

## Development Management Officer Report

### Committee Application

Summary	
<b>Committee Meeting Date:</b> 10 <sup>th</sup> March 2026	
<b>Application Ref:</b> LA04/2025/1003/F	
<b>Proposal:</b> Proposed use of 300 No. Student Bedrooms/Studios as Short Term Let Accommodation outside of term time.	<b>Location:</b> 81-107 York Street, Belfast, BT15 1AT
<b>Referral Route:</b> Paragraph 3.8.2 (d) of the scheme of delegation – change of use application involving student accommodation	
<b>Recommendation:</b> Approval subject to conditions and Section 77 Planning Agreement	
<b>Applicant Name and Address:</b> LIV Belfast Partners Limited C/O Valeo Management Limited Wharton Park House Nat Lane, Winsford Cheshire CW7 3BS	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast
<b>Date Valid:</b> 16.06.2025	
<b>Target Date:</b> 29.09.2025	
<b>Contact Officer:</b> Lisa Walshe, Principal Planner	
<b>Executive Summary:</b> <p>The application site is situated at 81-107 York Street, Belfast, BT15 1AT.</p> <p>Permission was granted under Z/2015/0138/F for the demolition of existing buildings and erection of a building for managed student accommodation, comprising 590 No. ensuite double bedrooms and 92 studios; and 2 No. retail units at ground floor level. Permission was later granted under LA04/2016/2385/F in June 2017 for an amendment to planning permission Z/2015/0138/F to develop purpose built managed student accommodation comprising 717 beds with 2 No. retail units at ground floor level etc. The scheme as approved under LA04/2016/2385/F has been constructed and is fully operational.</p> <p>The key issues for consideration of the application are set out below:</p> <ul style="list-style-type: none"><li>• Principle of the proposed change of use outside of term time</li><li>• Access, movement and parking</li></ul> <p>One representation was received from the Northern Ireland Hotel Federation. Their concerns included the definition of term time and clarity of sue, monitoring and enforcement issues, neighbourhood amenity and enforcement issues, precedent and policy alignment. This is considered in the report.</p>	

DFI Roads were consulted and had no objections

A Section 77 to vary the Section 76 of the host approval is necessary and is agreed in principle with Legal Services.

**Recommendation**

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, resolve the relevant Section 77 to vary the host Section 76 Planning Agreement, and deal with any other issues that arise, provided that they are not substantive.

**Officer Report**

1.0

**Drawings**

1.1

**Site Location**



**First Floor**



**Second - Fourth Floors**



**Fifth - Ninth Floors**



**Tenth Floor**



**Eleventh Floor**



**Twelfth - Thirteenth Floors**



<p><b>2.0</b></p>	<p><b>Characteristics of the Site and Area</b></p>
<p>2.1</p>	<p>The application site comprises a Purpose-Built Managed Student Accommodation (PBMSA) on York Street which received planning permission under reference LA04/2016/2385/F in June 2017. It contains 717 self-contained units spread across 14 floors with associated communal and amenity facilities as well as retail units at ground floor.</p>
<p><b>3.0</b></p>	<p><b>Description of Proposal</b></p>
<p>3.1</p>	<p>The application is seeking full planning permission for the proposed use of 300 No. Student Bedrooms/Studios as Short Term Let (STL) Accommodation outside of term time.</p>
<p>3.2</p>	<p>The reasoning for this is the high vacancy rates within the student accommodation – specifically during the summer months, resulting in a seasonal downturn in footfall and activity for business which rely on student customers.</p>

3.3	LIV Belfast state that they are seeking to better utilise the accommodation during this time to provide quality accommodation for visiting academics, such as PhD candidates and researchers, as well as for other visitors to the city. As such, this application seeks planning permission for the use of 247 bedrooms and 53 studios (300 beds in total) during the summer months, comprising 42% of the total accommodation units within the building.
4.0	<b>Planning Policy and Other Material Considerations</b>
4.1	<b>Development Plan – Plan Strategy</b> Belfast Local Development Plan, Plan Strategy 2035
4.2	<p><i>Strategic Policies:</i></p> <p>Policy SP2 – sustainable development</p> <p><i>Operational Policies:</i></p> <p>HOU13 – Short-term let accommodation</p> <p>TLC1 - Supporting tourism leisure and cultural development</p> <p>TLC3 - Overnight visitor accommodation</p> <p>TRAN 8 - Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality</p>
4.3	<p><b>Development Plan – zoning, designations and proposals maps</b></p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.4	<p><b>Regional Planning Policy</b></p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.5	<p><b>Relevant Planning History</b></p> <p>Z/2015/0138/F - 81-107 York Street Belfast BT15 1AB - Demolition of existing buildings and erection of a building ranging in height from 11 to 14 No. storeys (37m X 43m) for managed student accommodation, comprising 590 No. ensuite double bedrooms with shared communal areas and kitchens and 92 studios; 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision. – PERMISSION GRANTED</p> <p>LA04/2016/2385/F - 81-107 York Street Belfast - Amendment to planning permission Z/2015/0138/F to develop purpose built managed student accommodation comprising 717 beds with shared communal areas, 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision. – PERMISSION GRANTED</p>

<b>5.0</b>	<b>Consultations and Representations</b>
5.1	<b>Statutory Consultations</b> DFI Roads – No Objections subject to conditions
5.2	<b>Non-Statutory Consultations</b> Northern Ireland Tourist Board – No Comment
5.3	<b>Representations</b>
5.3.1	<p>The application has been advertised and neighbours notified. One representation has been received from the Northern Ireland Hotel Federation. Their concerns are as follows:</p> <ul style="list-style-type: none"> <li>• Definition of ‘term time’ and clarity of use <i>The Section 77 has defined non term time as the calendar months of July and August in any particular year.</i></li> <li>• Impact on local housing market and student accommodation stock <i>As demonstrated by the vacancy rates and nature of school term times, student accommodation is not overly required during these months, ensuring no adverse impact to the existing housing/student accommodation. The application is for 300 rooms, which leaves 417 as student accommodation during this time for those students who do require the accommodation during non-term time.</i></li> <li>• Monitoring and enforcement issues with references to reporting, guest-registers and other non-planning legislation. <i>The application will be subject to a Section 77 legal agreement, with the Council being the enforcing agency. Any potential breach will be dealt with appropriately by Council’s Planning Enforcement team.</i></li> <li>• Neighbourhood amenity and local infrastructure <i>The proposal would not result in an adverse impact to neighbourhood amenity or local infrastructure compared to that of a PBMSA at full capacity. The proposal is subject to a different Management Plan to be implemented during July and August.</i></li> <li>• Precedent and policy alignment <i>Each application is assessed on its own merits, taking account of its location, impacts etc in line with Planning Policy.</i></li> </ul> <p>The application is assessed in full below.</p>
<b>6.0</b>	<b>PLANNING ASSESSMENT</b>
6.1	<b>Development Plan Context</b>
6.1.1	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.
6.1.2	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.

6.1.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan (“Departmental Development Plan”) until the Local Policies Plan is adopted.
6.1.4	<b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.).
6.1.5	<b>Proposals Maps</b> – 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, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals 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.
6.1.6	<b>Belfast Urban Area Plan 2001</b> - The site is located within the settlement development limit in the BUAP and is not zoned for any use.
6.1.7	<b>Belfast Metropolitan Area Plan 2015 (2004 and 2014)</b> – The is located within the City centre.
6.1.8	<b>Key Issues</b>
6.1.9	The key issues to be considered in this application are: <ul style="list-style-type: none"> <li>• Principle</li> <li>• Access, movement and parking</li> </ul>
6.2	<b>Principle of the proposal</b>
6.2.1	Policy HOU13 relating to short term lets set out a number of key criteria which must be satisfied.
6.2.2	Criterion a. requires that the proposal <i>strengthens and diversifies the range of short-stay visitor accommodation in the city</i> . As of June 2024, short-term lets comprise 21% of Belfast City Council's tourist accommodation. The proposal is for 300 rooms outside of term time therefore would strengthen and diversify the range of short-term visitor accommodation in the city.
6.2.3	Criterion b. requires that the proposal <i>is accessible by public transport</i> . The site is located in the city centre and is highly accessible by public transport.
6.2.4	Criterion c. requires that the proposal <i>is sited within an existing tourism cluster or in close proximity to a visitor attraction</i> . The site is within the city centre with several visitor attractions in close proximity. For example, Clifton House is 0.4km away, Crumlin Road Gaol is 1.1km and City hall is 1km away.

6.2.5	<p>Criterion d. requires that the proposal <i>has appropriate management arrangements in place to ensure a positive and safe living environment whilst minimising any potential negative impacts</i>. The applicant has provided an appropriate management plan to the council for consideration. The management plan covers, layout, room allocation and segregation of accommodation use which addresses the juxtaposition of the two uses ensuring a level of segregation between visitors and the students whilst also facilitating feedback opportunities for the students. The management plan also addresses the property security, management, booking and vetting and the key operational policies including noise / anti-social behaviour, waste disposal and transportation.</p>
6.2.6	<p>Criterion e. requires that <i>the site is not located within a designated HMA (see policy HOU10), unless it can be demonstrated that the development is needed to meet a specific demand in that location</i>. As the site is not located within a designated HMA, this criterion is satisfied.</p>
6.2.7	<p>Criterion f. requires that <i>in the case of a change from permanent residential use, part of the property must be retained as permanent residential housing</i>. The existing building is a PBMSA therefore this criterion is not applicable.</p>
6.2.8	<p>Policy TLC1 states that the Council will seek to support tourism, leisure and cultural development that contributes to extending the offer of these forms of development across daytime and nighttime for the visitor. It is also expected that the proposal will lead to improving the quality and accessibility of tourism, leisure and cultural assets to support the city's reputation as an attractive tourism destination.</p>
6.2.9	<p>Policy TLC3 states that planning permission will be granted for tourism development for new overnight accommodation within the city centre boundary. Although the policy advises that short-term lets are considered under policy HOU13, nonetheless it demonstrates that there is a thrust for tourism development to be located within the city centre.</p>
6.3	<p><b>Access, movement and parking</b></p>
6.3.1	<p>Policy TRAN8 seeks to ensure that there is sufficient car parking and servicing arrangement for all developments. The development is car free with cycle parking available for short-term guests. There will be a drop off and loading bay within the site for limited use for delivery and loading/unloading. Short-term guests will therefore be encouraged to use more sustainable means of transport, such as cycling, walking or take advantage of regular local transport facilities. For short-term guests who do need parking, they will be directed to Lancaster Street car park and St Anne's Square multi-storey car park, both car parks are located within 2-5min walk from the application site.</p>
6.3.2	<p>Whilst the approved scheme is not subject to a Travel Plan, a Travel Plan was submitted for this application. The Travel Plan supports the proposal and outlines all travel options available to staff, guests and visitors to the proposed short-term let units i.e. multiple forms of public transport such as Metro, Glider, Goldline and Ulsterbus bus services alongside Translink Train services at Grand Central Station and York Street Station, as well as the pedestrian and cycle infrastructure in the surrounding area. It also addresses private car usage in that it will still be a mode of travel to some, with street pay and display parking and other longer duration car parks.</p>
6.3.3	<p>DFI were consulted and offered no objection to the development, following the submission of the Travel Plan.</p>

<p><b>6.4</b></p> <p>6.4.1</p> <p>6.4.2</p> <p><b>6.5</b></p> <p>6.6</p>	<p><b>Section 76 Planning Agreement</b></p> <p>Application LA04/2016/2385/F was subject to a Section 76 agreement which restricted the use to student accommodation and shall not be rented out or sub-let for any other purpose. As such a Section 77 is required to modify the original S76 to ensure that the student use is compliant with its legal obligations.</p> <p>A Section 77 to vary the Section 76 of the host approval has been agreed in principle with Legal Services and delegated authority is sought to resolve the finalisation of same.</p> <p><b>Conclusion</b></p> <p>The proposal is considered to be an appropriate form of development within the city centre, it will provide additional visitor accommodation within the city centre outside of term time, adding to the diversity of visitor accommodation on offer, during peak times. It will also assist with vacancy rates within the building. Approval is recommended.</p>
<p><b>7.0</b></p>	<p><b>Recommendation</b></p>
<p>7.1</p> <p>7.2</p>	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. 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, resolve the Section 77 variation to the host Section 76 planning agreement and deal with any other issues that arise, provided that they are not substantive.</p>
<p><b>DRAFT CONDITIONS:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The short-term let use hereby permitted, shall only operate between 1st July and 31st August each year. Accordingly, the short term let use will cease on the 31st of August and not recommence until the 1st July the following year.  Reason: To ensure the premises are retained as permanent student accommodation during the academic year, 1st September to 30th June.</li> <li>3. The weather protected cycle parking installed under approval LA04/2016/2385/F shall be permanently retained.  Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</li> <li>4. The development shall operate in accordance with the Travel Plan.  Reason: To encourage alternative modes of transport to the private car.</li> </ol>	