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**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

7th December, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 12th December, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

- 10 (a) LA04/2023/2668/F - Demolition of existing buildings and the erection of an affordable housing development comprising of 71No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works - Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 and 65a Dock Street and No. 123 Corporation Street (Pages 1 - 26)
- 10 (b) LA04/2023/2388/F - Residential development comprising 256no. units, public realm, and associated access and site works. - Lands immediately North of Cross Harbour Bridge, East of Donegall Quay and South of AC Marriott Hotel, City Quays (Pages 27 - 58)

Development Management Report

Summary	
Committee Date: 12 th December 2023	
Application ID: LA04/2023/2668/F	
Proposal: Demolition of existing buildings and the erection of an affordable housing development comprising of 69No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works (amended description)	Location: Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 & 65a Dock Street and No. 123 Corporation Street, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>This application relates to two parcels of land either side of Pilot Street at Sailortown to the north of the City Centre. The application seeks full planning permission for the erection of 69 residential units, including 16 houses and apartments on “Site 1” adjacent Dock Street, Garmolye Street and Short Street; and a block of 53 apartments on “Site 2” adjacent Corporation Street.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement 	

- Pre-application Community Consultation

The site is within the development limit and north of the City Centre. Site 2 is within a Major Employment Area in both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) and zoned existing employment land in the most recent version (v2014).

The proposal is for social housing for which there is a significant unmet need in the city. Moreover, the proposal will help to regenerate this part of Sailortown. The loss of employment land is therefore considered acceptable.

The application is linked to the application for 256 Build To Rent apartments at City Quays 4 as it will provide the affordable housing required for that scheme under Policy HOU5. Both applications are being considered by the Committee on the same agenda.

On balance, the design of the proposal is considered in keeping. Sufficient parking would be provided. Following amendments to the scheme, there would be no unacceptable impacts on adjacent residential properties.

NIHE is supportive of the social housing. DfI Roads, DAERA, DfI Rivers and SES offer no objections to the proposal. NI Water has concerns about the availability of waste-water infrastructure. Final comments are awaited from Environmental Health in relation to potential noise impacts from the two bars adjacent the site.

Three objections have been received from residents on Garmoyle Street on grounds of adverse impact upon their amenity, however, officers consider that those issues have been resolved following amendments to the scheme.

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

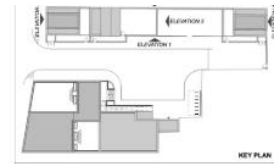
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from Environmental Health, and deal with any other matters that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Elevations Site 1:





Proposed Elevations Site 2:





CGI:



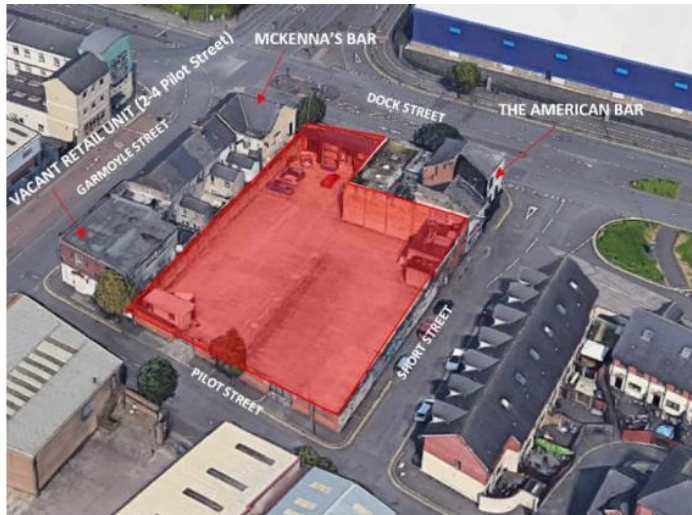
1.0 Characteristics of the Site and Area

1.1 This application site comprises two parcels of land situated to either side of Pilot Street in Sailortown to the north of the City Centre. Both sites are previously developed land (brownfield) and have a combined site area of 0.4 ha.

1.2 **Site 1** is located next to Pilot Street, Short Street and Dock Street. Historically the site was used by Irish Feeds Ltd for the storage and distribution of animal feeds. Its most recent use is as an area of hardstanding and informal car park. The north eastern boundary of the site is shared with The American Bar, a three storey Public House; and Benny's Café, a two-storey café/sandwich bar. The north western boundary comprises of McKenna's Bar, a two storey Public House; and residential properties located at Nos. 11-27 (evens) and Nos. 25-29 Garmoyle Street, and a vacant retail unit located at Nos. 2-4 Pilot Street. Further east of the site are residential properties located at Nos. 1-15 (evens) Short Street, a row of two and a half storey terraced properties, and Harbourview Apartments; a two and a half storey block stepping up to five/five and a half storey towards the waterfront which is operated by Clanmil Housing Association.

1.3 The residential properties along Garmoyle Street have rear returns facing towards the site. The retail unit also has high level windows which overlook the site; however, given the operations associated with this unit there is not anticipated to be any issues relating to overlooking/privacy. An existing gated alleyway runs between the site and the rear of the properties along Garmoyle Street. The alleyway is understood to be used for servicing of these properties and is outside the application boundary.

Site 1:



1.4 **Site 2** is located at the junction of Corporation Street and Pilot Street, comprising of an existing two storey office building to its northern boundary, and 2 x two-storey warehousing buildings located to its north-western and south eastern boundaries respectively; both which were associated with the former ship supplies business in the site which ceased operations in 2017. The site is bound to its southern, eastern, and western boundaries by a circa 2.5m high brick wall with security gates located along its boundaries with Pilot Street and Corporation Street. Further east of the site is the Dockers Club, a social/boxing club established in the 1970s. Further northwest of the site is the Driver and Vehicle Agency (DVA) Headquarters. Immediately southwest of the site is an existing surface level car park.

Site 2:



Description of Proposed Development

- 1.5 The application seeks full planning permission for the demolition of existing buildings and the erection of an affordable housing development comprising of 69 residential units with a mix of apartments, townhouses, including an associated community hub and offices, car parking, landscaping and all associated site and access works.
- 1.6 The application follows Pre-Application Discussions with officers.

2.0 PLANNING HISTORY

2.1 Relevant planning history is summarised below.

- *Z/2010/1006/O* – Proposed major mixed use development comprising offices; small scale retail and retail services; cafes/restaurants; a hotel; residential development and associated amenity space; basement, multi storey and surface level car parking; open space, service areas and related infrastructure improvements. Lands bounded by the River Lagan to the east Corporation Street to the west Dock Street and Corry Link to the north and the elevated M3 Cross Harbour Bridge/Motorway to the south City Quays Clarendon Dock Belfast BT1 3AL.

Permission granted on 22nd July 2014. Applications for reserved matters must be made by 21st July 2024. The permission must be begun by either 21st July 2026 or within 2 years of the date of approval of the last reserved matters.

- *LA04/2021/1570/F*- Retrospective out-door beer garden with covered seating area and dispense bar. West of 65-65A Dock Street, Belfast BT15 1FL.

Permission granted on 25th October 2023.

- *LA04/2021/1570*- Out-door beer garden with covered seating area and dispense bar. Retrospective application for a beer garden to the west of 65-65A Dock Street Belfast BT15 1FL. Planning permission granted on 24th October 2023.

3.0

PLANNING POLICY

3.1

Development Plan – operational policies

Belfast Local Development Plan, Plan Strategy 2035

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
Policy HOU1 – Accommodating new homes
Policy HOU2 – Windfall housing
Policy HOU4 – Density of residential development
Policy HOU5 – Affordable housing
Policy HOU6 – Housing Mix
Policy HOU7 – Adaptable and accessible accommodation
Policy EC3 – Major employment and strategic employment locations
Policy EC4 – Loss of zoned employment land
Policy DES1 – Principles of urban design
Policy DES2 – Masterplanning approach for major development
Policy RD1 – New residential development
Policy BH1 – Listed Buildings
Policy BH5 – Archaeology
Policy HC1 – Promoting healthy communities
Policy TRAN1 – Active travel – walking and cycling
Policy TRAN 2 – Creating an accessible environment
Policy TRAN4 – Travel plan
Policy TRAN6 – Access to public roads
Policy TRAN8 – Car parking and servicing arrangements
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)
Policy GB1 – Green and blue infrastructure network
Policy OS3 - Ancillary open space

Policy TRE1 – Trees
Policy NH1 – Protection of natural heritage resources

Supplementary Planning Guidance

Affordable Housing and Housing Mix
Residential Design
Placemaking and Urban Design
Tall Buildings
Masterplanning approach for Major developments
Sustainable Urban Drainage Systems
Transportation
Trees and Development
Development Viability

	<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> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> <p>4.5</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DfI Roads – No objection subject to conditions.</p> <p>DfI River – No objection subject to conditions.</p> <p>DAERA – No objection subject to conditions.</p> <p>NI Water – Concerns about the availability of waste water infrastructure, which are addressed in the main assessment.</p> <p>NIHE – supports the proposal, accepting the principle of off-site social housing.</p> <p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Planning Service Urban Design Officer – concerns raised about some aspects of the design of the proposal, which are addressed in the main assessment</p> <p>Planning Service Conservation Advice – refer to main assessment.</p> <p>Environmental Health – awaiting final response.</p> <p>BCC Economic Development Unit – awaiting final response.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions.</p> <p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>Three objections have been received from residents on Garmoyle Street (adjacent terrace). Concerns are raised about loss of light and overshadowing; loss of privacy; loss of parking from Site 1 and lack of parking for the proposal; and anti-social behaviour.</p>

5.0	PLANNING ASSESSMENT
	Main Issues
5.1	The main issues relevant to consideration of the application are set out below.
	<ul style="list-style-type: none"> • Principle of development • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation
	Development Plan Context
5.2	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.
5.3	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.
5.4	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 until the Local Policies Plan is adopted.
	<u>Operational Polices</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.
	<u>Proposals Maps</u>
5.6	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

	<p>2015) and other relevant area 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.</p>
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.
5.8	Belfast Harbour Plan Local Plan – Site 1 is un-zoned “white land”. Site 2 is within Laganside.
5.9	Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit. Site 1 is zoned housing land (NB 05/06). Site 2 is zoned is a Major Area of Existing Employment.
5.10	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit. Site 1 is un-zoned “white land”. Site 2 within Belfast Harbour Major Employment Location and is zoned for existing employment.
	<p><u>Principle of housing in this location</u></p>
5.11	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> a. The site is suitable for housing – the site is located within a mixed-use area comprising housing and commercial uses. Loss of zoned employment land is discussed below. The location is considered suitable in principle for housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is adjacent the City Centre and within reasonable walking distance to the city centre core. It is accessible to shops, services, amenities and public transport. c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.
5.12	The proposal will support the regeneration of the area, which is welcomed.
5.13	Site 2 is zoned as a Major Area of Existing Employment in both versions of dBMAP 2015 (v2004 and v2014) and existing employment land (v2014). Site 2 is protected employment land under Policies EC3 and EC4. However, in view of the benefits of the proposal in respect of delivery of much needed social housing, regeneration of the area and that the proposal would facilitate a Build To Rent scheme at City Quays, as detailed later in the report, the loss of employment land is in this case considered acceptable.
5.14	It is considered that the site is a suitable location in principle for housing and that the proposal is compliant with Policies HOU1 and HOU2.
	<p><u>Housing density</u></p>
5.15	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.

- 5.16 The site is located within the inner city where the average density should be 75-150 dwellings per hectare (ha). The site area is 0.4 ha and so the proposal equates to a density of 173 dwellings per ha, demonstrating that it would make effective use of land.
- Affordable housing**
- 5.17 Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.
- 5.18 The application is linked to the application for a Build to Rent (BTR) scheme of 256 residential units at City Quays 4 (LA04/2023/2388/F). The application is seeking to address the requirements of Policy HOU5 for that other application by providing social housing at the Pilot Street site, rather than provide affordable housing as part of the BTR scheme. The BTR application is reliant on the Pilot Street application in respect of affordable housing and therefore both applications should be considered by the Committee at the same time.
- Proposal for off-site affordable housing provision*
- 5.19 Policy HOU5 requires the BTR proposal to deliver a minimum 52 affordable homes (rounded up). The Pilot Street application seeks full permission for 69 residential units – under Policy HOU5, this generates a requirement to provide a minimum of 20% affordable housing in its own right, equating to a further 14 affordable homes (rounded up). The net affordable housing requirement for both sides is therefore 66 affordable homes – the Pilot Street proposal exceeding this by three residential units.
- 5.20 NIHE is supportive of both the BTR and Pilot Street applications, accepting the principle of off-site social housing, noting that both sites are in the same ownership and that the proposals ‘...allow for a more appropriate development of social housing units in this area.’ NIHE cites the strong housing need in Belfast with a social housing waiting list of 12,086 households with 9,426 in housing stress. Demand is increasing with projection of social housing need indicating a requirement for 7,984 new units across Belfast over the 5-year period 2022-2017.
- 5.21 The Pilot Street application is proposed to deliver 69 social homes across two sites either side of Pilot Street, with the breakdown of house types set out in the tables below.

Site 1

Accommodation type	Size per unit (sqm)	Number of units	% units
2 bedroom 3 person terrace	75	1	6%
3 bedroom 5 person townhouses	110	2	13%
2 bedroom 3 person apartments	64-71	13	81%
Total		16	100%

Table 1a: Breakdown of house types at Pilot Street, Site 1

Site 2

Accommodation type	Size per unit (sqm)	Number of units	% units
2 bedroom 3 person apartments	65 - 67.5	39	73%
1 bedroom 2 person apartments	55.5 - 57	8	15%
2 bedroom 3 person apartments	85	6	11%
Total		53	100%

Table 1b: Breakdown of house types at Pilot Street, Site 2

Tenure

- 5.22 The Pilot Street application is for a 100% social housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.14 of the SPG states that larger mono-tenure schemes [such as that proposed] may be considered having regard to the following considerations:
- *‘The level of social housing need in the vicinity of the site and the availability of land to address such needs;*
 - *The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and*
 - *Whether a scheme is proposed as ‘shared housing’*
- 5.23 Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. However, turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community. Nevertheless, regard is had to the strong support for the proposal from NIHE, that the proposal includes a small number of family homes for which there is a particular need in this location, the largely supportive response from the local community housing to the pre-application community process and the longevity of the scheme. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.
- 5.24 Whilst the BTR application is reliant on the Pilot Street application in respect of affordable housing provision under Policy HOU5, the Pilot Street application is standalone and not reliant on the BTR application. It can therefore be considered on its own merits.
- 5.25 If approved, it will be necessary to require the delivery of the social housing on the Pilot Street site prior to occupation of the BTR development. This would allow construction of the BTR scheme to proceed and should be secured by way of a Section 76 planning agreement in respect of that application.

Housing mix

- 5.26 Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:
- a. Up to date analysis of prevailing housing need in the area;
 - b. The location and size of the site;
 - c. Specific characteristics of the development; and

	d. The creation of balanced and sustainable communities.
5.27	The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.
5.28	The proposed housing mix is shown in Tables 1a and 1b, above. The proposal mostly consists of two-bedroom 3 person units with a small number of three bedroom 5 person townhouses and 1-bedroom apartments. This is considered to represent a reasonable housing mix with the family homes welcomed in particular given the unmet need for larger social housing units. NIHE is supportive of the housing mix. Having regard to these factors, the proposed housing mix is considered acceptable.
	<u>Adaptable and accessible accommodation</u>
5.29	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.
5.30	The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 10% wheelchair units. It is considered that the proposal complies with the additional nine criteria g. to o. The proposed floor plans clearly show the 10% wheelchair acceptable units demonstrating that the criteria above has been met.
	<u>Design and placemaking</u>
5.31	The proposal has been assessed against the SPPS, and Policies SP5, DES1, DES2 and RD1. 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 land.
	<i>Pilot Street Site 1:</i>
5.32	Site 1 is largely vacant other than the hardstanding used as a temporary surface car park. The site fronts Dock Street (north), Short Street (east) and Pilot Street (south). To the west, the site is defined by a uniform brick wall, separated from the rear boundaries of the existing residential terrace properties along Garmoyle Street by a narrow alleyway (0.6m). The original submission included 5 townhouses along the western site of the site in close proximity to the rear boundary wall of properties along Garmoyle Street. Serious concerns were raised about the adverse impact on the rear of the Garmoyle Street properties by reason of overbearing and loss of outlook. Therefore, two of the townhouses were omitted, thereby reducing the scheme to 69 residential units. This will be discussed further later in the report. The changes have allowed for an additional communal garden to be integrated into the design of Site 1.
5.33	The proposed layout is considered to be reflective of similar developments within the surrounding and would not appear incongruous when viewed within the street scene. There is a proposed four-storey apartment block which addresses Short Street; this is considered appropriate as the additional height at this location is comparative with the wider Harbourview apartment development (five storeys) also located along Pilot Street.

5.34	<p>The apartment block element of the development extends to four storeys at the junction of Pilot Street and Short Street, stepping down to three storeys towards Dock Street. This design respects the height of the existing buildings at this juncture including the American Bar. The apartment block is also lowered to three storeys towards Corporation Street. It is considered that the differentiation in heights, setbacks at upper levels, and vertical/horizontal articulation of materials assist in minimising the overall scale and massing of the apartment block, which is considered in keeping with the area.</p>
5.35	<p>The proposal includes three townhouses; one centrally within the site close to the rear boundary of the properties on Garmoyle Street; one on Pilot Street and a further townhouse on Dock Street. The design of the townhouses on Pilot Street and Dock Street has been amended to ensure that the gable ends more appropriately address the existing street scene. A white render finish has been introduced to the townhouse on Dock Street, which better relates to the adjacent building. This part of the development has been designed to address the new internal courtyard and the primary elevation onto the new pedestrian access into the development. The proposed orientation serves to assist prospective residents' integration with the wider Pilot Street Development. The townhouses are considered to satisfactorily relate to the existing properties and street scene and their design is acceptable.</p> <p>Pilot Street Site 2:</p>
5.36	<p>Site 2 is located on a prominent corner plot at the junction of Corporation Street and Pilot Street where additional height is considered appropriate. A community hub and Housing Association offices are proposed at ground floor level. An enclosed under-croft car parking arrangement is also proposed at ground floor level. This is not uncharacteristic of the wider apartment developments in the locality, such as the James Clow buildings located between Pilot Street and Princes Dock Street which includes a similar arrangement. The scale, height and massing of Site 2 can be appropriately read with larger buildings further to the west of the site including Clarendon Apartments and the James Clow Building. The apartment block extends to six storeys along Corporation Street and steps down to four storeys at its junction with Pilot Street. A setback has been introduced at fourth to sixth floor level, accommodating a rooftop terrace area.</p>
5.37	<p>Whilst the Senior Urban Design Officer is critical of the apportionment of massing across the building, suggesting that the building should rise at its north west corner at the junction of Corporation Street and Pilot Street rather being reduced in scale, officers advise that the proposed massing better responds to the smaller scale of the existing properties on Garmoyle Street and for this reason is acceptable.</p>
5.38	<p>The proposal has a contemporary aesthetic with regards to materials, where the predominant material is brick and variations thereof, which is considered contextually appropriate in this area. Officers requested that further consideration was given to the adding visual interest and relief to the large blank gables on the south and east sides. In response, further brick bonding has been introduced, which alongside the materials at the upper levels, helps to break up the overall scale and mass of the building.</p> <p>General comments:</p>
5.39	<p>The Senior Urban Design Officer has raised concerns regarding both sites in relation to the ground and finished floor levels proposed. The raised plinth arrangement will lift the building approximately 1.3m above street level and effectively requires the duplication of the public footway around the edge of the building as well as a series of stairs, ramps, and disabled lifts. The applicant advises that the raised finished floor levels are a core mitigation measure due to the site lying within the floodplain. DfI Rivers has welcomed</p>

5.40	<p>this design approach to further alleviate flood risk within the city centre. Taking into account the concerns in relation to flooding, and having regard to the site context and precise built form of the proposal, on balance, the raised floor levels are acceptable.</p> <p>Public realm:</p>
5.41	<p>The <i>Developer Contribution Framework</i> requires applications for Major development to make improvements to the public realm. The existing pavement and footways around the site are in poor condition and the applicant is proposing to resurface them with “black top” asphalt. This is welcomed and considered appropriate to the context of the site – it is considered unreasonable to require high quality paving in this location, particularly because of the likely difficulties obtaining separate approval from DfI Roads, who would likely object due to concerns about the cost of maintenance.</p> <p><u>Impact on heritage assets</u></p>
5.42	<p>The proposal is sufficiently far from Listed Buildings such as to not impact on their setting. There would be no archaeological implications. The proposal is considered compliant with Policies BH1 and BH5.</p> <p><u>Climate change</u></p>
5.43	<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.</p>
5.44	<p>The proposal includes various sustainable design features which seek to mitigate environmental change. These measures include the integration of solar panels on the roof of the buildings, low energy light fittings, increased water attenuation, and high-performance glazing to improve the performance of the buildings and reduce solar gain, whilst maximising daylight transmission rates. The applicant has stated that the proposal is anticipated to achieve a 4.5 star rating out of 5 under the HQM One Scheme. A condition is recommended to require that the proposal is constructed to this standard.</p>
5.45	<p>Policy ENV2 also states that development proposals, where feasible, should seek to avoid demolition and should consider how existing buildings or their main structures could be reused. It is proposed to demolish the warehouse at Site 2 – this is a modern building unsuitable for conversion for residential purposes and its demolition is considered acceptable. Excavated materials from the site will be used if deemed suitable. Other waste will be managed through a Waste Management Plan to ensure that all construction and demolition waste associated with the development is managed and controlled to prevent the risk of environmental pollution or ecological damage.</p>
5.46	<p>The proposal is considered compliant with Policy ENV2.</p>
5.47	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p>
5.48	<p>The applicant has demonstrated that the proposal is compliant with criteria a to i. The implementation of SuDs is welcomed. Other measures which adapt to environmental change and provide resilience in extreme weather conditions are included. The ground levels have been deliberately raised in cognisance of the wider flood risk in this location.</p>
5.49	<p>The proposal is considered compliant with Policy ENV3.</p>

5.50 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 applicant has demonstrated the proposal will include the following SuDs measures:

- Construction of 'blue roofs';
- SuDs planters in the terraced areas to provide an effective stormwater management mechanism;
- Rain gardens/rain butts;
- Oversized pipework; and
- Gated discharge and check valves.

5.51 A condition is recommended requiring the hard surface areas to be porous.

Residential quality and impact on amenity

5.52 Policies DES1, DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.

5.53 *Creating Places* advocates external private amenity space of between 10 and 30 sqm per residential unit. The proposal includes both private and communal spaces as detailed in the table below.

Site 1

Location	Size (sqm)
Communal Roof Terrace	106
Communal Garden	120
Private Terraces/Gardens	72
TOTAL	289
AVERAGE	18.6

5.54 The amenity space for the private garden areas associated with the townhouses provides 24 sqm on average per dwelling. The remainder of the amenity space equates to approximately 16.1sqm for the apartments and end terrace. Given the characteristics of the proposal and site, this is considered acceptable.

Site 2

Location	Size (sqm)
Private first floor communal area	457
Private fourth floor communal terrace	133
TOTAL	590
AVERAGE	11.1 sqm

5.55 The amenity space for Site 2 equates to an average of 11.1 sqm per unit. This is at the lower end of the advice within *Creating Places* but is considered acceptable, having regard to the characteristics of the proposal and site.

5.56 Regard if also had to the proximity to the high quality open space at City Quays Gardens, approximately 450m distance from the site (4 minute walk).

5.57 The removal of two of the townhouses within the centre of Site 2 has addressed the original serious concerns about overbearing and loss of outlook to the rear of the terrace housing on Garmoyle Street. A shadow analysis has demonstrated that there are no significant issues of overshadowing or loss of light to the rear of the terrace properties, assisted by the fact the proposed remaining townhouse is to the north (with the path of the sun being to the south).

5.58 There is potential for the gable first floor bedroom of the remaining central townhouse in Site 2 to overlook the rear terrace. It is recommended that the window is fitted with obscured glazing to at least 1.7 metres above floor level; whilst this is not normally recommended for a habitable room, given the characteristics of the proposal and site, on balance, this approach is considered acceptable.

Space standards:

5.59 Site 2 proposes a mix of two and three-bedroom townhouse and apartments which have private terraces and garden areas.

Accommodation Type	Size per unit (Sqm)	Number of Unit
3 person 2 bedroom terrace	75	1
5 person 3 bedroom townhouse	110	2
3 person 2 bedroom apartments	64-71	13

5.60 Site 2 proposes of a mix of one and two-bedroom apartments, a community hub, and offices which will be associated with the management of the affordable housing.

Accommodation Type	Size per unit (Sqm)	Number of Unit
3 person 2 bedroom apartments	65-67.5	39
2 person 1 bedroom apartments	55.5-57	8
3 person 2 bedroom WC apartment	85	6
Community Hub	194	N/A
Offices	156	N/A

5.61 The proposed residential units for both Sites 1 and 2 are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.

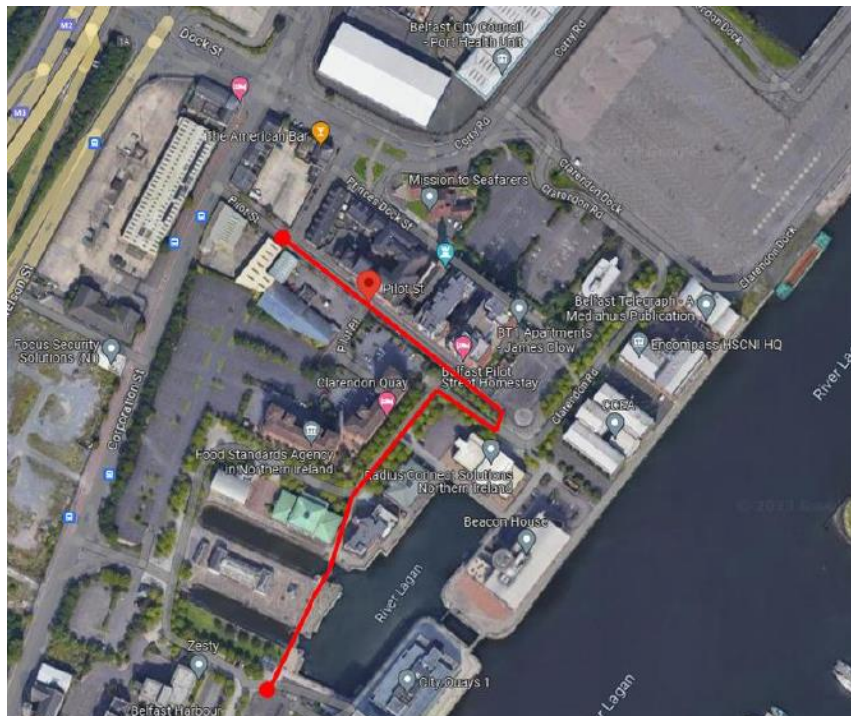
Open space

5.62 Policy OS3 requires that all new development proposals makes 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.

5.63 Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.

5.64 In this case, no public open space is proposed within the site. Policy OS3 accepts that on-site provision for open space can be reduced where the site is close to or would benefit from ease of access to areas of existing public open space. In this regard, the site is within close proximity of the site to *City Quays Gardens*, a high-quality area of open space (0.88ha) approximately 450m distance from the site (4-minute walk). The image below shows the route from the site to City Quays Gardens. Construction of City Quays Gardens is expected to begin shortly. It is considered that once completed City Quays Gardens will be able to be used by occupants of the proposed development.

5.65 It is considered necessary to require the construction of City Quays Gardens prior to occupation of the proposed development; this will be secured by means of a Section 76 planning agreement.



5.66 Having regard to these considerations, the approach to open space is considered acceptable.

Access and transport

5.67 The site has good accessibility being adjacent the City Centre and within walking distance of the city centre core. It is also close to Yorkgate, supermarkets and amenities at Yorkgate. The site is well served by existing pedestrian facilities with footways provided on both sides of the carriageways as well as controlled pedestrian crossings located at strategic locations on the surrounding network including Corporation Street. An internal cycle storage area is provided at ground floor level of both site apartment blocks and an external cycle storage area at Site 1 to encourage cycling. The proposal is considered compliant to Policy TRAN1.

5.68	Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes ease of access to reserved parking within Site 1, with the provision of 2 disabled parking spaces. Clarification is awaited on the design disabled spaces within the undercroft parking at Site 2, which currently includes 19 car parking spaces.
5.69	Policy TRAN 4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. This includes the following green travel measures: <ul style="list-style-type: none"> • One travel card offered per dwelling for a period of 3 years; • 100% subsidy of car club membership per dwelling for a period of 3 years; and • Membership of Belfast Bikes per dwelling for a period of 3 years.
5.70	The travel plan measures are considered acceptable having regard to Policy TRAN4.
5.71	Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. Within Site 1, there is a total of 5 in-curtilage car parking spaces, including 2 disabled spaces. Site 2 would provide 19 spaces within the under-croft car park. Given the accessibility of the site and travel plan commitments, this level of parking is considered acceptable. The proposal is considered to accord with Policy TRAN8.
5.72	DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.
<u>Health impacts</u>	
5.73	Policy HC1 seeks to ensure that all new developments 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.
5.74	The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within walking distance of the city centre and its amenities. It is within short walking distance of City Quays Gardens, a new area of quality open space. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. A reasonable level of amenity space would be provided within the development including private and communal gardens (Site 1), roof terraces and outdoor amenity space (Site 2). The proposal would provide quality house for people in housing stress and housing need.
5.75	The proposal is considered to satisfy the requirements of Policy HC1.
<u>Environmental protection</u>	
5.76	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.

	<u>Contaminated land</u>
5.77	Environmental Health (EH) has agreed that contamination risks can be dealt by way of conditions that ensure that prior to commencement of development, a remediation strategy is submitted to and approved by the council.
	<u>Air quality</u>
5.78	EH has not raised any concerns with regards to air quality and in this regard, the proposal is considered compliant with Policy ENV1.
	<u>Noise</u>
5.79	EH is currently considering further information provided by the applicant in respect of the compatibility of the proposed housing with two adjacent bars next to the site. EH's final comments will be reported to the Committee as a late item.
	<u>Flood risk and drainage</u>
5.80	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.
5.81	DfI Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. DfI Rivers, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. It offers no objection to the proposal and the proposal is therefore considered to meet the requirements of Policy ENV4.
	<u>Waste-water infrastructure</u>
5.82	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. 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. 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>
5.83	Policy NH1 relates to the protection of natural heritage resources.
5.84	Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate

	<p>Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the 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.</p>
5.85	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As the Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NIEA.</p>
5.86	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. This conclusion is subject to mitigation in the form of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. DAERA also offer no objection, recommending the equivalent condition. This condition is recommended.</p>
5.87	<p>Subject to this condition, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.</p>
	<p><u>Employability and Skills</u></p>
5.88	<p>The Developer Contribution Framework requires proposals for Major development to make a contribution towards Employability and Skills where necessary. The applicant has submitted an Employability and Skills Profile and a consultation response is awaited from the Council’s Economic Development Unit as to whether an Employability and Skills Developer Contribution is required. If this is considered necessary, it will be secured by way of a Section 76 planning agreement.</p>
	<p><u>Section 76 planning agreement</u></p>
5.89	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of the 14 social housing units; • Open space – the delivery of City Quays Gardens prior to occupation of any of the residential units; • Green travel measure – travel plan and green travel measures; and • Employability and Skills – should it be required by the Council’s Economic Development Unit

	<u>Pre-application Community Consultation</u>
5.90	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.
5.91	The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.
5.92	The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement: <ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Issued a press notice to highlight information about the proposals and provide notification of the public information event; • Placed social media adverts on Facebook which were visible to site neighbours; • Developed and managed a dedicated consultation website to host all proposal information digitally.
5.93	The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed, and considered.
5.94	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
6.0	Recommendation
6.1	The proposal would provide valuable social housing for which there is a significant unmet need in the city and would assist the further regeneration of the area. The design of the proposed housing is considered on balance acceptable. Sufficient parking would be provided and the proposal would not be detrimental to highway safety. Following amendments, the proposal would not give rise to harmful impacts on existing neighbouring properties. It is recommended that planning permission is granted.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from Environmental Health, and deal with any other matters that arise, provided that they are not substantive.
7.0	DRAFT CONDITIONS: <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 brick, facing panels, or roofing materials 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 facing materials.

Reason: In the interests of the character and appearance of the area.

3. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details

Reason: In the interests of the character and appearance of the area.

4. None of the residential units hereby permitted shall be occupied until their respective amenity areas have been provided in accordance with the approved plans. These amenity areas shall permanently retained as such at all times.

Reason: To ensure that appropriate amenity space is provided for the wellbeing of occupants of the development.

5. The development hereby permitted shall be constructed to a minimum of Home Quality Mark 4.5 rating and shall not be occupied until certification that verifies this has been submitted to and approved in writing by the Council.

Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.

6. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the bedroom window in [Plot X] shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the privacy of adjacent properties.

7. The development hereby permitted shall not be occupied until the approved sustainability measures have been constructed and installed and independent written verification of such as been submitted to and approved in writing by the Council.

Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.

8. The hard surfacing parking and turning areas within Site 1 shall be constructed from porous material.

Reason: To promote SuDS, having regard to Policy ENV5 of the Belfast Local Development Plan Strategy 2035.

9. 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.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

10. The development hereby permitted shall not be occupied until the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.

11. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.

Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.

12. The vehicular accesses shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

13. The development hereby permitted shall not be occupied until all existing redundant accesses have been closed off in accordance with the approved plans.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

14. The development hereby permitted shall operate in accordance with the approved Servicing Management Plan.

Reason: In the interests of road safety and the convenience of road users.

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Development Management Report

Summary	
Committee Date: 12 th December 2023	
Application ID: LA04/2023/2388/F	
Proposal: Residential development comprising 256no. units, public realm, and associated access and site works.	Location: Lands immediately north of Cross Harbour Bridge, East of Donegall Quay and south of AC Marriott Hotel, City Quays, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Belfast Harbour Commissioners 4 Corporation Square Belfast BT1 3AL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>This application relates to land at City Quays to the east of Donegall Quay, west side of the River Lagan and the north of the city centre. The application seeks full planning permission for the erection of a 23 storey tower with lower 12 storey element, comprising 254 Build To Rent apartments. The tower would be 76.4 metres at its highest point.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation 	

The site is within the City Centre and un-zoned “white land” with the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004). There is an extant outline planning permission for residential development on the site, albeit for a lower building.

The site is a suitable location for housing; the proposal would make effective use of previously developed land support City Centre living.

The height, scale and massing of the proposed building is considered in keeping with other tall buildings in City Quays and wider area, including the slightly higher Obel building to the south.

The proposal would provide no dedicated parking, however, this is considered acceptable given the highly sustainable location of the site, travel plan and commitment to green travel measures.

The application proposes the delivery of social housing at an alternative location at Pilot Street for which the Council is considering a concurrent planning application. The off-site provision of affordable housing is considered acceptable in this case for the reasons set out in the report.

NIHE is supportive of the off-site social housing proposals. DAERA offers no objection. Concerns are raised by DfC HED and NI Water. Final comments are awaited from DfI Roads, DfI Rivers and SES and these will be reported as late items.

One third party objection has been received, expressing concerns about the height of the building.

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, resolve the outstanding transport and children’s play equipment requirements and deal with any other issues that arise from the final consultation responses, provided that they are not substantive.

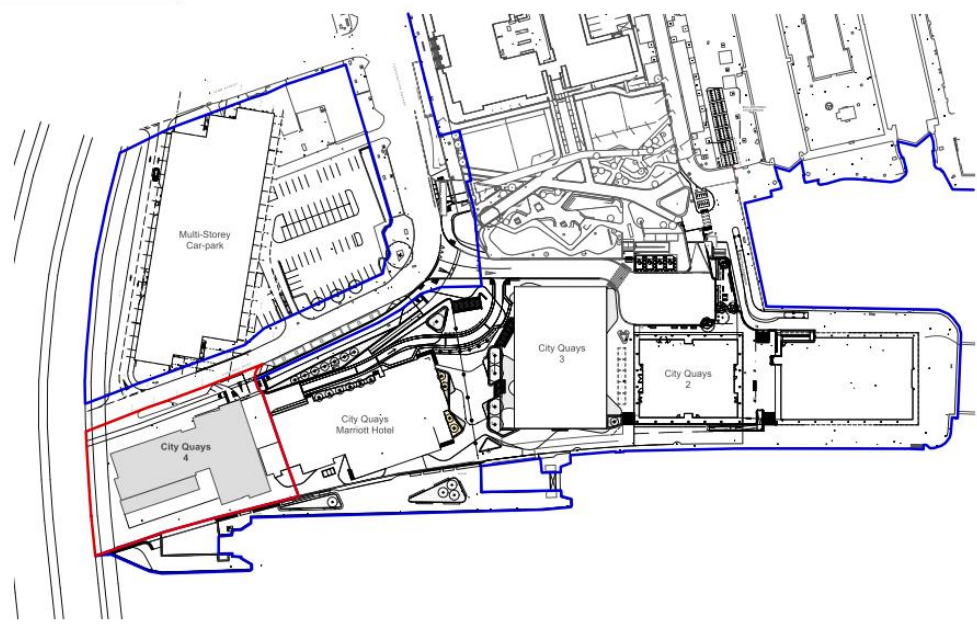
DRAWINGS AND IMAGERY

Site Location Plan:

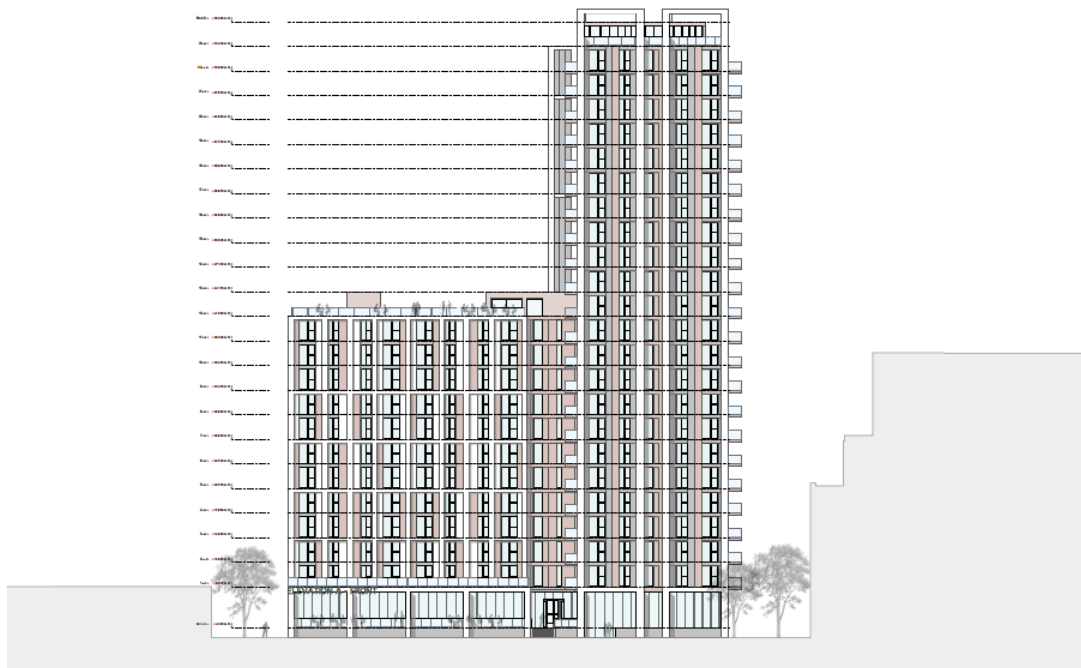
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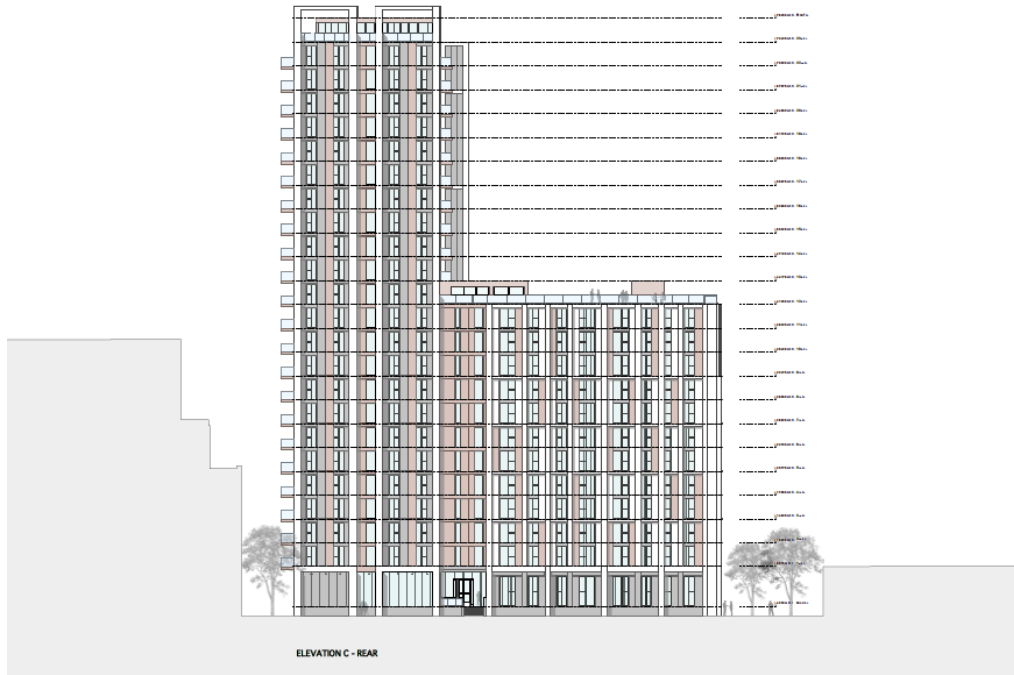
REVISION HISTORY		
REV	DESCRIPTION	DATE



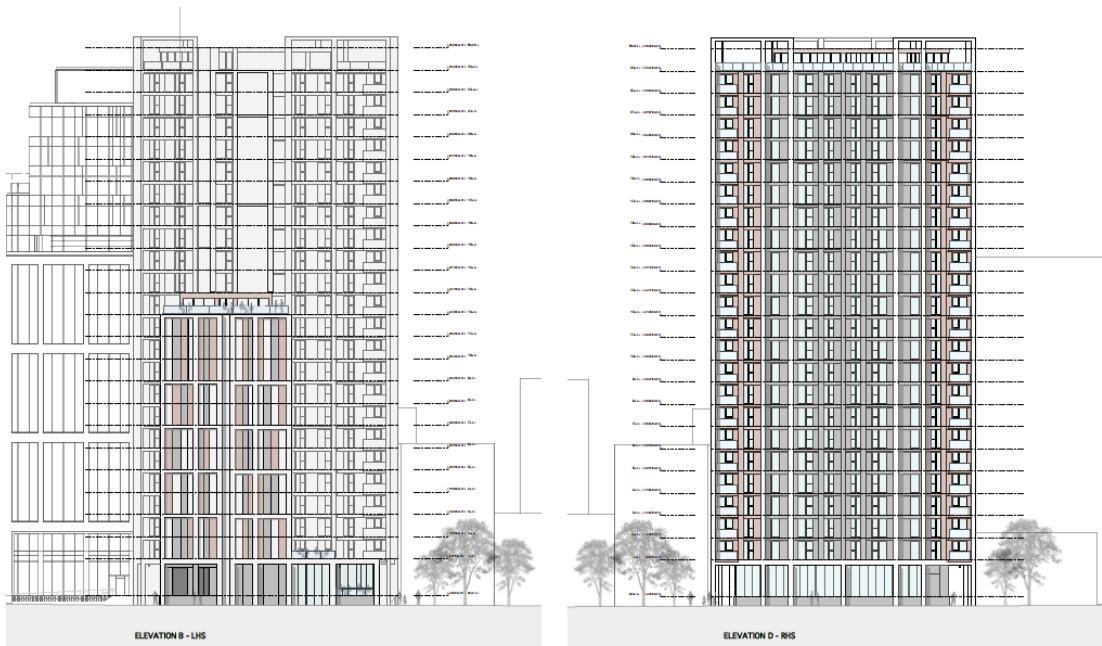
Proposed Front Elevation:



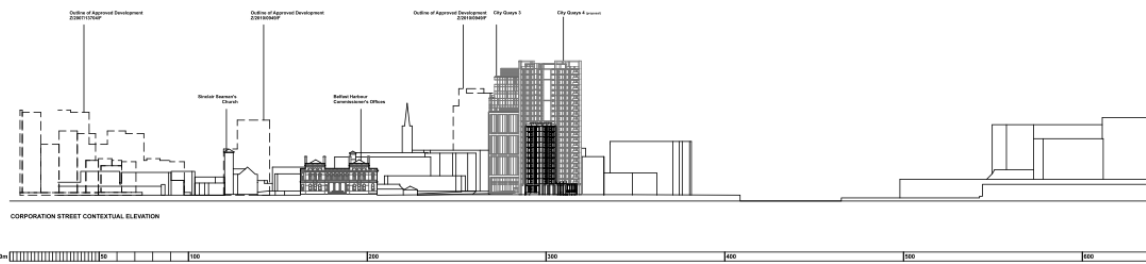
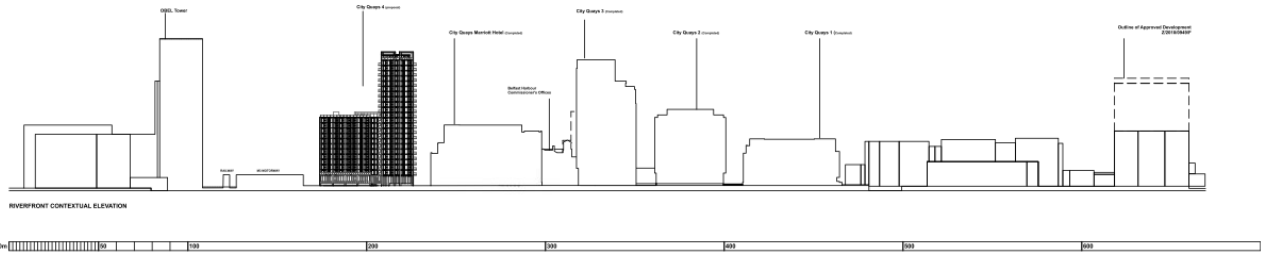
Proposed Rear Elevation:



Proposed Side Elevations:



Contextual Elevations:



CGIs:





1.0	Characteristics of the Site and Area
1.1	<p>This application relates to the proposed “City Quays 4” development within the City Quays masterplan area, in the north-eastern part of Belfast City Centre. The site is immediately south of the AC hotel by Marriott, north of the Cross Harbour bridge (M3), east of Donegall Quay, and west of the River Lagan. The site area is approximately 0.33 ha and is currently a surface level car park. The Obel Tower is the other side of the M3 bridge to the south, at an overall height of 85 metres.</p>
1.2	<p>There are a number of Listed Buildings in the vicinity of the site, including:</p> <ul style="list-style-type: none"> • HB26 50 094 Belfast Harbour office: Grade A • HB26 50 093 Sinclair Seaman’s Presbyterian Church: Grade B+ • HB26 50 306 Direct Wine Shipments 5-7 Corporation Square: Grade B2 • HB26 50 090 D Furnace House: Grade B1 • HB26 50 090 A Former Pumping Station: Grade A
1.4	<p>The City Quays masterplan area encompasses circa 10 ha of the Belfast Harbour estate. The area currently comprises offices in City Quays 1, City Quays 2 and City Quays 3. It also includes the AC hotel by Marriott and a multi-storey car park (MSCP).</p> <p>Description of Proposed Development</p>
1.5	<p>The application seeks full planning permission for the erection of 256 Build To Rent apartments (comprising a tower element of 23 storeys, approximately 76.4m in height adjacent to the AC hotel by Marriott and a lower section of 12 storeys, approximately 38.0m in height adjacent to the M3), together with all associated site and access works.</p>

1.6	The proposed development includes a mix of studio, one and two-bedrooms homes, complemented by private communal spaces located on the roof top of the tower and lower part of the building and internally on the ground and first floor levels. There is an external public terrace at ground level adjacent to the river front walk. Balcones are provided for the 2-bedroom apartments. Included in the building is co-working space and gym. There would be a 24-hour concierge service.
1.7	The application follows Pre-Application Discussions with officers.
2.0	<p>PLANNING HISTORY</p> <p>2.1</p> <ul style="list-style-type: none"> • <i>Z/2010/1006/O</i> – Proposed major mixed use development comprising offices; small scale retail and retail services; cafes/restaurants; a hotel; residential development and associated amenity space; basement, multi storey and surface level car parking; open space, service areas and related infrastructure improvements. Lands bounded by the River Lagan to the east Corporation Street to the west Dock Street and Corry Link to the north and the elevated M3 Cross Harbour Bridge/Motorway to the south City Quays Clarendon Dock Belfast. <p>Permission granted on 22nd July 2014. Applications for reserved matters must be made by 21st July 2024. The permission must be begun by either 21st July 2026 or within 2 years of the date of approval of the last reserved matters.</p> <ul style="list-style-type: none"> • <i>Z/2013/0325/F</i> – Erection of office building, surface car parking and other associated works.(Verification Report Received). Vacant land at Clarendon Dock 35m southwest from 27 Albert Quay and 140m northwest of the Harbour Office. <p>Permission granted on 13th September 2013.</p> <ul style="list-style-type: none"> • <i>Z/2013/1508/F</i> – 9 storey office block with coffee shop at ground floor. Surface car park, landscaping, and other associated works. Vacant land and car parking at the corner of Corporation Square and Donegall Quay Belfast BT1 3AJ. <p>Permission granted on 17th October 2014.</p> <ul style="list-style-type: none"> • <i>LA04/2015/1423/RM</i> – Hotel (188 bedroom), access, landscaping and other associated site works. Land 70m north of the M3 Cross Harbour Bridge and bounded by the River Lagan to the East Clarendon Dock to the North and Donegall Quay Corporation Square and Clarendon Road to the West. <p>Permission granted on 6th April 2016.</p> <ul style="list-style-type: none"> • <i>LA04/2016/2656/RM</i> – Multi storey car park (907 spaces - maximum height of 33.2 metres), access road, alterations to existing car parking and road layouts and associated site works (clarified description). Land west of Donegall Quay north of the M3 Cross harbour Bridge east of Tomb Street and 50m south of Corporation Square. Permission granted on 19th June 2017. • <i>LA04/2017/1090/RM</i>- Erection of 16 storey office accommodation (74metres maximum height) comprising 23,976 sq metres of gross floorspace associated access, public realm and other ancillary development. Lands approximately 100m north of M3 Cross Harbour Bridge and bounded by the River Lagan to the

	<p>east Donegall Quay and Clarendon Dock to the north Corporation Square and Clarendon Quay to the west. Permission granted on 5th February 2019.</p> <ul style="list-style-type: none"> • LA04/2022/0262/F – Public realm improvement scheme to create formal gardens area including erection of 'gateway nest' and 'swinging seat' features and seating; artwork trail; lawn areas; shared pedestrian and access routes; public plazas; promenade along Clarendon Dock; improvements to and widening of footpaths at Corporation Square; extensions of taxi bays, relocation of Belfast Bike and bicycle shelters and stands, realignment of the road; and relocation of listed railings fronting Corporation Square. Surface level car park to east of Harbour Office and adjoining lands at Corporation Square and Clarendon Road Belfast BT1 3AL. <p>Permission granted on 1st March 2023.</p>
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></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 Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation</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 Policy BH5 – Archaeology Policy HC1 – Promoting healthy communities Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements 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) Policy GB1 – Green and blue infrastructure network Policy OS3 - Ancillary open space</p>

	<p>Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Development Viability</p> <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> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u> DfI Roads – final response awaited.</p> <p>DfC HED – Concerns raised in respect of the impact on the setting of Listed Buildings, which are set out and addressed in the main assessment.</p> <p>DAERA – No objection subject to conditions</p> <p>NI Water – Concerns raised about the availability of waste water infrastructure, which are addressed in the main assessment.</p> <p>NIHE – supports the proposal, accepting the principle of off-site social housing.</p> <p><u>Non-Statutory Consultees</u> Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Planning Service Urban Design Officer – refer to main assessment.</p> <p>Planning Service Conservation Advice – refer to main assessment.</p> <p>Environmental Health – content subject to conditions.</p> <p>BCC Economic Development Unit – recommends that an Employability and Skills Developer Contribution is required.</p>

<p>4.3</p>	<p>BCC Landscape and Development team – supports the complementary proposals for City Quays Gardens. Would like to see provision made for child friendly outdoor spaces. Satisfied that the proposal would not have an adverse impact on the townscape.</p> <p>Shared Environmental Services (SES) – final comments awaited.</p> <p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p>
<p>4.4</p>	<p>The application has been advertised in the newspaper and neighbours notified.</p>
<p>4.5</p>	<p>One objection has been received, raising concerns about the height of the building. This issue is address in the planning assessment section of this report.</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation <p>Development Plan Context</p> <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	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.
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 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 above.</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, 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 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.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land” within the City Centre. Provision is made for a proposed bridge across the River Lagan to the north (CC 099/01).</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the City Centre. It is next to a proposed greenway, BT 147/09. Provision is made for a proposed bridge across the River Lagan to the north (CC 023/01).</p> <p><u>Principle of housing in this location</u></p>
5.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ol style="list-style-type: none"> a. The site is suitable for housing – the site is a sustainable location within the City Centre and considered suitable in principle for housing. Moreover, it benefits from outline planning permission for mixed use development, including housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is located within the City Centre, on the national cycling route and highly accessible to shops, services, amenities and public transport.

	<p>c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.</p>
5.11	<p>The proposal is for a Build to Rent (BTR) residential scheme comprising 256 residential units. BTR is intended solely for the rental market retained in a single ownership. Service quality is a fundamental element of the BTR model with a focus on tenant retention and community experience. Belfast has received few schemes for BTR to date and the proposal will provide a specific form of quality housing that will add to the variety of housing stock offered in the city. The proposal will also support city centre living and will support the city centre including shops, bars, restaurants, leisure and other amenities.</p>
5.12	<p>The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p> <p><u>Housing density</u></p>
5.13	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>
5.14	<p>The proposal is for a tall building within the City Centre for which the average density should be greater than 350 dwellings per hectare (ha). The site area is 0.33 ha and so the proposal equates to a density of 776 dwellings per ha, compliant with Policy HOU6.</p> <p><u>Affordable housing</u></p>
5.15	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p>
5.16	<p>In this case, the application is seeking to address the requirements of Policy HOU5 by providing social housing at an off-site location on Pilot Street, Sailortown, rather than provide affordable housing as part of the BTR scheme.</p>
5.17	<p>The <i>Affordable Housing and Housing Mix</i> Supplementary Planning Guidance (SPG) recognises that intermediate housing for rent, and specifically Discounted Market Rent, is the most appropriate affordable housing product for the BTR housing model, which retains the building in single ownership.</p> <p><i>Proposal for off-site affordable housing provision</i></p>
5.18	<p>However, the applicant is proposing to provide off-site social housing instead at a site under its ownership at Pilot Street. The Planning Service is dealing with a concurrent application for that proposal (LA04/2023/2668/F), which is also being considered by the Committee on the same agenda. The BTR application is reliant on the Pilot Street application in respect of affordable housing and therefore both applications should be considered by the Committee at the same time.</p>
5.19	<p>Policy HOU5 requires the BTR proposal to deliver a minimum 52 affordable homes (rounded up). The Pilot Street application seeks full permission for 69 residential units – under Policy HOU5, this generates a requirement to provide a minimum of 20% affordable housing in its own right, equating to a further 14 affordable homes (rounded up). The net affordable housing requirement for both sides is therefore 66 affordable homes – the Pilot Street proposal exceeding this by three residential units.</p>

5.20	<p>NIHE is supportive of both the BTR and Pilot Street applications, accepting the principle of off-site social housing, noting that both sites are in the same ownership and that the proposals ‘...allow for a more appropriate development of social housing units in this area.’ NIHE cites the significant housing need in Belfast with a social housing waiting list of 12,074 households with 9,385 in housing stress. Demand is increasing with projection of social housing need indicating a requirement for 7,984 new units across Belfast over the 5-year period 2022-2017.</p>																																								
5.21	<p>The Pilot Street social housing scheme is proposed to deliver 69 homes across two parcels of land, either side of Pilot Street, with the breakdown of house types set out in the tables below.</p> <p>Site 1</p> <table border="1" data-bbox="343 638 1492 929"> <thead> <tr> <th>Accommodation type</th> <th>Size per unit (sqm)</th> <th>Number of units</th> <th>% units</th> </tr> </thead> <tbody> <tr> <td>2 bedroom terrace 3 person apartments</td> <td>75</td> <td>1</td> <td>6%</td> </tr> <tr> <td>3 bedroom 5 person townhouses</td> <td>110</td> <td>2</td> <td>13%</td> </tr> <tr> <td>2 bedroom 3 person apartments</td> <td>64-71</td> <td>13</td> <td>81%</td> </tr> <tr> <td>Total</td> <td></td> <td>16</td> <td>100%</td> </tr> </tbody> </table> <p>Table 1a: Breakdown of house types at Pilot Street, Site 1</p> <p>Site 2</p> <table border="1" data-bbox="343 1086 1492 1377"> <thead> <tr> <th>Accommodation type</th> <th>Size per unit (sqm)</th> <th>Number of units</th> <th>% units</th> </tr> </thead> <tbody> <tr> <td>2 bedroom 3 person apartments</td> <td>65 - 67.5</td> <td>39</td> <td>73%</td> </tr> <tr> <td>1 bedroom 2 person apartments</td> <td>55.5 - 57</td> <td>8</td> <td>15%</td> </tr> <tr> <td>2 bedroom 3 person apartments</td> <td>85</td> <td>6</td> <td>11%</td> </tr> <tr> <td>Total</td> <td></td> <td>53</td> <td>100%</td> </tr> </tbody> </table> <p>Table 1b: Breakdown of house types at Pilot Street, Site 2</p> <p><i>Tenure</i></p>	Accommodation type	Size per unit (sqm)	Number of units	% units	2 bedroom terrace 3 person apartments	75	1	6%	3 bedroom 5 person townhouses	110	2	13%	2 bedroom 3 person apartments	64-71	13	81%	Total		16	100%	Accommodation type	Size per unit (sqm)	Number of units	% units	2 bedroom 3 person apartments	65 - 67.5	39	73%	1 bedroom 2 person apartments	55.5 - 57	8	15%	2 bedroom 3 person apartments	85	6	11%	Total		53	100%
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5.22	<p>The Pilot Street application is for a 100% social housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.14 of the SPG states that larger mono-tenure schemes [such as that proposed at Pilot Street] may be considered having regard to the following considerations:</p> <ul style="list-style-type: none"> • <i>‘The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i> • <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and</i> • <i>Whether a scheme is proposed as ‘shared housing’</i> 																																								

5.23	<p>Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. However, turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community. Nevertheless, regard is had to the strong support for the proposal from NIHE, that the proposal includes a small number of family homes for which there is a particular need in this location, the largely supportive response from the local community for affordable housing during the pre-application community process and the longevity of the scheme. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.</p>																				
5.24	<p>For these same reasons, together with regeneration benefits of the Pilot Street application, the BTR application's proposal to provide off-site social housing is considered, on balance, acceptable. Given that the BTR application is reliant on the Pilot Street application, both applications must be considered together. Should the Pilot Street application be found to be unacceptable, then the BTR application should fail in that it would fail to satisfactorily address Policy HOU5.</p>																				
5.25	<p>If the BTR and Pilot Street applications are approved, it will be necessary to require the delivery of the social housing on the Pilot Street site prior to occupation of the BTR development. This would allow construction of the BTR scheme to proceed and should be secured by way of a Section 76 planning agreement.</p>																				
5.26	<p>In their supporting statement, the applicant further argues that the provision of on-site affordable housing within the BTR scheme would be unviable. However, it is already accepted that off-site social housing delivery is acceptable in this case for the reasons set out above. It is therefore unnecessary to consider viability further.</p>																				
5.27	<p><u>Housing mix</u></p> <p>Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities. 																				
5.28	<p>The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.</p>																				
5.29	<p>The proposed housing mix is shown in the table below.</p> <table border="1" data-bbox="336 1704 1505 1966"> <thead> <tr> <th>Accommodation type</th> <th>Size per unit (sqm)</th> <th>Number of units</th> <th>% units</th> </tr> </thead> <tbody> <tr> <td>Studio apartments</td> <td>34</td> <td>52</td> <td>20%</td> </tr> <tr> <td>1 bedroom apartments</td> <td>46</td> <td>116</td> <td>45%</td> </tr> <tr> <td>2 bedroom apartments</td> <td>70</td> <td>88</td> <td>34%</td> </tr> <tr> <td>Total</td> <td></td> <td>256</td> <td>100%</td> </tr> </tbody> </table>	Accommodation type	Size per unit (sqm)	Number of units	% units	Studio apartments	34	52	20%	1 bedroom apartments	46	116	45%	2 bedroom apartments	70	88	34%	Total		256	100%
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5.30	<p>As can be seen, the proposal consists of only smaller studio, one and two bed units. No larger units are proposed. The SPG suggests that more 3 and 4-bedroom apartments should be encouraged to meet the requirement for increased size, whilst promoting choice and facilitating the creation of sustainable and balance neighbourhoods. The applicant states that the housing mix is informed by their commercial advisors, confirming that there is very limited demand for larger, 3-bedroom units in this location. The applicant says that the target market for the 1-bedroom units and studios are young professionals but they are also likely to be attractive to downsizers and retirees. They go onto state that the 2-bedroom units are also available for smaller family units.</p>
5.31	<p>In assessing the housing mix, regard is had to the location of the site at City Quays and the BTR residential model. Regard is also had to the fact that the proposal would enable the delivery of a greater mix of social housing on the Pilot Street site. Taking these considerations into account, on balance, the proposed housing mix is acceptable.</p>
	<p><u>Adaptable and accessible accommodation</u></p>
5.32	<p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet. The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f.</p>
5.33	<p>The proposal includes 10% wheelchair units. Criteria h. stipulates that in-curtilage or designated car parking meets disabled parking standards. The proposal is “car free” development with no dedicated parking proposed. However, future occupants of the development will be able to avail of a car parking space within the adjacent Multi Storey Car Park, which includes both general and disabled parking (this is set out further in the Access and Transport section of this report). Criterion i. states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. The adjacent area comprises a large hard landscaped public realm space, and therefore these areas will be able to accommodate wheelchairs. All surfaces are level or gently sloping. The proposal is considered to be compliant with Policy HOU7.</p>
	<p><u>Design and placemaking</u></p>
5.34	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2, DES3 and RD1 of the Plan Strategy. 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 of tall buildings including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.</p>
	<p><i>Scale, height and massing:</i></p>
5.35	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, a. to k. The proposed building comprises two distinct elements: a lower 12 storey podium which measures around 38.0m in height and a taller 23 storey tower with a shoulder height of approximately 76.4m with plant rising,</p>

measuring a further 3.0m above. The proposal has been articulated as two distinct blocks that step up in height towards those existing CQ buildings to the north. As illustrated in the images below, the podium element picks up contextually on the general datum height struck by those lower buildings within the wider CQ site which includes the immediately adjacent AC by Marriott Hotel, as well as the earlier CQ1 and CQ2 buildings further north.



5.36 The tower element, which includes a much slimmer profile and smaller footprint, nods towards the taller and more recently constructed CQ3 building. It is considered that the proposal will add further interest to the dynamic and emerging waterfront skyline in this location through the realisation of appropriately scaled built form that will sit comfortably as part of the wider cluster of modern buildings, according with Policy DES3.

5.37 With regards to building form and façade articulation, it is considered that the proposed composition achieves a subtle distinction between the tower and podium, assisted by the narrower interlinking section, without compromising its ability to tie in with the existing family of buildings. The most recent revisions of the proposed panelling are a darker red colour, opposed to the previous mustard/champagne tone. The red tone is considered to be more contextually appropriate. The building will be subject to significant light across its exposed eastern (river facing) and southern (motorway/city centre facing) elevations which may require the final colour section to be over emphasised to avoid washing out the accent colour. The final colour selection will be subject to a condition. Contextually, the height of the building is considered sympathetic to its wider context and would be slightly lower than the Obel building in deference. The scale, height and massing are considered to respond positively to the local context and character through architecture and urban form through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials.

Active frontage:

5.38 The primary waterfront elevation, ground floor plan includes two large resident amenity areas either side of a generously proportioned and legible entrance lobby. The southern amenity are benefits from a sizeable external terrace area with no concerns raised in relation to the degree of animation and activation that this arrangement will be able to achieve and the positive effect it will have along this stretch of the waterfront.

5.39 Back of House uses (BOH) such as a large bin storage area have been placed along the northern ground floor elevation, which will have least impact on the surrounding streets and waterfront. However, the Senior Urban Design Officer has raised concerns about the degree of BOH uses along the full extent of the secondary elevation fronting

Donegall Quay, which extend across much of the building's southern elevation. The extent of active (green) and inactive (red) frontages is show in the images below.



5.40 The Senior Urban Design Officer has raised concerns about the lack of active frontage on the Donegall Quay elevation. The building projects out over the ground floor footprint at its north west corner to accommodate the stacking of bedrooms and living areas from first floor upwards across all floors of the tower (effected area highlighted in blue on the plan above). CGIs have been produced to illustrate the envisaged form along this elevation (also see above).

5.41 Criterion f. of Policy DES1 requires the provision of active frontages to ensure vibrancy throughout the day. Additional area of glazing have been inserted, particularly along the south west corner, which will assist in providing additional light in the evenings and views into/out of the building. The double height nature of the covered north west

	<p>corner area will give this corner of the building a more open and airy feeling which will help to a degree in deterring anti-social behaviour. It is considered, that whilst the Donegall Quay elevation does not provide as animated a frontage as the remaining elevations onto the waterfront, there is opportunity to enhance this elevation through the installation of additional lighting and public art to help off-set this. Details of this should be required by condition. On balance, subject to this requirement, the treatment of the frontages is considered acceptable.</p> <p>Siting and Alignment:</p>
5.42	<p>Policy DES2 states that planning permission will be granted for Major development where it accords with the principles a. to j. The wider City Quays development has followed the design and layout principles identified within the City Quays Masterplan (Z/2010/1006/O). The proposal forms one of the last few development sites identified within City Quays, forming the most southernly end piece to the grouping of four buildings that have already been constructed along the waterfront, namely: CQ1 (2015), CQ2 (2017), AC by Marriott Hotel (2018), CQ3 (2022) as well as the CQ MSCP (2019) adjacent to the M3 bridge. Two remaining plots include <i>City Quay Gardens</i> (located between CQ2/CQ3 and the Listed Harbour Commissioners Office) and CQ5 to the immediate north of the MSCP and opposite the Harbour office.</p>
5.53	<p>It is considered that the proposal adopts a holistic approach to site assembly, layout and design that is mindful of adjacent sites. The proposal promotes opportunities for urban repair and greater connectivity resulting in enhanced waterfront connectivity and a continuation of the high-quality public realm and landscape offer that has already been realised along Donegall Quay.</p> <p>Public realm:</p>
5.54	<p>The proposal is considered to create an adaptable and well-connected public realm which ties in with the existing waterfront development at City Quays. The choice of materials compliments the character and setting of the City Quays buildings. The proposal incorporates various hard and soft landscaping features, alongside a riverside terrace to its frontage which creates a welcoming entrance to the development and connect with the existing public realm around the City Quays area.</p> <p><u>Impact on the heritage assets</u></p>
5.55	<p>Policy BH1 seeks to safeguard the setting of Listed Buildings. There are a number of Listed Buildings in the vicinity of the site which could be affected by the proposal, as described below:</p> <ul style="list-style-type: none"> • HB26 50 094 Belfast Harbour: Grade A • HB26 50 093 Sinclair Seaman’s Presbyterian Church: Grade B+ • HB26 50 306 Direct Wine Shipments 5-7 Corporation Square: Grade B2 • HB26 50 090 D Furnace House: Grade B1 • HB26 50 090 A Former Pumping Station: Grade A
5.56	<p>DfC Historic Environment Division (HED) has been consulted. Due to the scale of the large development, HED advises that the above list is not exhaustive as the proposal may impact on the wider setting included in long views of other listed buildings in Belfast City Centre. HED considers that the proposal may have an adverse impact on the listed buildings and their settings. However, officers advise that the listed buildings are sufficiently removed from the proposed site to not cause any demonstrable harm to</p>

	<p>the listed buildings and their settings. Regard is had to the outline masterplan which approves development at “City Quays 5” to the immediate north of the MSCP and opposite the Listed Harbour office. Development here would largely block views of the proposed building from the Listed Harbour office, Sinclair Seaman’s Presbyterian Church and Direct Wine Shipments, reducing the impact of the proposal on the setting of those listed buildings. It is considered that the proposal would not adversely affect the setting of Listed Buildings and is compliant with Policy BH1.</p>
5.57	<p>Policy BH5 relates to archaeology with the Council seeking to conserve and where possible enhance archaeological assets. Consent will normally only be granted where criteria a. to d. are met. The application is in close proximity to a large number of industrial archaeological assets related to ship building and harbour activity in Belfast. The recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site. HED (Historic Monuments) is content that the proposal satisfies Policy BH5, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ. These measures will be required by condition.</p> <p><u>Climate change</u></p>
5.58	<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.</p>
5.59	<p>The applicant has provided details on the various sustainable design features which will be incorporated in the development. These include PV Solar Panels to the roof of the development, and various SuDs measures including rain butts, and blue roofs across external terrace areas. Buildings across City Quays to date have been designed and constructed to achieve BREAAAM excellence ratings. Continuing this theme, CQ4 has been designed to meet the latest sustainability guidance for residential developments (the Home Quality Mark – HQM) which is welcomed, sharing a common lineage with BREEAM, a global sustainability assessment method for master planning projects, infrastructure, and buildings. Some of the key design features include open space, building materials and good construction practices which are considered to help meet the objectives of Policy ENV2 (and parts of ENV3) provided that the HQM accreditation is achieved. The applicant has stated that CQ4 is anticipated to achieve a 4.5 star rating out of 5 under the HQM One Scheme. A condition is recommended to require that the proposal is constructed to this standard. The proposal is considered acceptable having regard to Policy ENV2.</p>
5.60	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet to meet criteria b) in that the proposal incorporates various hard and soft landscaping elements at ground floor level and the upper terraced areas to assist an overall sustainable drainage solution. Criteria d. is met as at the detailed design stage the building will be modelled and checked for compliance with CIBSE Technical Memorandum 59 Design Technology for the assessment of overheating risk in homes (2017). Further information on overheating can be found in the technical reports by RSK which have been submitted to the Council. Furthermore, criterion I. is met in that the site levels are designed to alleviate the flood risk from the development and maintain the safety of residents and their homes in the future. This is supported by the Flood Risk and Drainage Assessment (FRA/DA) prepared by RSK. The proposal is considered acceptable having regard to Policy ENV3.</p>

5.61	<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 applicant has demonstrated the proposal will include the following SuDs measures:</p> <ul style="list-style-type: none"> • Construction of 'blue roofs' in the amenity areas; • Integration of rain gardens and rain butts; • Construction of oversized pipes to service the development; • Gated discharge and check vales; • Discharge points at multiple locations; and • A facility for pumping/maintaining discharge rates during extreme conditions. 																																								
5.62	<p>The proposal is considered acceptable having regard to Policy ENV5.</p>																																								
	<p><u>Residential quality and impact on amenity</u></p>																																								
5.63	<p>Policies DES1, DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>																																								
5.64	<p>The BTR model includes shared communal amenity areas. The proposal includes private external and internal amenity areas as set out in the table below.</p> <table border="1" data-bbox="339 976 1505 1464"> <thead> <tr> <th>Location</th> <th>Size (sqm)</th> <th>External (sqm)</th> <th>Internal (sqm)</th> </tr> </thead> <tbody> <tr> <td>Ground floor residents amenity area</td> <td>496</td> <td>-</td> <td>496</td> </tr> <tr> <td>First floor terrace</td> <td>182</td> <td>182</td> <td>-</td> </tr> <tr> <td>First floor residents amenity area</td> <td>408</td> <td>-</td> <td>408</td> </tr> <tr> <td>12th floor residents terrace</td> <td>362</td> <td>362</td> <td>-</td> </tr> <tr> <td>12th floor amenity areas (including gym)</td> <td>92</td> <td>-</td> <td>92</td> </tr> <tr> <td>23rd floor viewing deck</td> <td>223</td> <td>223</td> <td>-</td> </tr> <tr> <td>Private balconies</td> <td>258</td> <td>258</td> <td>-</td> </tr> <tr> <td>TOTAL</td> <td>2,021 sqm</td> <td>1,025 sqm</td> <td>996 sqm</td> </tr> <tr> <td>AVERAGE</td> <td>7.9 sqm</td> <td>4.0 sqm</td> <td>3.9 sqm</td> </tr> </tbody> </table>	Location	Size (sqm)	External (sqm)	Internal (sqm)	Ground floor residents amenity area	496	-	496	First floor terrace	182	182	-	First floor residents amenity area	408	-	408	12 th floor residents terrace	362	362	-	12 th floor amenity areas (including gym)	92	-	92	23 rd floor viewing deck	223	223	-	Private balconies	258	258	-	TOTAL	2,021 sqm	1,025 sqm	996 sqm	AVERAGE	7.9 sqm	4.0 sqm	3.9 sqm
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5.65	<p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit. The proposal falls below this at an average of 4.0 sqm external amenity space per unit. However, the proposal also includes a reasonable level of shared internal amenity space consistent with the BTR model, increasing the overall amenity space to 7.9 sqm per unit. <i>Creating Places</i> was published in 2000 and did not envisage BTR or the other more contemporary forms of housing. Having regard to the level of internal amenity space to be provided, the location of the site, its immediate proximity to City Quays Gardens and proximity to the city centre core and waterfront, the proposed external amenity provision is considered acceptable.</p>																																								
5.66	<p>The orientation, layout and external design of the proposal has been directly informed by the site's constraints, mainly being its proximity to the M3 bridge and the adjacent AC hotel by Marriott. The arrangement of the hotel assists in addressing any issues relating to privacy or amenity of neighbouring residents, including overlooking loss of lights, overshadowing dominance, noise or other disturbance. The massing of the hotel steps down towards the northern boundary of the application site, and much of the</p>																																								

	<p>southern gable of the hotel is blank; other than a lateral strip of windows which relate to the hallways at each floor level of the hotel, therefore no habitable rooms look directly into the application site. There is also a sufficient separation distance from the nearest residential properties in the Obel.</p> <p>Space Standards:</p>															
5.67	<p>The proposal comprises a mix of studio, one and two-bedroom apartments, with the space standards set out below. The proposed units are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.</p> <table border="1" data-bbox="339 562 1503 741"> <thead> <tr> <th>Accommodation Type</th> <th>Size per unit (Sqm)</th> <th>Number of Unit</th> </tr> </thead> <tbody> <tr> <td>Studio apartments</td> <td>34</td> <td>52</td> </tr> <tr> <td>1 bed apartments</td> <td>46</td> <td>116</td> </tr> <tr> <td>2 bed apartments 2 person</td> <td>70</td> <td>88</td> </tr> <tr> <td>TOTAL</td> <td></td> <td>256</td> </tr> </tbody> </table> <p>Open space</p>	Accommodation Type	Size per unit (Sqm)	Number of Unit	Studio apartments	34	52	1 bed apartments	46	116	2 bed apartments 2 person	70	88	TOTAL		256
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5.68	<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>															
5.69	<p>Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.</p>															
5.70	<p>For residential development of 100 units or more, or for development sites of 5 hectares or more, an equipped children’s play area will be required as an integral part of the development. The council will consider an exception to this requirement where a sufficient equipped children’s play area exists within reasonable walking distance (generally around 400 metres) of the majority of the units within the development scheme and subject to the further provisions of this policy.</p>															
5.71	<p>In this case, no open space is proposed within the site. However, the applicant is committed to delivering <i>City Quays Gardens</i>, a high-quality area of open space (0.88ha) a short walk to the northwest of the application site. Construction of City Quays Gardens is expected to begin shortly. It is considered that once completed City Quays Gardens will provide valuable open space for residents of the proposed building. Given the location and characteristics of the BTR proposal, this is considered acceptable. Regard is also had to the close proximity of the site to riverside and its amenities, as well as the city centre core.</p>															
5.72	<p>In relation to the provision of children’s play equipment, the applicant states that the site is located within 321 metres of the “Bridges Urban Sports Park”. This is used for skateboarding, in-line skating and BMX-ing. However, officers are mindful that this is not a general children’s playpark and does not provide facilities for younger children. This view is shared by the Council’s Landscape and Development team. The applicant has offered a Financial Developer Contribution towards off-site provision of children’s play</p>															

	equipment. However, the Landscape and Development team's preference is that provision for children's play is provided within City Quays Gardens. Officers are continuing to discuss these options with the applicant.
5.73	It is considered necessary to secure the delivery and future management of City Quays Garden prior to occupation of the proposal. The applicant has agreed to this obligation in principle and this should be secured by means of a planning obligation in a Section 76 planning agreement.
5.74	Subject to appropriately dealing with the issue of children's play equipment, the approach to open space is considered acceptable.
	<u>Access and transport</u>
5.75	The site is a highly accessible location within the City Centre. It is within short walking and cycling distance of the city centre and its shops, services, leisure and employment opportunities. The site is on the national cycling network. It has very good public transport links through access to buses and rail. Provision is made for sheltered and secure cycle parking for 105 bicycles within the building at ground floor. The proposal accords with Policy TRAN1.
5.76	The green travel plan provided with the application will further promote active and sustainable travel. Initially, the applicant proposed that travel cards are offered to each residential unit for three years; three-year membership of Belfast Bikes; and three-year membership of a car club. However, consistent with approach taken to the approved "Loft Lines" scheme for 798 apartments in the Titanic Quarter (LA04/2021/2280/F), the applicant has agreed a more sophisticated approach to green travel measures, whereby each residential apartment will be assigned a minimum value travel vouchers to spend on the travel measures that suit the individual occupier best. This overall travel voucher fund would be in the region of £450k and would be managed by the Travel Plan Coordinator. Occupants would have the option of spending vouchers on any combination of the offered measures to a minimum value per residential unit until the fund is empty. The travel measures options will be extended to include the option of purchasing a new bicycle. This tailored approach to green travel measures is considered to be a much more effective use of developer contributions.
5.77	The developer will also be required to ensure that the prospective tenants pack and promotional material makes it clear that the proposal is a "car free development". This, together with the travel plan and green travel measures, will need to be secured by means of a Section 76 planning agreement.
5.78	No dedicated in-curtilage general parking is proposed, and the applicant is promoting the scheme as "car free" development. It points towards the highly sustainable location of the site. The site is within an area of parking restraint. Officers also have regard to the site's proximity to the large multi-storey car park (MSCP) to the immediate north. The MSCP provides 907 spaces across 17 parking levels, including 45 dedicated disabled spaces. The applicant confirms that the operator of the car park (NCP) offers "season tickets", with annual spaces costing £1,200.
5.79	Having regard to the highly sustainable location of the site, proximity to the MSCP and applicant's commitments to green travel measure, the non-provision of dedicated general parking is considered acceptable.

5.80	<p>In relation to disabled parking provision, again no specific in-curtilage parking is proposed. Regard is had to the very close proximity of the site to the MSCP, which provides 45 disabled parking spaces, which residents can use either on a short-term basis or lease annually. It is understood that none of the disabled spaces are currently leased. Dfl Roads advises that disabled parking should be within 50 metres – in this case, the MSCP is within 20 metres of the building. The applicant is proposing a controlled pedestrian crossing to enable a safe route across Donegall Quay road from the MSCP to the building. Dfl Roads has confirmed that the provision of the crossing is acceptable in principle, but that the detailed design should be agreed in advance before the planning permission for the BTR scheme is issued. The applicant is to submit the detailed design to Dfl Roads and this process can run in parallel with the drafting of the Section 76 planning agreement that will secure the necessary planning obligations. The construction of the pedestrian cross will be required by condition. Subject to this provision, it is considered that the approach to disabled parking is acceptable. The application is supported by a Service Management Plan (SMP) which will manage bin deliveries. Servicing will be co-ordinated and controlled to minimise disruption to the surrounding highway network; Dfl Roads has advised that a final SMP can be secured by condition. It has confirmed that there would be no conflict between the service road and cycle lane. Dfl Roads is also satisfied with the cycle parking proposals.</p>
5.81	<p>Dfl Roads has yet to provide its final consultation response but has confirmed that the travel plan and approach to green travel measures is acceptable. It has also said that it is satisfied with the approach to both general and disabled parking. Subject to agreement of the details of the pedestrian crossing, it confirms that there would be no highway safety issues. It also advised that there would be no traffic progression issues. Dfl Road's final response will be reported to the Committee as a late item.</p>
5.82	<p>Delegated authority is sought for officers to deal with any further issues raised in Dfl Road's final response, provided that they are not substantive.</p>
5.83	<p>Subject to resolution of these issues, the proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.</p>
	<p><u>Health impacts</u></p>
5.84	<p>Policy HC1 seeks to ensure that all new developments 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.</p>
5.85	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city centre and waterfront. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of City Quays Gardens, a sizeable quality area of new open space as well as the amenities along the riverside and within the city centre core. The BTR model provides communal recreation spaces to encourage social interaction and support mental wellbeing. A gym is proposed to provide further opportunities for exercise and fitness. The proposal is considered to satisfy the requirements of Policy HC1.</p>

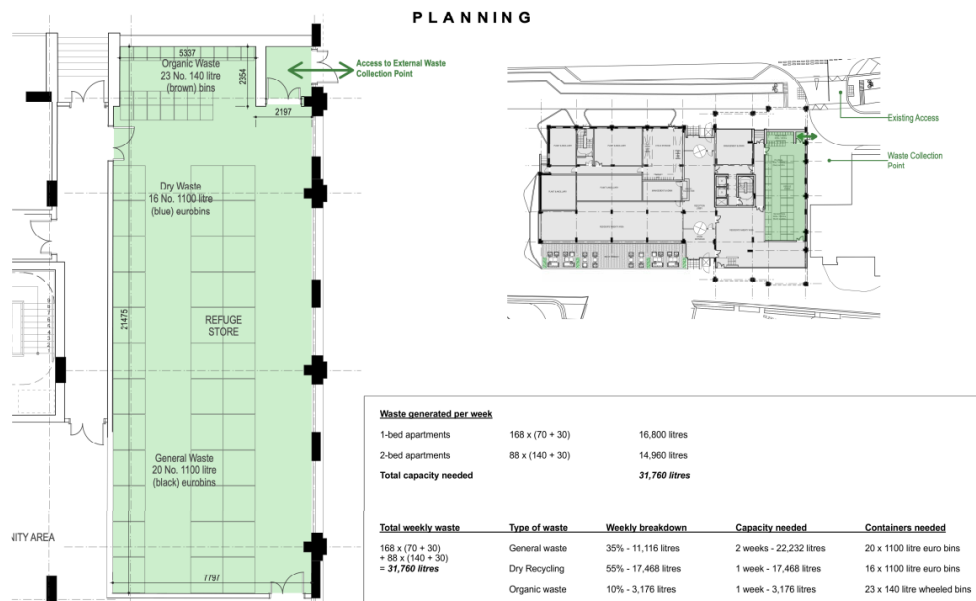
	<p><u>Environmental protection</u></p>
5.86	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p>
	<p><u>Contaminated land</u></p>
5.87	<p>Environmental Health (EH) has reviewed the information within the Preliminary Risk Assessment and Generic Quantitative Risk Assessment City Quays 4. EH recommends conditions in the event that planning permission is granted. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><u>Air quality</u></p>
5.88	<p>EH has reviewed the Air Quality Impact Assessment and the clarification report and find that both sufficiently demonstrate that future occupants of the development will not be exposed to air quality concentrations exceeding UK air quality objectives. EH is also satisfied in relation to potential dust impacts during construction subject to implementation of the proposed dust management measures. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><u>Noise and vibration</u></p>
5.89	<p>Having considered the applicant's noise impact assessment, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><u>Flood risk and drainage</u></p>
5.90	<p>Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.</p>
5.91	<p>DfI Rivers is currently considering additional information from the applicant relating to the design of the flood defence wall and its final comments are awaited.</p>
	<p><u>Waste-water infrastructure</u></p>
	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. 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</p>

at once and some may not come forward at all. Regard is also had to the extant outline permission for residential development on the site, albeit for a lower building with less homes. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.

Waste management

5.92

In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. The application is supported by a Waste Management Plan (WMP) which outlines the operational waste management measures. A communal waste storage area is proposed for the domestic development and is demonstrated in the image below:



The proposed WMP details three types of refuse and their collection frequencies:

- General Waste: fortnightly collections
- Dry Recycling: weekly collections
- Organic Waste: weekly collections

The proposed waste management plan and arrangements are considered acceptable.

Natural heritage

5.93

Policy NH1 relates to the protection of natural heritage resources.

5.94

The site is immediate adjacent the River Lagan and Belfast Lough. 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, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the 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.

5.95	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NI Water to provide evidence of likely actual impacts, rather than hypothetical impacts. As the Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p>
5.96	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. DAERA offers no objection to the application. However, SES's final response is currently outstanding. It is considered unlikely that SES will object to the proposal and it is anticipated that they will recommend a condition requiring drainage to be agreed with NI Water prior to commencement of development. The final SES response is expected shortly and will be reported to the Committee as a late item.</p>
5.97	<p>DAERA has advised that it has no objection to the proposal. It has recommended a condition to require details of foul drainage to be agreed prior to commencement of development. Subject to this condition and the final response from SES, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.</p>
<p>Employability and Skills</p>	
5.98	<p>The Developer Contribution Framework requires proposals to make a contribution towards Employability and Skills where necessary.</p>
5.99	<p>The Economic Development Unit advises that given the scale of the construction employment required to implement the proposal, together with current skills shortages, employability and skills related Developer Contributions are required. Officers advise that an Employability and Skills Plan is required to be submitted and implemented, and that this should be secured by way of a Section 76 planning agreement.</p>
5.100	<p>Typical interventions in the Employability and Skills Plan may include:</p> <ul style="list-style-type: none"> • creating access to employment opportunities • delivering training to upskill people • creation and delivery of apprenticeship opportunities • ring-fencing opportunities for under-represented groups • delivery of employability interventions • addressing barriers to employment and skills development • delivery of youth interventions
<p><u>Section 76 planning agreement</u></p>	
5.101	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of a minimum of 52 of the 69 residential units on Pilot Street, prior to occupation of the development;

	<ul style="list-style-type: none"> • Open space – the delivery and future management of City Quays Gardens on or before occupation of the development; • Green travel measure – travel plan; promotion of car club; promotional material for tenants and tenancy packs to be clear that the proposal does not provide dedicated parking; and minimum value travel vouchers for each residential unit with options to spend on car club membership, membership of Belfast Bikes, travel cards and/or new bicycles. • Employability and Skills – requirement for the submission and implementation of a Construction Employability and Skills Plan. <p>5.102 A draft Section 76 planning agreement has been provided with the application and will need to be finalised before planning permission is granted.</p> <p><u>Pre-application Community Consultation</u></p> <p>5.103 The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant’s proposals for pre-application community consultation.</p> <p>5.104 The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p> <p>5.105 The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Issued a press notice to highlight information about the proposals and provide notification of the public information event; • Developed and managed a dedicated consultation website to host all proposal information digitally. <p>5.106 The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p> <p>5.107 It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
<p>6.0</p> <p>6.1</p>	<p>Recommendation</p> <p>The proposal would provide a significant number of new homes in a highly sustainable location and would support city centre living. The proposal would make very effective use of land, a finite resource. The provision of off-site social housing responds to the significant unmet need for social housing in the city. The scale, height, massing and design of the building are considered appropriate to the site’s context. The approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations.</p>

6.2	It is recommended that planning permission is granted.
6.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, resolve the outstanding transport and children's play equipment requirements and deal with any other issues that arise from the final consultation responses, provided that they are not substantive.
7.0	<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 facing panels or materials 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 facing materials. Reason: In the interests of the character and appearance of the area. 3. Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a lighting and public art scheme to enhance the design and animation of the ground floor has been implemented in accordance with details that shall have first been submitted to and approved in writing by the Council. Reason: To enhance the design and animation of the ground floor. 4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details. Reason: In the interests of the character and appearance of the area. 5. The development hereby permitted shall be not be occupied until the river terrace and residents amenity area on the ground floor; residents first floor terrace and residents amenity area at first floor; and residents terrace and gym at 12th floor have been provided in accordance with the approved plans. These amenity areas shall permanently retained as such at all times. Reason: To ensure that appropriate amenity space is provided for the wellbeing of occupants of the development.

6. The development hereby permitted shall be constructed to a minimum of Home Quality Mark 4.5 rating and shall not be occupied until certification that verifies this has been submitted to and approved in writing by the Council.
Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.
7. The development hereby permitted shall not be occupied until the sustainability measures set out in Section 3.6.5 of the Flood Risk and Drainage Report, dated 19/12/22, have been constructed and installed and independent written verification of such as been submitted to and approved in writing by the Council.
Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.
8. 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.
Reason: To ensure that appropriate provision is made for storage and disposal of waste.
9. The development hereby permitted shall not be occupied until the pedestrian crossing has been constructed in accordance with the approved plans.
Reason: To provide a safe pedestrian route from the multi-storey car park to the building.
10. The development hereby permitted shall not be occupied until the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.
Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.
11. 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.
Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.
12. Prior to the occupation or operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the Belfast Harbour Commissioners Remediation Strategy City Quays 4 604353 – R7 (00). Dated December 2022 have been implemented. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for the commercial end-use. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards BS 8485:2015+A1:2019 - Code of Practice for the Design of Protective Measures

for Methane and Carbon Dioxide Ground Gases for New Buildings. In particular, the Verification Report must demonstrate that:

- a) The gas protection measures, as per BS 8485:2015+A1:2019 which must include:
- Structural barrier e.g. Cast in situ monolithic reinforced ground bearing raft with minimal penetrations;
 - A gas resistant membrane which meets all requirements of Table 7 of BS 8485:2015+A1:2019; and
 - Ventilation protection e.g. a passive sub floor dispersal layer which provides at least good performance.

Gas protection measures must be verified in line with the requirements of CIRIA C735, have been implemented.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

13. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

14. Prior to installation of façade glazed units (windows and balcony doors) within the hereby permitted development, the applicant shall submit to the Planning Authority, for review and approval in writing, the final glazing schedule detailing the glazing configuration and sound reduction performance (in $R_w + C_{tr}$) of the proposed windows/balcony doors to habitable rooms on all facades and floors of the hereby permitted development. The $R_w + C_{tr}$ values of the glazing specification shall be equivalent to or greater than the sound reduction recommendations contained within Section 5.2.2.3 Proposed Façade Acoustic Specification of the submitted report: RSK – Proposed Residential Development at City Quays 4, Belfast, Road Traffic Noise Assessment (ProPG), Report Ref: 604353 (1), dated December 2022.

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

15. Prior to the installation of the alternative means of ventilation to be incorporated within the hereby permitted development, the applicant shall submit to the Planning Authority, for review approval in writing, confirmation of the specification of the alternative means of ventilation to serve habitable rooms. The alternative means of ventilation shall be acoustically attenuated and capable of achieving the internal noise levels for habitable rooms outlined in British Standard BS8233:2014 with the windows shut and the alternative means of ventilation operating.

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

16. Prior to occupation of the hereby permitted development, the window/balcony door schedule and approved alternative means of ventilation shall be installed, approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided. The approved windows and alternative means of ventilation shall be retained thereafter.

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

17. Prior to occupation of the hereby permitted development, the developer shall that the window/balcony door specifications as per the approved schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.

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

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