carried out to ascertain whether the proposed development would offer acceptable daylight/sunlight amenity for prospective residents. In terms of daylight 522 (93%) of rooms meet or exceed the BRE recommended 150lux for student bedrooms and 538 (96%) meet the criteria of 100lux. Nine bedrooms are below with values between 83 and 99lux. Thirteen rooms are significantly below the target due to being located on lower floors on the east wing or lightwell of the west wing with the lowest being 46lux. In terms of sunlight, 359 (64%) of student bedrooms meet or exceed the BRE recommendation of 1.5hrs. The majority of the remaining rooms which do not meet the recommendation are located on the north side of the building minimising their potential sunlight. Given the location of the building within the highly dense city centre and context of being surrounded by other buildings where a lesser standard is to be expected, the daylight/sunlight provided is considered acceptable and consistent with other recent PBMSA schemes.</p> <p><i>Impact on neighbouring amenity:</i></p>
5.80	<p>The closest residential building to the development is the apartment block located on Downshire Place. Officers have no concerns about overlooking as the site does not directly face the proposed development. An objection raises concerns about overlooking from the proposed rooftop gardens but given there is a proposed parapet this will prevent harmful direct views into apartments.</p>
5.81	<p>In relation to overshadowing, the proposal would not unacceptably overshadow the apartment block on Downshire Place. A VU.CITY model has been provided and demonstrates that the apartment block is considerably overshadowed by the existing built form. Block A is the closest to the apartment block and is of a similar height to the existing Norwood House. It is not considered that the proposed height of Blocks B, C or D would exacerbate the existing overshadowing to an unacceptable degree.</p>
5.82	<p>Taking these factors into account, it is considered that the proposal would not have an unacceptable impact in terms of daylight and sunlight on neighbouring properties.</p> <p><i>Management plan:</i></p>
5.83	<p>A draft management plan has been provided with the application and a final student management plan will be secured through the Section 76 planning agreement. This will deal with, amongst other matters, anti-social behaviour, helping to mitigate potential impacts on neighbours, satisfying criterion d. of Policy HOU12.</p>
5.84	<p>In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.</p>

	<p><u>Climate change</u></p> <p><i>Proposed Demolition</i></p>
5.85	<p>The proposal involves demolition of the 12-storey Fanum House and 6-storey Norwood House. Policy ENV 2 states:</p> <p><i>‘Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible. Where demolition is proposed, measures should be included to minimise any waste through the reuse of as much building material as possible.</i></p>
5.86	<p>A Demolition Justification Statement has been submitted and states that Fanum House has been semi-derelict for a number of years and both buildings being designed for office uses with deep floor plans that are very difficult to adapt for other uses. Fanum House has a concrete frame that is past its lifespan and the materials are inherently unusable to reuse. Likewise, Norwood House has masonry brick which is not ideal for reuse. Both buildings would be below current standards of building performance and this would make them difficult to retrofit. In addition, officers note that the proposal would make much more effective use of land, a finite resource. A condition is recommended that requires approval of a scheme for the recycling/re-use of existing materials from the site.</p>
5.87	<p>Having regard to these factors, the demolition of the existing buildings is considered acceptable.</p>
5.88	<p>Policy ENV2 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. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p>
5.89	<p>The proposed building is targeting BREEAM Excellent rating, which is considered to satisfy both policies. Specific measures include energy efficient solutions such as solar panels, ecology and landscaping through the proposed rooftop amenity areas and reduced reliance on the private car and therefore reducing emissions associated with private car travel. A condition is recommended that requires the building to be constructed to BREEAM Excellent rating as required by Policy DES3 and to satisfy Policy ENV2.</p>
5.90	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The application proposes SuDS features such as the provision of the rooftop gardens, and additional tree planting within the public realm proposals. A condition is recommended to require implementation of the SuDS scheme and tree planting.</p>
5.91	<p>The proposal is considered to accord with Policy ENV5.</p>

	<p><u>Access and transport</u></p> <p><i>Accessibility and parking:</i></p>
5.92	The site is in a highly accessible location within the City Centre boundary. It is located approximately 1 km from Queen’s University and 1.8 km from Ulster University with walking times of 14 and 23 minutes and cycling times of 5 and 8 minutes.
5.93	The site benefits from excellent access to public transport services due to its City Centre location. There are nearby bus stops on Great Victoria Street and Dublin Road. The closest train station is Botanic, which is a 6 minute walk, while the new Grand Central Station is an 8 minute walk.
5.94	Four accessible disabled parking spaces are to be provided and this is considered acceptable given the sustainable location of the site, the proposed Travel Plan measures and the cycling storage facilities to be provided.
5.95	DFI Roads have requested a technical drawing showing the proposed vehicular access which has since been provided. DFI Roads has been reconsulted and delegated authority is sought to deal with this outstanding issue.
5.96	The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.
	<p><u>Health impacts</u></p>
5.97	Policy HC1 seeks to ensure that all new development 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.
5.98	The site is accessible and provides excellent opportunity for active travel, including walking and cycling, through strong linkages within the City Centre and its shops, services and amenities. Active travel will be further encouraged through the proposed green travel measures.
5.99	Acceptable levels of open/amenity space are provided in the form of the three rooftop terraces. The proposal includes a gym, which would support the physical and mental wellbeing of occupants of the development.
5.100	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant living environment for students with good levels of amenity space, and well as enhancing the character and appearance of the area.
5.101	The proposal is considered to satisfy the requirements of Policy HC1.

	<p><u>Environmental protection</u></p>
5.102	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, lighting, odour and noise.</p> <p><u>Contaminated land</u></p>
5.100	<p>The contaminated land reports provided with the application conclude that there are no risks to human health. Environmental Health advises conditions which are recommended. The proposal accords with Policy ENV1.</p> <p><u>Air quality</u></p>
5.101	<p>The application is accompanied by an Air Quality Impact Assessment which concludes that both nitrogen dioxide and particulate matter concentrations in the opening year are predicted to be below the relevant UK Air Quality Objectives at the proposal location. Environmental Health has no objections subject to a condition.</p> <p><u>Noise</u></p>
5.102	<p>In relation to noise, a Noise Impact Assessment was submitted and recommended glazing, ventilation and separating floor/ceiling construction specifications to ensure that future occupants of the development are not adversely impacted by noise from road traffic, nearby commercial development and entertainment premises. Environmental Health has no objections subject to conditions.</p> <p><u>Odour</u></p>
5.103	<p>A café is proposed as part of the proposal. An odour impact assessment has not been submitted and Environmental Health considers that the café may have an adverse odour impact on future and/or nearby sensitive receptors. A condition is therefore recommended for a scheme of kitchen extraction and odour abatement to be submitted, approved and implemented.</p>
5.104	<p>The proposal is considered to accord with Policy ENV1.</p> <p><u>Flood risk and drainage</u></p>
5.105	<p>Dfl Rivers advises that the site is not with a present day or climate change flood plain, nor are there any watercourses within the site. Dfl Rivers has reviewed the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions. Accordingly, it offers no objection to the proposal.</p>
5.106	<p>Having regard to the advice from Dfl Rivers and submitted SuDS scheme, the proposal is considered compliant with Policy ENV5.</p>

	<u>Waste-water infrastructure</u>
5.107	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted objects to the proposal due to the downstream catchment being constrained by overloaded sewage infrastructure, however, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.
5.108	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.
	<u>Natural heritage</u>
5.109	Policy NH1 relates to the protection of natural heritage resources.
5.110	The site is not located within the boundary of any statutory or non-statutory designated sites or sites of national or local nature conservation. However, the site is immediately adjacent and hydrologically linked to designated sites within Belfast Lough.
5.111	Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough. Water quality of Belfast Lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.
5.112	Following an Appropriate Assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to a condition requiring no development until the method of sewage disposal has been agreed in writing with NIW. The condition is recommended accordingly.
5.113	DAERA has provided advice from its Regulation Unit which have no objections subject to conditions.
5.114	The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
	<u>Waste Management</u>
5.115	The application is supported by a Waste Management Plan. This sets out provision for accommodating total waste generated from the building, associated café, segregation of waste for recycling and how convenient and safe access for depositing waste and collecting waste will be facilitated. The Waste Management Plan is considered to comply with the SPG.

	<p><u>Employability and Skills</u></p>
5.116	The <i>Developer Contribution Framework</i> requires proposals for Major development to contribute towards Employability and Skills where necessary.
5.117	The Council’s Economic Development Unit notes that the estimated construction cost of the development is £42 million. It is expected that approximately 280-300 jobs will be created during the design and construction stages. The Economic Development Unit advises that an Employability and Skills Developer Contribution is required for the construction period and this should be secured by a Section 76 planning agreement. This is recommended accordingly.
	<p><u>Section 76 planning agreement</u></p>
5.118	Should the application be approved, the following planning obligations are necessary to make the proposed development acceptable. These should be secured through a Section 76 planning agreement. <ul style="list-style-type: none"> • Student management plan – requirement for the submission, approval and implementation of a final student management plan. • Employability and Skills – to secure the submission and implementation of a Construction Employability and Skills Plan for the construction phase of the development.
5.119	A draft Section 76 planning agreement has been prepared without prejudice and will need to be finalised before planning permission is granted.
	<p><u>Pre-Application Community Consultation</u></p>
5.120	For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
5.121	Applicants are required to submit to the council a ‘Proposal of Application Notice’ (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in November 2023 (LA04/2023/4377/PAN) and confirmed by the Council to be acceptable.
5.122	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received.
5.123	In summary, a public event was held in January 2024 and dedicated community consultation website established. A total of 20 responses were received with 80% of respondents saying they either agreed or strongly agreed with the proposals. Feedback was provided in relation to the need for investment and quality student accommodation.
5.124	The PACC report is considered compliant with the legislative requirements.

<p>6.0</p> <p>6.1</p> <p>6.1</p>	<p>Recommendation</p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and resolve the outstanding issue raised by DfI Roads in relation to the access to the development, and deal with any other issues that arise, provided that the issues are not substantive.</p>
<p>7.0</p>	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 1. 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. 2. No external brickwork or external cladding panels shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials and panelling. Reason: In the interests of the character and appearance of the area. 3. The proposed parapet as shown on drawing nos. 45 to 47 uploaded to the planning portal on the 8th October 2024 shall be implemented prior to occupation and retained permanently thereafter. Reason: To protect the amenity of prospective and surrounding residents. 4. Within one year of the occupation, evidence that the building has been constructed to at least Passivhaus “Classic” or BREEAM Excellent standard, or equivalent, shall be submitted in writing to the Council. Reason: To ensure that the development mitigates and adapts to climate change. 5. The development hereby approved shall not be occupied until the external terraces have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times. Reason: To ensure that a quality residential environment is provided for occupants of the approved development. 6. The SuDS and other drainage measures shall be implemented as specified in the application and the building shall not be occupied until verification and evidence of such has been submitted to and approved in writing by the Council. Reason: In order that the development provides sustainable drainage

	<p>7. 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.</p> <p>Reason: To ensure that appropriate provision is made for storage and disposal of waste.</p> <p>8. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan authored by Dorran Consulting and uploaded to the portal on the 22nd April 2024.</p> <p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>9. The development hereby approved shall not be occupied or operated unless in accordance with the approved Service Management Plan.</p> <p>Reason: In the interests of highway safety and free flow of traffic.</p> <p>10. No development shall commence on site (other than that required to fulfil this condition) unless the access, including visibility splays and any forward sight lines, have been provided in accordance with the approved plans. The access and visibility splays shall be retained in accordance with the approved plans at all times.</p> <p>Reason: To ensure safe and convenient access to the development.</p> <p>11. The development hereby approved shall not be occupied or operated until the disabled parking spaces and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.</p> <p>Reason: To ensure adequate car parking within the site.</p> <p>12. The development hereby permitted shall not be occupied unless the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.</p> <p>Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.</p> <p>13. 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.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site in the interests of safeguarding the environmentally protected Belfast Lough. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p>
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14. The development hereby approved shall not be commenced until a final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The CEMP shall clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises during the construction phases in line with BS 5228:2009 *Code of practice for noise and vibration control on construction and open sites*. All construction shall be carried out in accordance with the approved CEMP.

Reason: In the interests of neighbour amenity.

15. Prior to occupation of the development, the façade noise mitigation measures and alternative means of acoustically attenuated ventilation (in addition to that provided by open windows) specified within Table 12 (as updated in an Irwin Carr Consulting email dated 28/10/2024) and Section 10 of the submitted Noise Impact Assessment uploaded to the portal on 19th April 2024 shall be installed within habitable rooms of the development and retained at all times.

Reason: To safeguard the amenity of occupants of the building hereby approved.

16. Prior to occupation of the development, the separating ceiling/floor between the habitable rooms and the development gym, plant rooms and laundry room shall be constructed in accordance with the recommendations contained within Section 10 of the submitted Noise Impact Assessment uploaded to the portal on 19th April 2024 to ensure that internal noise levels within the habitable rooms are in accordance with BS 8233:2014 *Guidance on the Sound Insulation and Noise Reduction for Buildings*.

Reason: To safeguard the amenity of occupants of the building hereby approved.

17. The rating level (dBLAr,T) from the operation of all combined plant and equipment shall not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

Reason: To safeguard the amenity of occupants of the building hereby approved and surrounding amenity.

18. No installation, fit-out, or operation of the cafe unit shall be permitted until a scheme of kitchen extraction and odour abatement has been submitted to and approved in writing by the Council. The scheme shall include:

- Identification of sensitive receptors in close proximity to the proposed development/within the proposed development;
- Risk assessment in line with the current EMAQ+ guidance document to determine a suitable fit for purpose system;
- Full specification details of proposed kitchen extraction and odour abatement system;
- Drawing showing the location of the proposed kitchen extract ducting and termination point of extract flue, including height, along with the identification and location of any external mechanical components e.g. fan, motor (including information on noise production and abatement).

- Location of any air intake/outlet points for the residential/commercial elements of the mixed-use proposal in relation to the kitchen extract termination point.

The approved kitchen extraction and odour abatement scheme shall be installed in accordance with the approved details prior to commencement of use of the hereby permitted café and shall be operated at all times thereafter.

Reason: Protection of surrounding amenity and amenity of proposed development.

19. In the event that any substantial centralised combustion sources (boilers, CHP, generator or biomass) are proposed and there is a risk of impact at relevant receptor locations, as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment shall be submitted to the Planning Authority, for approval in writing, which includes details of the combustion plant to be installed, emission rates and flue termination heights of the proposed combustion systems. The assessment must demonstrate that there will be no exceedances of Air Quality Strategy objectives at relevant human receptor locations.

Reason: The protection of human health.

20. During the demolition/construction phases of the development, dust mitigation measures in accordance with a 'high-risk' site as prescribed within Guidance on the Assessment of Dust from Demolition and Construction (IAQM) v2.2 2024 shall be implemented at all times.

Reason: Protection of local air quality and human health

21. Should new contamination or risks be encountered during the construction phase which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be submitted to and approved in writing by the Council and subsequently implemented. After completing any required remediation works, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

Reason: To protect the groundwater environment.

22. 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 full details of the public realm improvements to the footway bounding the site in the areas shown on drawing no. 51A have been submitted to and approved in writing by the Council. The details shall consider and tie in with Belfast Street Ahead 5 as appropriate following discussion and agreement with the Council, and shall further include:

1. Surface materials;
2. The design and provision of underground ducting; and
3. Arrangements for long term management and maintenance.

The development hereby approved shall not be occupied or operated unless the public realm works have been completed in accordance with the approved details. The public realm shall be managed and maintained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and to enhance connectivity to and from the development. Approval is required up front because appropriate realm is integral to design and layout of the scheme.

DRAFT INFORMATIVES

NOT04 Section 76 planning agreement

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which requires the submission, approval and implementation of a Construction Employability and Skills Plan and Final Student Management Plan.

NOT02 Compliance with planning permission

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 contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

NOT03 Discharge of condition(s)

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.

NOT05 Non-planning requirements

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.