

Public Document Pack

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



**Belfast
City Council**

10th January, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall on Tuesday, 16th January, 2024 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

3. **Notifications of Provision/Removal of Accessible Parking Bays**
 - (a) Provision of 152 Locksley Park (Pages 1 - 4)
 - (b) Provision of 33 Pacific Avenue (Pages 5 - 8)
 - (c) Provision of 103 Bloomfield Avenue (Pages 9 - 12)
 - (d) Provision of 206 Locksley Park (Pages 13 - 16)

8. (c) **LA04/2021/2016/F** - Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received) - 21-29 Corporation Street and 18-24 Tomb Street (Pages 17 - 70)

9. (c) **ITEM WITHDRAWN: LA04/2023/3635/RM** - ~~Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. - Lands bound by Glenalpin Street, Wellwood Street and Norwood Street~~



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Network Traffic, Street Lighting and
Transportation

Eastern Division

Mr John Walsh
Chief Executive
Belfast City Council
City Hall
BELFAST
BT1 5GS

Annexe 7

Castle Buildings

Stormont Estate

Tel: 0300 200 7899

Email: traffic.eastern@infrastructure-ni.gov.uk

Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date: 19 December 2023

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 152 LOCKSLEY PARK, BELFAST

I am writing to advise you that we propose to provide an accessible/disabled parking bay at the above location. (see attached plan)

We would welcome your comments on this proposal.

Yours sincerely

PP Alfie O'Hare

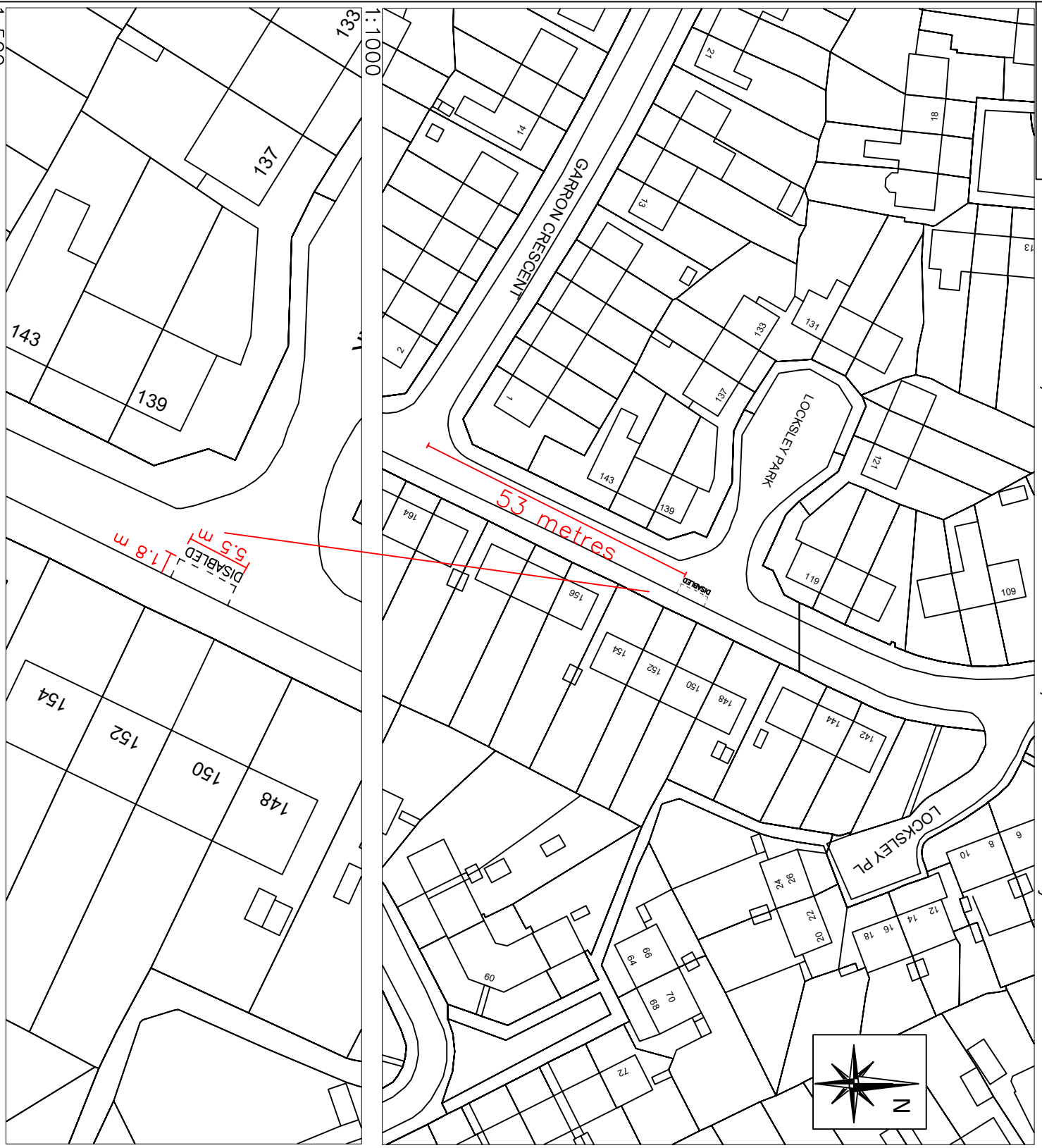
Noel Grimes

Traffic Management

ENC

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Locksley Park, Belfast (south-east side) – from a point 53 metres north-east of its junction with Garron Crescent, for a distance of 5.5 metres, in a north-easterly direction.



No.	REVISION	DATE

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Project: PROPOSED ACCESSIBLE / DISABLED PARKING BAY

Title: 152 LOCKSLEY PARK BELFAST

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FILE NO.	DESIGNED	AO'H	date
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Network Traffic, Street Lighting and
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Annex 7

Castle Buildings

Stormont Estate

Tel: 0300 200 7899

Email: traffic.eastern@infrastructure-ni.gov.uk

Being dealt with by: Mr. Ling Gillespie
Direct Line: 02890522272

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 21 December 2023

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY AT 33 PACIFIC AVENUE, BELFAST

I am writing to advise you that we propose to provide an accessible/disabled parking bay at the above location. (See attached plan)

We would welcome your comments on this proposal.

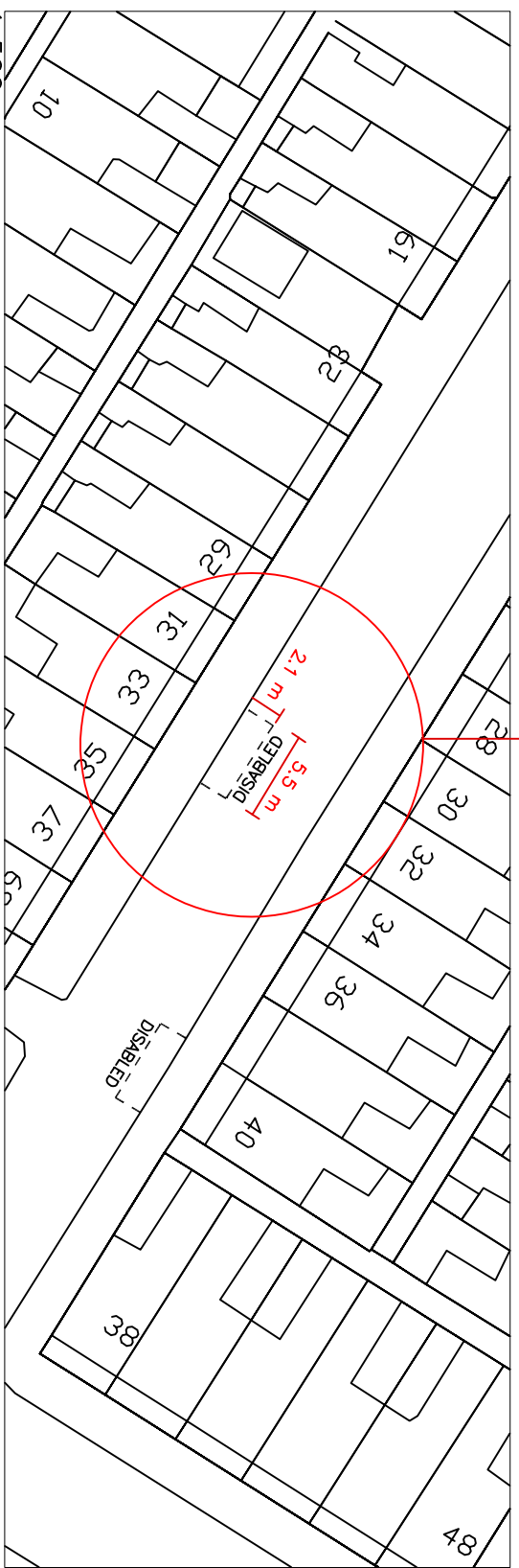
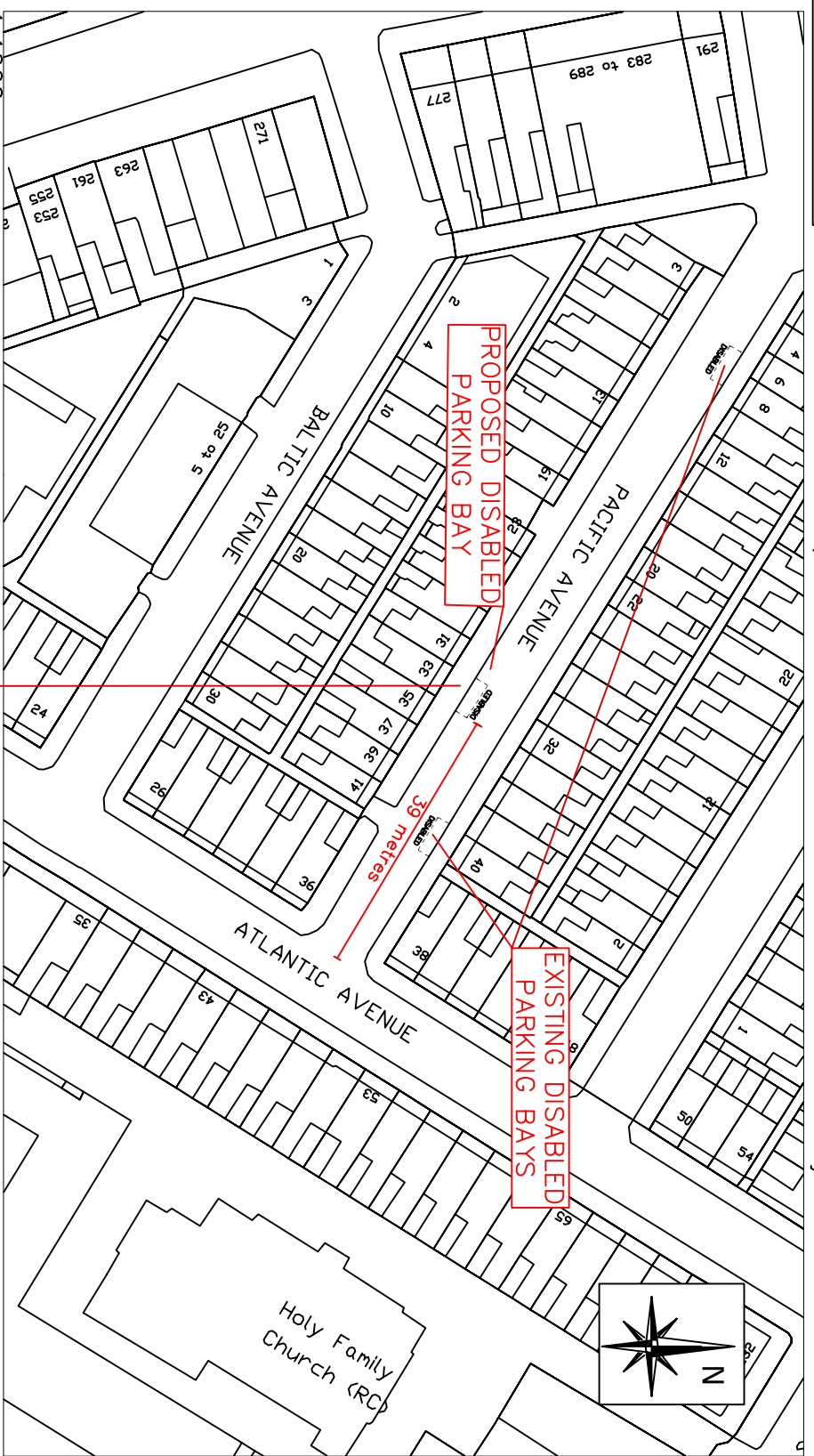
Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

ENC

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Pacific Avenue, Belfast (south-west side) – from a point 39 metres north-west of its junction with the Atlantic Avenue, for a distance of 5.5 metres in a north-westly direction.



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Project
 33 PACIFIC AVENUE
 BELFAST

Title
 PROPOSED ACCESSIBLE /
 DISABLED PARKING BAY

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**Network Traffic, Street Lighting and
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Being Dealt With By: Mr Alfie O'Hare
Direct Line: 028 9052 6241

Your Ref:

Our Ref: TM 2

Date: 11 December 2023

Dear Mr Walsh

**103 BLOOMFIELD AVENUE, BELFAST – REMOVAL OF AN ACCESSIBLE/BLUE BADGE
PARKING BAY**

I am writing to advise you that we propose to remove an accessible/disabled parking bay at 103 Bloomfield Avenue, Belfast, as it is no longer required; I have attached a plan showing the location of the bay.

We would welcome your comments on this proposal.

Yours sincerely

PP Alfie O'Hare
Graeme Salmon
Traffic Manager

ENC

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Bloomfield Avenue, Belfast, (south-west side) – from a point 151 metres north-west of its junction with Greenville Street, for a distance of 5.5 metres.



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Project

103 BLOOMFIELD AVENUE
 BELFAST

Title

REMOVAL OF AN ACCESSIBLE/
 DISABLED PARKING BAY

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Network Traffic, Street Lighting and
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Eastern Division

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OfficeoftheChiefExecutive@BelfastCity.gov.uk

Being dealt with by: Mr. Ling Gillespie
Direct Line: 02890522272

Your reference:
Our reference: MT

Date: 8 January 2024

Dear Mr Walsh

**PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY AT 206
LOCKSLEY PARK, BELFAST**

I am writing to advise you that we propose to provide an accessible/disabled parking bay at the above location. (See attached plan)

We would welcome your comments on this proposal.

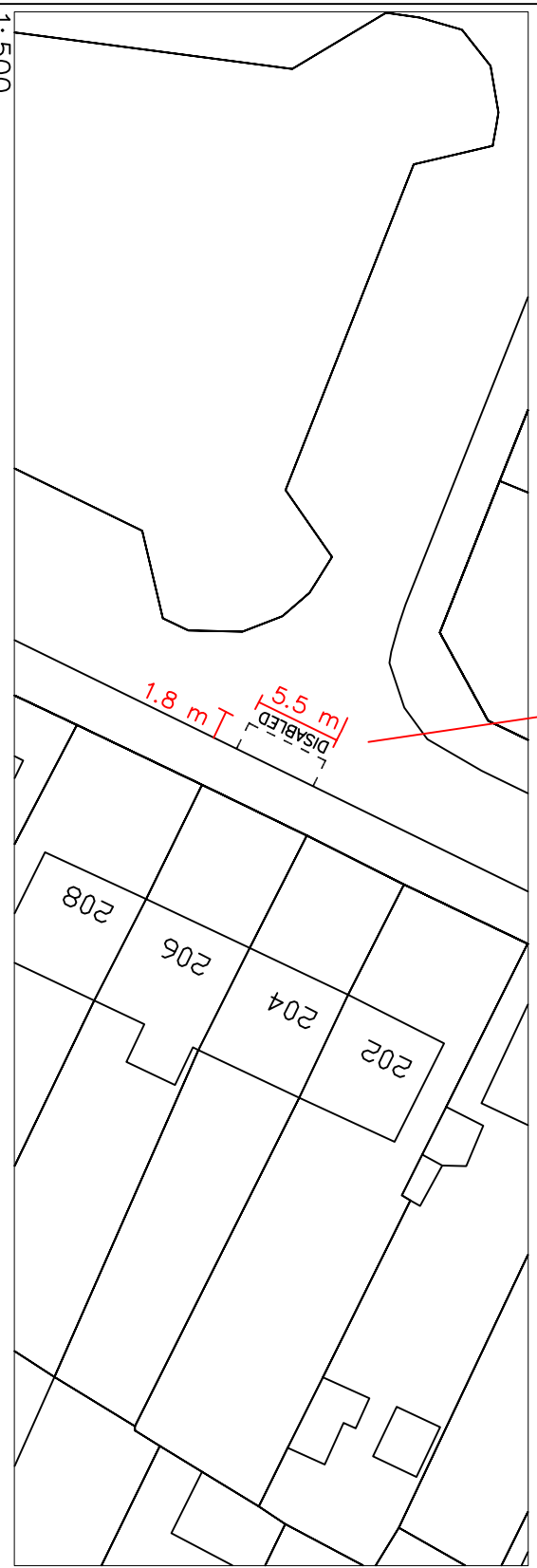
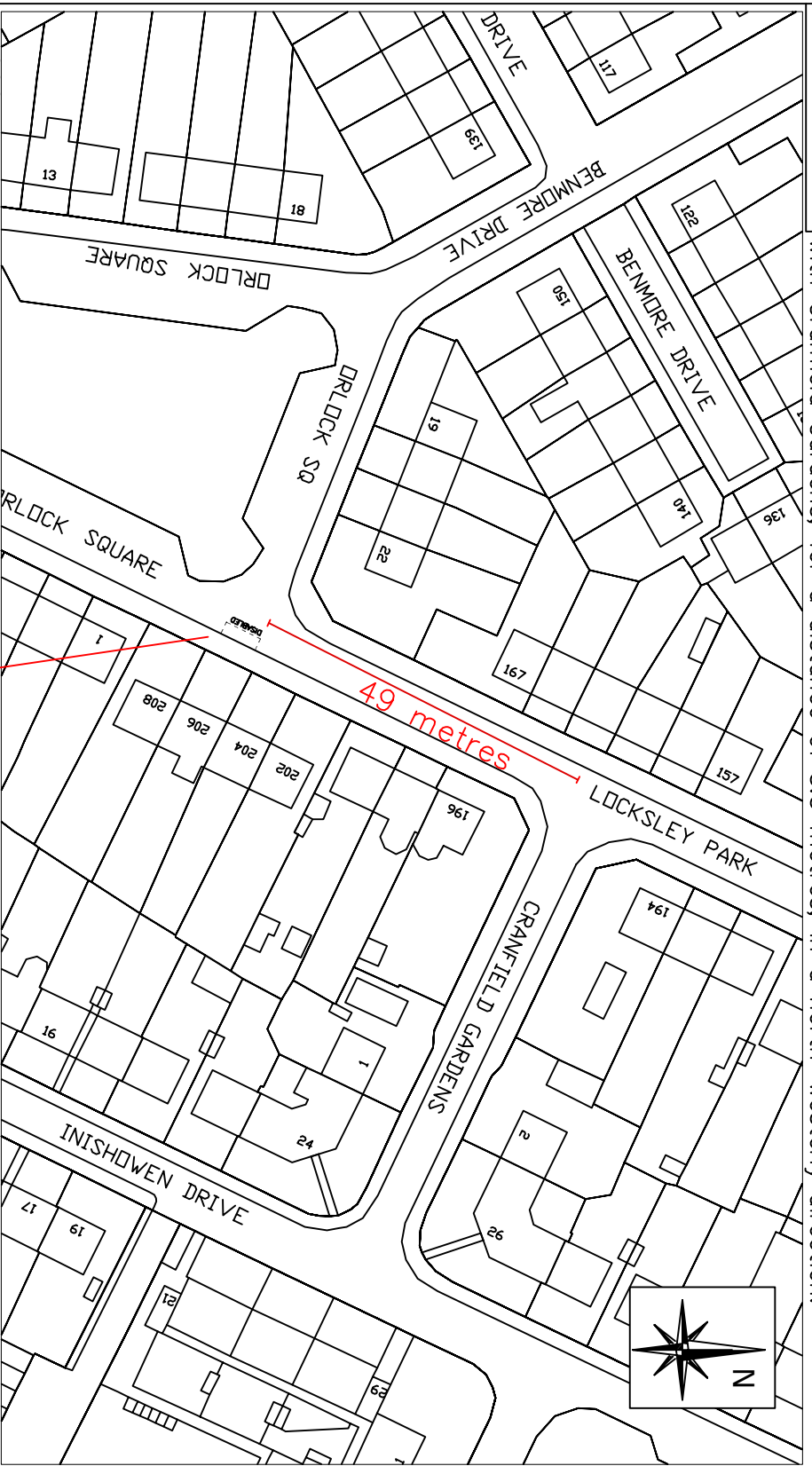
Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

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Locksley Park, Belfast (south-east side) – from a point 49 metres south-west of its junction with Cranfield Gardens, for a distance of 5.5 metres, in a north-westerly direction.



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Project
**PROPOSED ACCESSIBLE/
 DISABLED PARKING BAY**

Title
**206 LOCKSLEY PARK
 BELFAST**

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ADDENDUM REPORT	
Committee Meeting Date: 16 th January 2024	
Application ID: LA04/2021/2016/F	
Proposal: Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development.	Location: 21-29 Corporation Street & 18-24 Tomb Street, Belfast.
Referral Route: Major Development	
Recommendation:	Approve subject to conditions and a Section 76 Agreement
Applicant Name and Address: ES Corporation Street Ltd 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
<p>Background</p> <ol style="list-style-type: none"> 1. This application was considered at the December 2022 and January 2023 Planning Committee meetings. The application was deferred in December 2022 to allow Members to undertake a site visit, which subsequently took place on 16th January 2023. The application was then deferred at the January 2023 meeting to allow further information to be submitted in relation to proposed amenity space and space standards, and provide the applicant with opportunity to consider the provision of social/affordable housing on the site. Those issues are discussed in this addendum report below. 2. Since the Committee's decision, the Belfast Local Development Plan: Plan Strategy 2035 has been adopted (02 May 2023). This provides a new policy framework for decision-making. In accordance with the advice given to Members at the April 2023 Planning Committee, the application is required to be reconsidered having regard to the policies in the Plan Strategy. The applicant submitted further information in July 2023, October 2023 and December 2023 setting out how the proposal complies with the Plan Strategy. 3. This report should be read in conjunction with the original case officer report to the December 2022 Committee and Addendum Report 1, appended. <p>Updated Policy Context</p> <ol style="list-style-type: none"> 4. 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. Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6. 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.
7. **Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
8. **Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.

Relevant Planning Policies

Plan Strategy

9. The following policies in the Plan Strategy are relevant to consideration of the application.

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 DES1 – Principles of urban design
 Policy DES2 – Masterplanning approach for major development
 Policy DES3 – Tall buildings

Policy RD1 – New residential developments

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

Supplementary Planning Guidance

Affordable Housing and Housing Mix

Residential Design

Placemaking and Urban Design

Tall Buildings

Masterplanning approach for Major developments

Sensitive Uses

Sustainable Urban Drainage Systems

Transportation

Trees and Development

Development Viability

Updated Assessment

10. The adoption of the Plan Strategy requires the following updated assessment.

Additional Information

11. In May 2023, officers requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. The applicant subsequently provided a Plan Strategy Statement, which sets out the policies in the Plan Strategy which they consider apply to this proposal. The Plan Strategy Statement covers a range of policies which are considered in more detail below. In summary, the applicant considers that the proposal complies with the relevant policies and that the development remains acceptable in relation to the Plan Strategy and other material considerations.

Consultation responses

12. Additional consultation seeking internal advice from the Plans and Policy team on housing policy, urban design and environmental policy was considered necessary following adoption of the Plan Strategy and receipt of the Plan Strategy Statement. The additional advice is referenced in the report below.

Strategic Policies

13. The Plan Strategy sets out strategic policies including Policies SP2 – Sustainable development, SP3 – Improving health and wellbeing, SP4 – Community cohesion and good relations, Policy SP5 – Positive placemaking, SP6 – Environmental resilience, SP7 – Connectivity.
14. Officers consider that the proposed development complies with the above strategic policies for the reasons expanded upon below.

Principle of Housing at this location

15. 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.
- a. **The site is suitable for housing** – the site is a sustainable location within the City Centre and considered suitable in principle for housing.
 - b. **The location is accessible and convenient to public transport and walking cycle infrastructure** – the site is located within the City Centre, and is highly 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 or will be made through the proposed development, notably improved public realm and connectivity.
16. The proposal is for a Build to Rent (BTR) residential scheme comprising 298 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.
17. The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.

Housing Density

18. Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
19. 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 0.5 ha and so the proposal equates to a density of 596 dwellings per hectare, compliant with Policy HOU4.

Affordable Housing

20. Policy HOU5 of the Plan Strategy states that planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.
21. No affordable housing is proposed as part of the development as the applicant argues that this would render the scheme unviable. The applicant originally submitted viability

appraisals in June and October 2022. It more recently submitted a Financial Viability Assessment in July 2023, which sets out increased costs relating to construction and securing finance to undertake the development. The Financial Viability Assessment indicates that the developers profit margin for the proposed scheme would be 5.03% (gross) which is below the normal expectation of 10-15% as set out in the Development Viability Supplementary Planning Guidance (SPG).

22. The Financial Viability Assessment (July 2023) indicates that the inclusion of 20% affordable Housing i.e. Discounted Market Rent (DMR) would yield a gross profit of only 1.28% and the inclusion of 10% of DMR within the scheme would yield a profit of only 3.195%. The 10% mix of Social Housing in a standalone block would yield a profit of only 2.51%.
23. The *Affordable Housing and Housing Mix* 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, proposed for this development, which retains the building in single ownership.
24. Notwithstanding, in February 2023, as part of the wider viability exercise undertaken by the applicant, a draft proposal incorporating 30 Social Housing units (10%) contained within a standalone 6 storey block fronting onto Tomb Street was shared with a number of Housing Associations (Radius Housing, Connswater Homes, Newington, Apex Housing, Alpha Housing, Clanmil Housing and Choice Housing) (see appendix to Plan Strategy Statement dated 7th July 2023). The applicant carried out this exercise to evaluate the demand by social housing providers to deliver such development at this location.
25. The applicant advises that the responses from the Housing Associations included:
- General preference for traditional standalone housing units (semi-detached, town houses) and with limited appetite for high rise apartments in this configuration;
 - The potential of pepper potting social housing units within the wider BTR development was operationally not feasible or desirable;
 - Common feedback from many of the providers was the potential for anti-social behaviour associated with high rise apartment schemes, which had proved difficult to manage from their previous experience and posed “significant challenges”;
 - Small number of units would be “management intensive” without economies of scale and shared amenity space was not favourable. Concerns were raised around how shared space would be managed and operational cost.
 - Majority of providers did not have a specific requirement for high rise development in the city centre, with one major provider quoting they were already fully committed to various developments in Belfast.
26. In summary, the applicant advises that there was limited demand from the Housing Associations for high rise apartment development in this configuration.
27. As detailed above, the Financial Viability Assessment advises that the inclusion of Social Affordable Housing or Discounted Market Rent would adversely impact upon the developers profit margins. Officers have considered the Financial Viability Appraisal and have no reason to question its overall conclusions. The provision of 20% affordable housing as part of the development effectively makes a difference of around 3-4% on the overall viability, which is an indication that it is not the affordable housing provision that is causing the development to be unviable. This is material to the consideration of this application.

28. Policy HOU5 states that '*Where it can be demonstrated that it is not sustainable or viable for a proposed development to meet the requirements of this policy in full, the council will consider suitable alternatives on a case-by-case basis.*' The amplification text of Policy HOU5 set out in para 7.1.36 of the LDP provides further clarity on this matter and states that: '*It is recognised that there may be occasions where a particular housing site in Belfast might not be able to meet the affordable housing demands in full, so flexibility has been built into the policy to ensure that viability can be taken into account on a case-by-case basis. Where a developer is able to demonstrate, through evidence provided in accordance with agreed assessment approaches to viability testing, that the development is unviable if affordable housing obligations are met in full, alternative approaches will be considered. This could include varying the mix of affordable housing units, the provision of affordable housing on a suitable alternative site within the local area or, in exceptional circumstances, a reduction in the proportion of affordable housing in lieu of a financial contribution to an affordable housing development elsewhere in the district.*'

29. Further guidance is contained in the Affordable Housing and Housing Mix SPG on the alternative approaches referred to above which are set out and considered below.

1. A deference in the timing of affordable housing requirements pertaining to the site (i.e. a phasing option);
2. A variation in the required mix of tenure, size or type of affordable units on the site, in accordance with the hierarchy of products outlined above;
3. A reduction in affordable units on the site;
4. Provision of the affordable housing units on an alternative site within the same local housing area; or
5. Commuted sum, equivalent to cost of constructing affordable unit(s) on site.
6. The maximum viable financial contribution in lieu of affordable provision.

30. These alternative options are considered in turn below.

Deferred timing/Phasing:

31. The applicant has considered alternatives in the Financial Viability Assessment submitted in July 2023 and a further response provided in November 2023, advising that the development is not capable of being delivered in multiple phases and that deferred timing for this scheme would increase the financial cost and further negatively impact viability. The Plans and Policy team considers that phasing would make little difference as the whole development is likely to be delivered in a single phase. It considers that at the point where the scheme becomes viable, some provision of affordable housing, albeit on a reduced scale, is also likely to be viable and suggests that if approved, the use of a review mechanism secured as part of the Section 76 planning agreement would be beneficial. This would enable a viability reassessment over the lifetime of the development to see if the economic conditions change to the extent that affordable housing could be provided. The applicant has agreed to the inclusion of a review mechanism clause which will be secured through a Section 76 agreement.

Variation in Housing Mix/Tenure/Size/Type of affordable units:

32. A Housing Mix Statement was submitted in support of the application and states that '*The right unit mix which is tailored to the target market (and addressing any undersupply) will create a more attractive product. Therefore, the mix of:*

- *Studio: 2.7%*
- *One bed: 57.4% (53.7% 1B1P, 3.4% 1B2P, 0.3% 1BWC)*
- *Two bed: 33.9% (29.9% 2B3P, 4% 2B4P)*

- *Three bed: 6%*
is ideal for this scenario. It creates a product that is needed in the city centre, whilst providing enough variety for a wider group of potential tenants, and therefore providing for a wider pool of Belfast residents. Providing good quality homes to retain graduates and attract people into the city centre is important. Smaller apartments aimed at fewer people per apartment are a needed alternative to traditional housing which can lead to poorly managed HMO's.

33. *Paragraph 4.3.4 of Policy HOU6 states, "it may therefore be necessary for developments to include more 3 and 4 bed apartments", which has been addressed by including 6% three bed apartments. There are no four bed apartments as this is product is not in demand in the rental market, as shown in other established BTR markets such as Manchester & London.'*
34. The Plans and Policy Team suggests a greater mix of apartment types and sizes of units to provide choice within the housing development and to assist in the creation of a balanced community in the local area. The applicant provided a Viability Assessment in June 2022 which concluded that the provision of an alternative housing mix was not viable (see para 5.8.2 – 5.8.4 of the main report appended). Further commentary on the housing mix is set out in paragraphs 37-44 below. The applicant has indicated that the proposed housing mix is informed by their commercial advisors, confirming that there is very limited demand for larger, 4-bedroom units generally in BTR schemes across the UK and that the proposed mix will target primarily recent graduates. Officers consider that the proposed mix is, on balance, acceptable taking account of a number of material considerations including the location of the site at the edge of the City Centre, the BTR residential model, the commercial information that has informed the housing mix, viability of the scheme as well as the longevity of the application which was submitted in 2021, well before adoption of the Plan Strategy.

Reduction in Affordable Units/ Provision of the affordable housing on an alternative site:

35. A reduction in affordable units or provision of affordable units on an alternative site are not considered viable options as the applicant has demonstrated through evidence provided in the Financial Viability Assessments that the current scheme is not viable and that a reduction in affordable housing i.e. below 20% would also not be viable to deliver.

Provision of Commuted sum:

36. A commuted sum in lieu of on-site delivery of affordable housing is not considered a feasible alternative given that the applicant has demonstrated through evidence provided in the Financial Viability Assessment that the current scheme is not viable.
37. The applicant has confirmed their commitment to providing a developer contribution of £400k – this sum will need to be index linked from December 2022 to take account of inflation – towards improving public realm and connectivity to the city centre. The developer contribution agreed in December 2022 is considered fundamental to improving accessibility to the city centre by all residents of the development, particularly given the high volume of pedestrian traffic which will be generated. Diversion of this commuted sum in lieu of affordable housing is not considered appropriate given the site's isolated location on the fringe of the city centre as segregated by significant roads infrastructure. In any event, it is considered that this amount would yield insufficient funds to deliver any meaningful level of affordable housing.

Maximum viable financial contribution in lieu of affordable provision:

38. As the applicant has demonstrated through evidence provided in the Financial Viability Assessment that the current scheme is not viable, the Plans and Policy team advises that the maximum viable contribution should be calculated at zero.
39. In conclusion, the applicant has considered various alternative options as set out above, however, these would not address the overall viability concerns. Having had regard to the above criteria officers consider that the applicant has satisfactorily demonstrated that the scheme would not be viable if affordable housing was delivered as part of the scheme.
40. The Development Viability SPG provides further guidance where the Council accepts that a development proposal will be unviable if full policy compliance and/or planning obligations/contributions are sought. The following options will be considered in order:
1. **Deferred timing or phasing:** A delay in the timing or phasing the delivery of a particular requirement may enable a proposed development to remain viable.
 2. **Reduced level of obligations and/or contributions:** Where the above option is not sufficient to secure the viability of a proposed development, then a reduction in the level of requirement may be considered. There may be potential to do this for some policy requirements that have flexibility. Any reduction would be limited to the minimum necessary for the scheme to remain viable. The Council may consider building in a review mechanism as part of a Section 76 Agreement to reassess the viability of the scheme at a set point in the future (see Section 6.4 below). Further detail on potential alternative solutions to policy requirements is outlined in the relevant SPG.
 3. **Waiving of requirements:** Only in exceptional circumstances will the removal of requirements and/or obligations be considered, as a very last resort. The nature of the proposed development may also be taken into account, where the Council take into account the other social, community, economic or environmental benefits that would be realised in granting permission for the scheme, i.e. the planning gain arising.
41. Criterion 1 and 2 have been considered above.

Waiving of requirements:

42. Officers consider that the applicant has demonstrated that the inclusion of affordable housing would be unviable. The applicant's commercial agent has indicated that whilst the levels of return are such that they would not anticipate any developer pursuing the proposed development given the limited and very modest level of commercial return. However, the applicant has advised that they are both the developer and the construction company (MRP and McAleer & Rushe), and as an exception to a normal position they can consider a lower profit margin and return as the wider organisation (McAleer and Rushe) will also generate construction revenue as the contractor. In doing to, it will obtain local efficiencies, assuming a purchaser can be secured, and provided viability remains at an acceptable level when balanced against risk. The applicant advises that this combination offers the potential for the applicant to leverage the project and progress this residential development in Belfast city centre.
43. Having assessed the applicant's viability appraisal, the Plans and Policy team considers that proposal fails to accord with Policy HOU5.
44. The proposal does not comply with Policy HOU5 as no affordable housing is to be provided. However, the applicant has demonstrated that the inclusion of affordable

housing would not be viable. Viability is a material consideration and in this case the non-provision of affordable housing is considered justified. Regard is also had to the significant regeneration benefits that would accrue from development including the physical regeneration of the land which has the potential to act as a catalyst for other development sites in the immediate area; the introduction of 298 homes into the city centre with the potential to increase the population by around 500 people; improved connectivity to the city centre and surrounding areas through the implementation of public realm works secured by the developer contribution of £400k (plus inflationary uplift); and the creation of 400 jobs and indirectly support 520 jobs during the construction phase.

Housing Mix

45. Policy HOU6 of the Plan Strategy states that planning permission will be granted for new residential developments on sites greater than 0.1ha and/or containing 5 or more dwelling units where the proposed development provides a suitable mix of house types and sizes to promote choice and assist in meeting community needs and that provision should particularly be made for smaller homes across all tenures to meet future household requirements. The requirement for a mix of house types will not apply to single apartment developments. In such cases the housing mix will be considered acceptable through greater variety in the size of units.
46. The proposed housing mix is set out in the table below.

Apartment Type	Typical Size	Quantity	Overall Percentage
Studio	36.2 sqm	8	2.7%
1 Bed	43.3sqm to 50 sqm	170	57.1%
1 Bed Accessible	65.9 sqm	1	0.3%
2 Bed	65.9 sqm to 70.3 sqm	101	33.9%
3 Bed	88.1sqm to 88.8 sqm	18	6%
Total		298	100

47. The applicant has submitted a Housing Mix Statement and considers that the proposal provides a range and mix of housing designed to attract the target market of recent graduates/young professionals. The Housing Mix Statement highlights that there is a need for smaller units with apartments playing a large role in enabling this proposal. Furthermore, the Housing Mix Statement states that the proposal provides an ideal mix that will help with the city's ambition to create City Centre Living further helping the city's future economy.
48. The Housing Mix Statement also highlights that the proposed mix is very similar to the of the "Loft Lines" BTR scheme in the Titanic Quarter (LA04/2021/2280/F – Lands adjacent to and south of the rive Lagan, west of Olympic Way of Queen's Road, Queen's Island, Belfast, BT2 9EQ), in line with BTR market requirements in Belfast and that the proposal has been extensively market tested with multi-national operators. Officers stress that the Loft Lines decision pre-dated the adoption of the Plan Strategy.
49. The space standards (as set out in Appendix C of the Plan Strategy) for each unit type proposed is shown in the table above. The proposed apartments comply with these standards. The Housing Mix Statement indicates that although there is a large amount of 1 bed, 1 person units, these are generous (43.3sqm to 46.7sqm) in size and provide the same internal facilities as 1 bed, 2 person units

House Type	Space Standard (single storey) Square Metres (sqm)
1 person/1 bed	35
2 person/1 bed	50
3 person/2 bedroom	60
4 person/ 2 bedroom	70
4 person/ 3 bedroom	75
5 person/3 bedroom	80
6 person/3 bedroom	85

50. The Plans and Policy team considers that the proposal includes too many apartments that are only suitable for single occupancy (160 x 1 bed units are for 1 person) and reiterate previous recommendations to provide a greater mix of apartment sizes to provide choice within the housing development and to assist in the creation of a balanced community. The Plans and Policy Team considers that the applicant has failed to demonstrate that it is not possible to provide a more suitable mix of apartment types and sizes and has offered little evidence to demonstrate why a greater variety cannot be incorporated and consider that the current proposal fails to comply with Policy HOU6.
51. The applicant has demonstrated that the proposed housing mix is informed by their commercial advisors, confirming that there is very limited demand for larger, 4-bedroom units generally in BTR schemes across the UK.
52. Officers advise that the proposal is in conflict with Policy HOU6 criterion d. the creation of balanced and sustainable communities due to the very high proportion of single bedroom units and relative lack of family housing. However, regard is had to criteria a. to c. of Policy HOU6. Indeed, regard is had to the location of the site at the edge of the City Centre; the BTR residential model; the commercial information that has led to their chosen housing mix; viability of the scheme; and longevity of the application which was submitted in 2021, well before adoption of the Plan Strategy. Taking these considerations into account, on balance, the proposed housing mix is considered acceptable.

Adaptable and accessible housing

53. 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.
54. An Adaptable and Accessible Accommodation Statement incorporating a Wheelchair Accessibility Statement has been provided by the applicant.
55. The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a-c and f.
56. Criteria d. and e. relate to the requirements to make provision for an entrance level WC and an accessible shower on the same floor as the main bedroom. The Adaptable and Accessible Accommodation Statement illustrates through drawings that accessible shower rooms could be provided and that bathrooms are suitable for conversion to accessible by replacing the bath with a level shower.

57. Criterion g. requires a wheelchair accessible environment in accordance with space standards. Adaptable and Accessible Accommodation Statement states that subject to future demand and viability the applicant could provide up to 30 units in accordance with the space standards for wheelchair users by adapting current 3person/ 2 bedroom apartments to form a 2 person 1 bedroom accessible apartment when a need has been identified.
58. Criterion h. stipulates that in-curtilage or designated car parking meets disabled parking standards. The car park at ground floor level proposes 14 car parking spaces including 7 disabled spaces which addresses this criterion. Criterion i. states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. Access to the site is from Tomb Street and Corporation Street which are level access points. An accessible access to and through the external courtyard is also proposed.
59. Criteria j.- n. relate to layout and storage requirements and it is considered the scheme complies with these criteria. Criterion o. relates to accessible private amenity space. The courtyard and roof gardens are fully accessible and have areas of hard standing. The courtyard includes a platform lift providing access to the first floor amenity area. These criteria are satisfied.
60. The Wheelchair Accessibility Statement indicates that the applicant proposes to initially provide 1 wheelchair accessible apartment on level 01 and could provide up to 30 units (approximately 10%) in accordance with the space standards for wheelchair housing as set out in Appendix C of the Plan Strategy. Furthermore, the applicant states that there is potential to adapt a current 3 person 2 bedroom unit to form a 2 person 1 bedroom wheelchair accessible apartment when the need has been identified. The Statement further indicates that the inclusion of wheelchair accessible configuration would work without impact on the overall layout or façade and suitable apartments to facilitate such adaptations have been identified by the applicant and the applicant has demonstrated how such adaptations could be implemented.
61. The Plans and Policy Team considers that this approach to wheelchair accessible units is contrary to Policy HOU7 and would fundamentally alter the overall mix of accommodation, reducing the number of 2 bed units and increasing the number of 1 bed units contributing to the provision of a less diverse proposal in terms of accommodation mix. In addition, the Plans and Policy Team considers that the wheelchair units should be provided as part of the development now and that there is no mechanism exists through the use of conditions or planning agreement to secure provision of wheelchair units on a 'demand monitoring' basis. Whilst the applicant has demonstrated that the units are capable of being adapted if a need arises it is the view of officers that the proposal fails to comply with the policy in that the current scheme as proposed fails to provide 10% wheelchair accessible units.
62. However, regard is had to the wider benefits of the development as previously described in this assessment. It is considered that these benefits outweigh the non-compliance with Policy HOU7 in this particular case.

Masterplanning for Major development

63. Policy DES2 of the Plan Strategy states that planning permission will be granted for Major development where it accords with a range of masterplanning principles. The proposed development is considered to be in line with the objectives of Policy DES 2 and the proposal is considered acceptable in this regard.

Residential Design

64. Policy DES1 of the Plan Strategy 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 where it accords with a range of criteria. For the reasons set out in the original Committee report, officers remain of the opinion that the proposal responds positively to the local context and would positively reinforce a sense of place. The proposal will assist in regenerating the area and will reinstate the built frontage along Corporation Street, providing a permeable, sustainable development. Officers consider that the proposal complies with Policy DES1.
65. Policy DES3 of the Plan Strategy states that planning permission will be granted for tall buildings (defined as any building 35m above ordnance datum (AOD) or taller or those which are significantly higher than their surroundings) where they meet a number of criteria (a to h.). The height, scale and massing of the proposed development was previously considered in the original Committee report (see paragraphs 5.5.1 – 5.5.23). In summary, officers considers that the height, scale and massing of the proposed development comprising 4 blocks ranging from 19 storeys (max height c. 62.2m) to 7 storeys (max height c.24.5m) laid out around a central courtyard is appropriate to its surrounding context taking account of the variance in height across the development and taller buildings in the vicinity including the Obel building (27 storeys and 85m high), which provides a backdrop to the proposed development. The drop in height across the development from 19 storey to 11 storeys on Corporation Street and 9 storeys to 7 storeys on Tomb Street enables the building to step down to respect the scale of existing development to the south, along the lower end of Tomb Street/Waring Street.
66. This part of the city centre has been the subject of substantial change in recent years with the redevelopment of the nearby Ulster University and development of Student accommodation and it is considered that it has the capacity to generally accommodate additional tall buildings (subject to satisfying other planning considerations). BCC Landscape Planning and Development Team considered that the site is capable of accommodating a notable change based on its existing site character and nature of adjacent landscape character and that predicted landscape and visual effects as set out in the Landscape Visual Impact Assessment (LVIA) that will not be significant and can be successfully absorbed into the character and views of this part of Belfast.
67. The applicant has submitted a Tall Building Statement along with other supporting statements including an Internal daylight, sunlight and overshadowing report which have been reviewed by the Urban Design Officer. The Urban Design Officer remains of the opinion that the height, scale and massing of the proposed building are acceptable and advises that the previous advice concurs with supporting statements made in response to a number of the criteria in Policy DES 3 and raises no objection. The Urban Design Officer also agrees with the conclusions in the Internal daylight, sunlight and overshadowing report, i.e. that the proposal makes the most of the available daylight and sunlight and that given the sites urban context and mitigating amenity and lighter tonal palette of materials within the courtyard considers that on balance the scheme offers future residents acceptable levels of daylight and sunlight. It is considered that the proposal will add further interest and positively contribute to the skyline at 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.
68. Policy RD1 of the Plan Strategy states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal meets defined criteria. For the reasons set out

in the previous Committee report, officers consider that the proposal is acceptable and in accordance with the criteria in Policy RD1.

Health Impacts

69. 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.
70. A Health Impact Assessment (HIA) has been submitted. It makes reference to a number of measures, including city centre location, sustainable travel initiatives, reduction in private car travel, accessibility, nearby facilities, urban design, additional on-site facilities and promotion of balanced and sustainable neighbourhood.
71. The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city centre. Active travel will be encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of the amenities along the riverside and within the city centre core. Connectivity with the city centre core will be further enhanced through the financial Developer Contribution towards improved public realm. 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.
72. The Plans and Policy team considers that the HIA satisfies the policy. It is considered that the proposal is compliant with Policy HC1.

Climate Change

73. Policy ENV2 of the Plan Strategy 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. All new development proposals (including changes of use) will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction and operation.
74. The proposal includes demolition of a multi-storey car park. The Demolition Justification statement states that re-use is not appropriate or feasible due to the situation, construction and form of the current multi-storey building. A Construction Environmental Management Plan (CEMP) has been submitted that addresses environmental aspects of the project, including demolition.
75. A site waste management plan indicates that the British Research Establishment (BRE) smart waste system will be used to prevent waste, to reuse where possible, to recycle and at a last resort put waste to landfill. In addition, a waste strategy report has been produced to indicate how waste will be managed during operation. Recycling of waste and the handling of waste during operation would need to be controlled by conditions.

76. Officers acknowledge that the removal of a city centre car park is desirable in terms of the current oversupply of car parking in the city centre and promoting more sustainable travel patterns. The proposal is considered compliant with this aspect of Policy ENV2.
77. The Plan Strategy Statement and associated submissions set out other climate change mitigation measures. These include: a fabric first approach; best use of passive design, renewable energy, natural light, and ventilation; minimisation of waste; etc. A detailed Energy Statement is also included that shows that the development has been designed to achieve significant reductions in the Target Emissions Rating and an anticipated BREEAM excellent rating for the commercial unit. These proposals would need to be controlled by condition. It is considered that these aspects of Policy ENV2 are satisfied.
78. Policy ENV3 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development. In order to minimise the impact of extreme weather conditions, new developments should also embed resilience to current and future climates.
79. The Plan Strategy Statement and Climate Change Statement (CCS) state that the proposals incorporate a number of adaptation measures. These include: green infrastructure and landscaping and passive design measures. The proposal includes native wildflower elements, shrub and tree planting to the ground floor and on roof terraces, which the CCS states will aid cooling, insulation and enhance biodiversity. In terms of extreme weather, a flood risk assessment has been submitted which provides further detail around mitigation strategies for flooding, and details methods of SuDS and adaptation measures, including design and emergency measures for flood events. An updated CSS and updated landscaping proposals include further measures to adapt to climate change including a brown roof to seek to enhance the natural environment with biodiversity, a proposed strategy of natural ventilation and internal shading and further information on SuDS measures. It considered that the proposal satisfies Policy ENV3.

Sustainable Urban Drainage Systems (SuDS)

80. Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere.
81. The updated Climate Change Statement and Drainage Statement submitted in October 2023, along with accompanying plans, set out details of proposed soft SuDS. These include two rain gardens, brown/green roof at the top of the 7-storey block fronting onto Tomb Street block and additional planting. It is considered that the proposed measures adequately address the requirements and objectives of Policy ENV5. The proposal is therefore considered compliant with Policy ENV5.

Amenity Provision

82. The applicant has provided a breakdown of amenity provision within the proposed development as set out in the table below. The average amenity provision per apartment equates to 9.9 sqm and includes internal residential lounges and gym, along with external amenity spaces (the Amazon parcel store has been removed from the calculations because it is not amenity space).

External Amenity Provision	Square metres (sqm)
Courtyard – Split level	1,221
9 th Floor Roof Terrace	210
11 th Floor Roof Terrace	340
18 th Floor Roof Terrace	106
Balconies (Total for 93 units)	485
Total	2,362
Average Per apartment	7.93
Internal Amenity Provision	Square metres (sqm)
Ground Floor Residential Lounge 1 (Corporation St)	186
Ground Floor Residential Lounge 2 (Corporation St)	149
Ground Floor Residential Lounge 3 (Tomb St)	117
Gym	50
Residential Lobby	46
Sky Lounge	41
Total	589
Average per apartment	1.97
Overall Total	2,951
Overall Average per apartment	9.9

83. Guidance on the level of amenity provision is set out in 'Creating Places'. Paragraph 5.20 of 'Creating Places' states that *'In the case of apartment or flat developments, or 1 and 2 bedroomed houses on small urban infill sites, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 sq m per unit to around 30 sq m per unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally developments in inner urban locations and other high-density areas will tend towards the lower figure. Apartment developments on green-field sites and within lower density areas should normally seek to provide the higher figure, although this may be reduced where some private open space is provided in the form of patios or balconies.'*
84. 'Creating Places' is older guidance published in 2000 and would not have envisaged the Build to Rent (BTR) model or the other more contemporary forms of housing. However, the guidance clearly states that regard should be had to the 'overall design concept'. The BTR scheme proposes internal residential lounges which are considered an integral part of the overall amenity provision and will serve to provide valuable amenity space for prospective occupants providing a high quality modern residential development within the city centre. Having regard to the 'overall design concept' proposed for this BTR scheme, together with the location of the site close to the waterfront and city centre amenities, officers consider that that the level and type of amenity provision proposed by the application is, on balance, acceptable. A condition is recommended that requires the amenity spaces to be provided and retained in accordance with the plans.

Access and parking

85. The site is a highly accessible location within the City Centre. It is within short walking and cycling distance of the city centre core and its shops, services, leisure and employment opportunities. The site has very good public transport links through access to buses and rail. Provision is made for sheltered and secure cycle parking for 216 bicycles within the building at ground floor. The proposal accords with Policy TRAN1.
86. The proposal includes a car park accessed from Tomb Street to serve the development. The car park at ground floor level proposes 14 car parking spaces and 2 spaces for motor cycles. The car parking spaces comprise comprising 7 disabled spaces, 2 car clubs space and 5 standard car parking spaces. In addition, 216 Bicycle racks are proposed within the development. The site is located in Belfast City Core Area of Parking Restraint as set out in dBMAP (v 2014). Policy TRAN 8 places emphasis on allowing parking provision that will assist in reducing reliance on the private car. The proposed level of car parking is supported by green travel measures which will be secured through a Section 76 Planning Agreement. Having regard to the highly sustainable location of the site, proximity to car parks in the vicinity and the applicant's commitment to green travel measures, the level of parking is considered acceptable. DFI Roads has no objections to the proposed development subject to conditions as set out in the original report (appended).
87. Officers consider that the proposal should include 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. The value of the overall travel voucher requires to be confirmed with the applicant but such a fund would be appropriately secured through the Section 76 planning agreement and 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. These travel measures options would include travel cards, membership of Belfast Bikes and a car club, as well as vouchers towards the cost of purchasing a new bicycle. This tailored approach to green travel measures is considered to be a much more effective use of developer contributions.
88. The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.

Environmental impacts

89. The proposal is considered to remain acceptable in terms of land contamination, noise/odour and air quality for the reasons set out in the original Planning Committee report. In these regards, the proposal is compliant with Policy ENV1.

Drainage, flood risk and waste-water

90. The proposal is considered to remain acceptable in terms of drainage, flood risk and waste-water infrastructure for the reasons set out in the original Planning Committee report. In these regards, the proposal is compliant with Policies ENV4 and SP1a.

Natural Heritage

91. The site is located in an unsympathetic urban environment with no worthy natural heritage features. Landscaping proposals are included as part of the development comprising trees and shrubs within the communal amenity areas resulting in a net gain of trees which has the potential to enhance the biodiversity and amenity value of the area. The proposal is compliant with Policy TRE 1.
92. Shared Environmental Service (SES) has carried out a Habitats Regulation Assessment on behalf of the Council and advise that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects subject to mitigation measures which are recommended as conditions and would require consent for surface water and foul sewage connections to be secured prior to occupation. On this basis, the condition is considered appropriate and necessary in this particular case. It is considered that the proposal is compliant with Policy NH1.

Regeneration/Economic Impacts

93. The site is located to the northern edge of the city centre area which has suffered from under investment and would benefit from regeneration. The proposal has the potential to act as a catalyst for further redevelopment in its immediate vicinity which comprises a number of vacant sites and would provide significant regeneration benefits in terms of placemaking and improved connectivity with the wider area including the City Centre core, waterfront and City Quays. These are key objectives of the Greater Clarendon and Sailortown Masterplan and the Belfast City Centre Regeneration and Investment Strategy (BCCRIS). The proposal would provide homes for nearly 500 residents, consistent with the aims of growing the residential population of the City Centre, supporting its vitality and viability.
94. The applicant states that the proposal involves £68 million investment, estimating that it would directly support 400 jobs and indirectly support 520 jobs during the construction phase over a 24-30 month build programme. The residents of the development would contribute a Gross Value Added (GVA) of £16.9million per annum, generating domestic rates income of £285,000. These are material considerations that support the case for the grant of planning permission.

Section 76 Planning Agreement

95. If the application is approved, it should be subject to a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.
- **Affordable housing review mechanism** – to enable a viability reassessment to be undertaken to test whether affordable housing can be provided as a result of changing economic conditions;
 - **Developer contribution** – £400k (plus inflationary uplift) for the delivery of improved connectivity to the city centre for and public realm improvements around the site;
 - **Green travel measures including green travel measure fund** – travel plan; promotion of car club; provision of two car club spaces within the building; promotional material for tenants and tenancy packs to be clear that the proposal provides limited 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 new bicycles; and

- **Employability and Skills** – requirement for the submission and implementation of a Construction Employability and Skills Plan.

96. A draft Section 76 planning agreement has been provided with the application and will need to be finalised before planning permission is granted.

Other considerations

97. Other aspects of the proposal are considered to remain acceptable, having regard to the policies in the Plan Strategy.

Recommendation

98. Having regard to the Development Plan and material considerations, the recommendation remains to approve the application subject to conditions and a Section 76 planning agreement.

99. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise provided that they are not substantive.

ADDENDUM REPORT 1

Committee Meeting Date: 17th January 2023

Application ID: LA04/2021/2016/F

Proposal: Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development.

Location:

21-29 Corporation Street & 18-24 Tomb Street, Belfast.

Referral Route: Major Development

Recommendation:

Approve subject to conditions and a Section 76 Agreement

Applicant Name and Address:

ES Corporation Street Ltd
17-19 Dungannon Road
Cookstown
BT80 8TL

Agent Name and Address:

Clyde Shanks Ltd
2nd Floor
7 Exchange Place
Belfast
BT1 2NA

Background

This application was deferred for a site visit by the Planning Committee on 19 December 2022 to allow Members the opportunity to undertake a site visit. The committee site visit is scheduled for Monday 16 January 2023.

The Committee should read this Addendum Report in conjunction with the original full planning report, appended.

Recommendation

As per the previous Committee report, the recommendation to approve subject to conditions and a Section 76 agreement remains unchanged.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the Section 76.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 December 2022	
Application ID: LA04/2021/2016/F	Target Date:
Proposal: Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development.	Location: 21-29 Corporation Street & 18-24 Tomb Street, Belfast.
Referral Route: Major Development	
Recommendation:	Approve subject to conditions and a Section 76 Agreement
Applicant Name and Address: ES Corporation Street Ltd 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
<p>Executive Summary:</p> <p>This application seeks full planning permission for the demolition of the existing (vacant) multi-storey car park and the erection of 298no. build for rent apartments within four blocks ranging from 7 to 19 storeys, an internal courtyard, ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development.</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • The acceptability of the proposed use at this location • The acceptability of the design • Impact on surrounding context • Access, parking and traffic management • Environmental Considerations - Drainage, Contamination, Noise <p>The proposed uses - residential and ground floor commercial are considered acceptable in this city centre location. The proposal was the subject of a Pre-Application Discussion (PAD). The Urban Design Officer and HED are content with the proposed scheme. The scale, height, massing and design of the proposed development are considered acceptable and appropriate to the existing context.</p> <p>NI Water has objected to the application on grounds of insufficient waste-water drainage infrastructure capacity and foul sewage network capacity. These issues are dealt with in detail in the main report.</p>	

All other consultees have no objection to the proposed development subject to conditions. Two third party objections were received raising concerns regarding the impacts of the proposed development on the adjacent Royal Mail Sorting Office. Environmental Health has considered the Noise Impact Assessments accompanying the application and has no objections subject to recommended conditions relating to noise mitigation controls.

Developer obligations in the form of green travel measures which comprise travel cards for each unit for 3 years, provision of 2 car club spaces within the building, provision of discounted membership of a car club (50%) for a period of 3 years and membership of a bike scheme for a period of 3 years are proposed to support the proposed development. In addition, the applicant has agreed to make a financial contribution of £400,000 towards improving public realm and connectivity to the city centre. Employability and Skills interventions for the construction stage will also be secured. The above obligations will be secured through a Section 76 planning agreement.

Recommendation

Having regard to the development plan, relevant policy context and other material considerations including the representations, the proposed development is considered acceptable and it is recommended that full planning permission is granted subject to conditions and a Section 76 planning agreement.

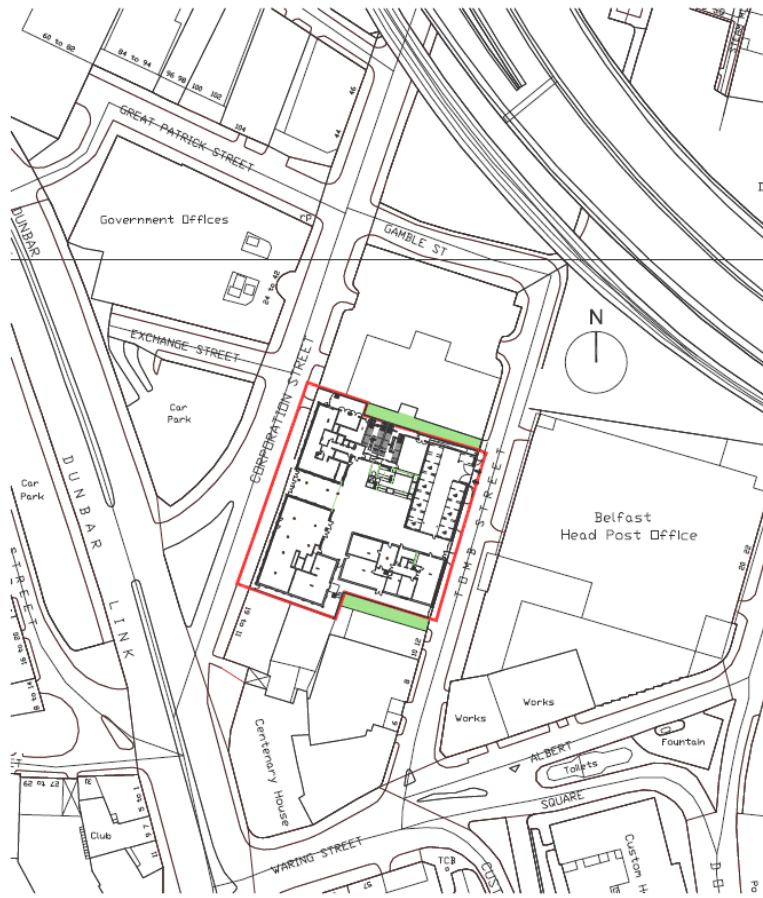
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 and to deal any other issues which might arise.

Signature(s):

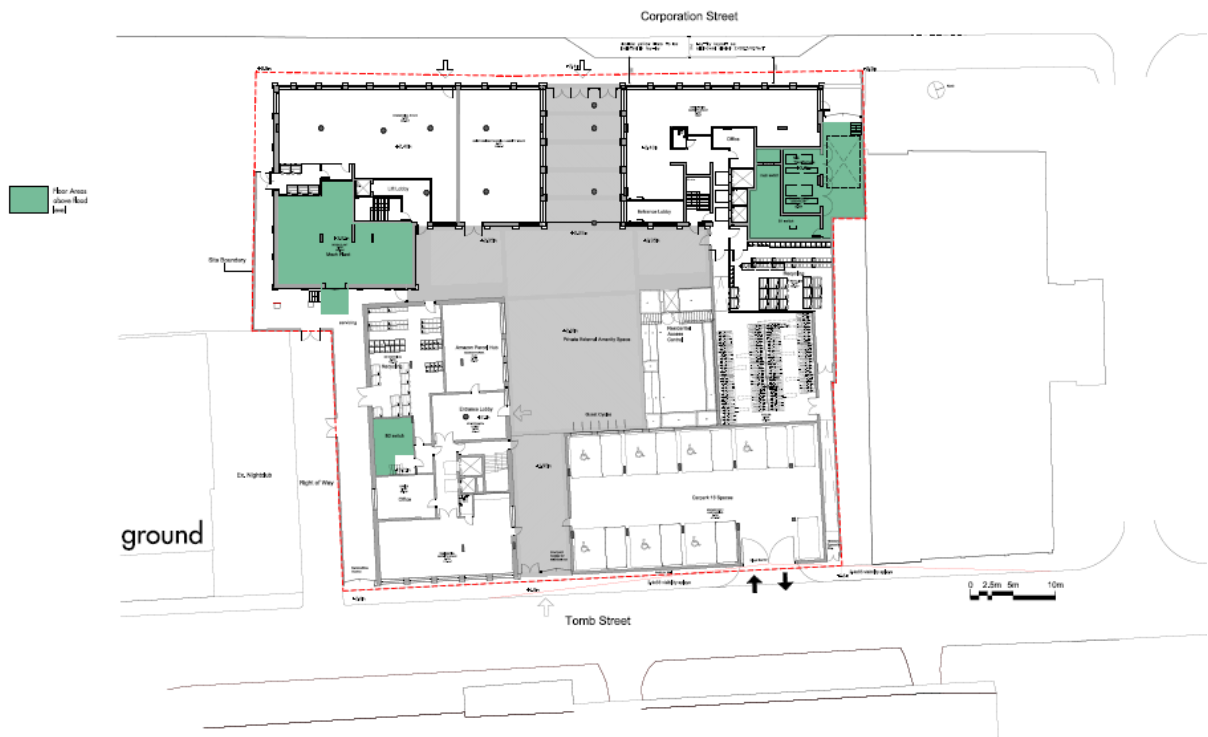
Case Officer Report

1.0 Drawings

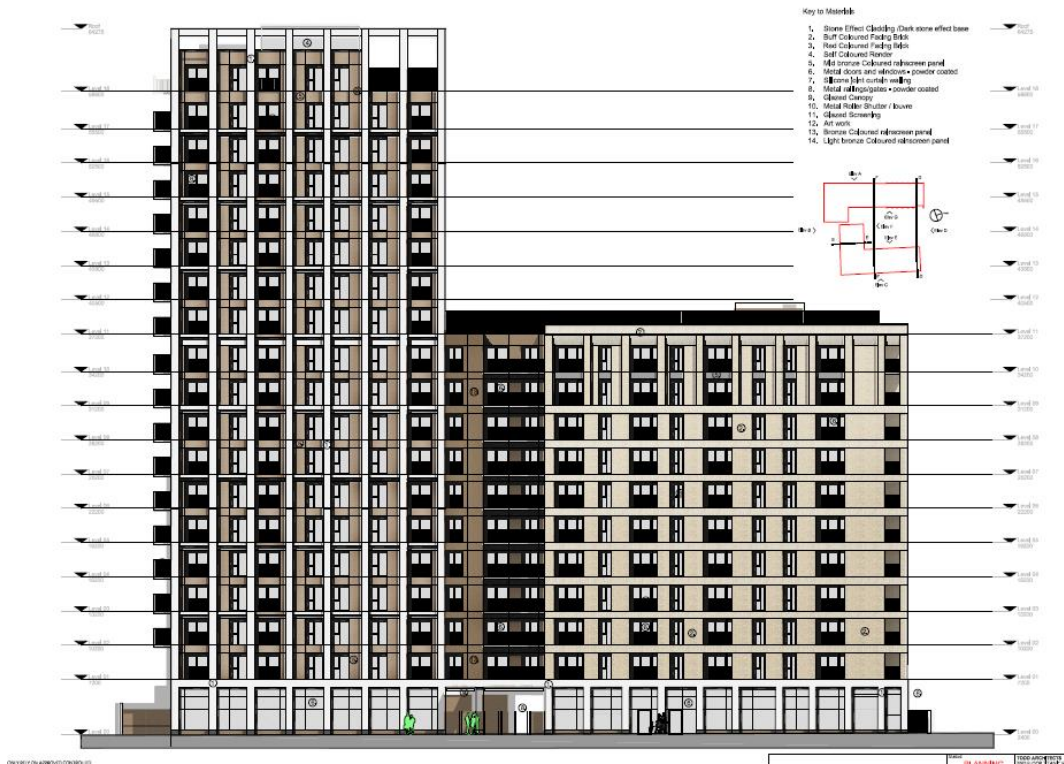
Site Location Plan



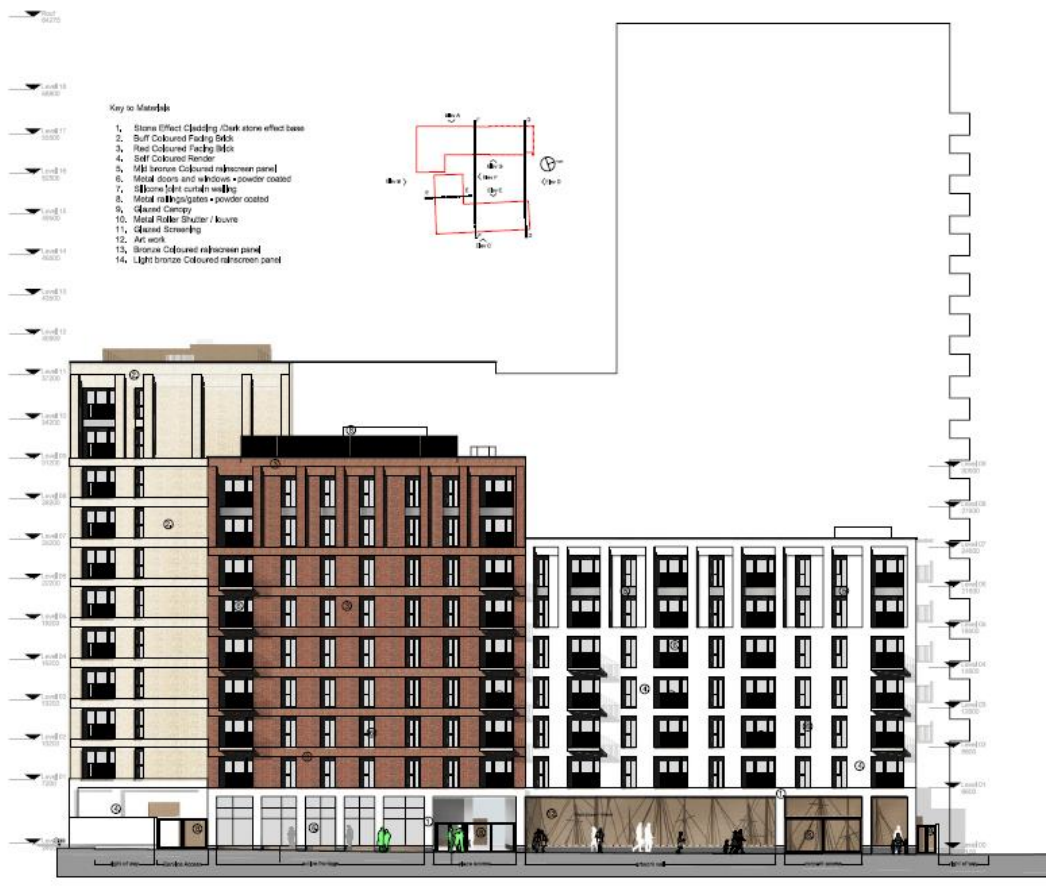
Ground floor Plan



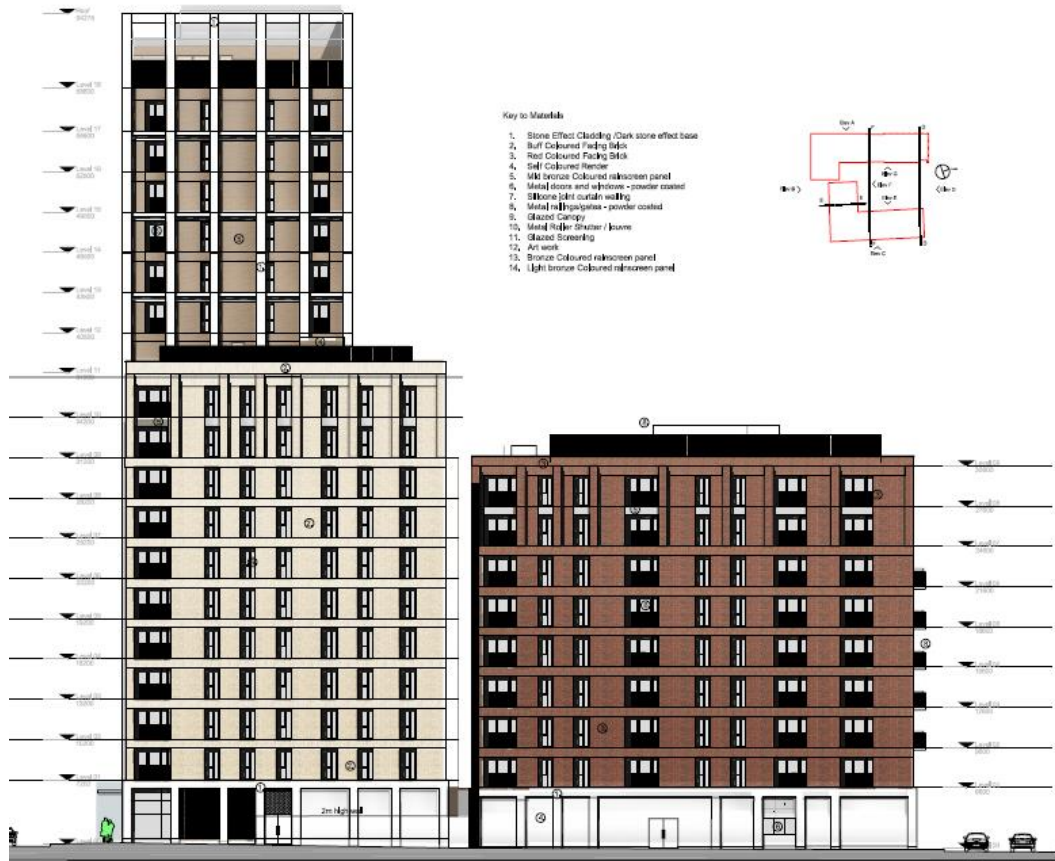
Corporation St. Elevation



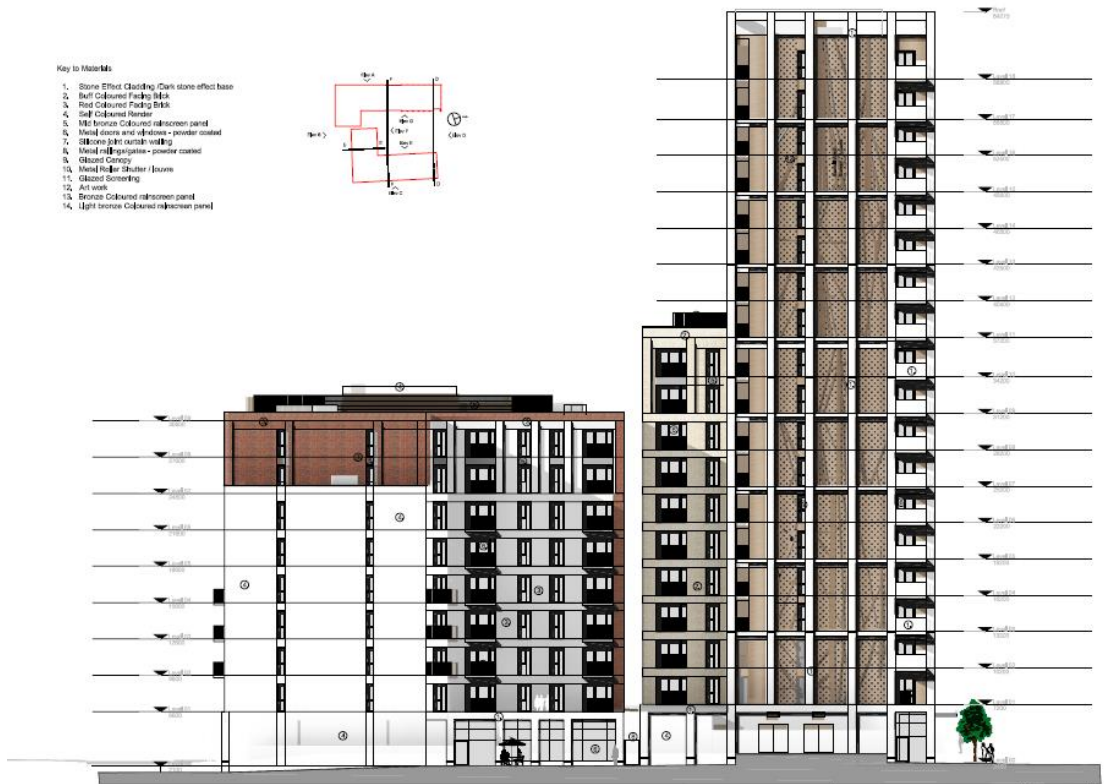
Tomb St. Elevation



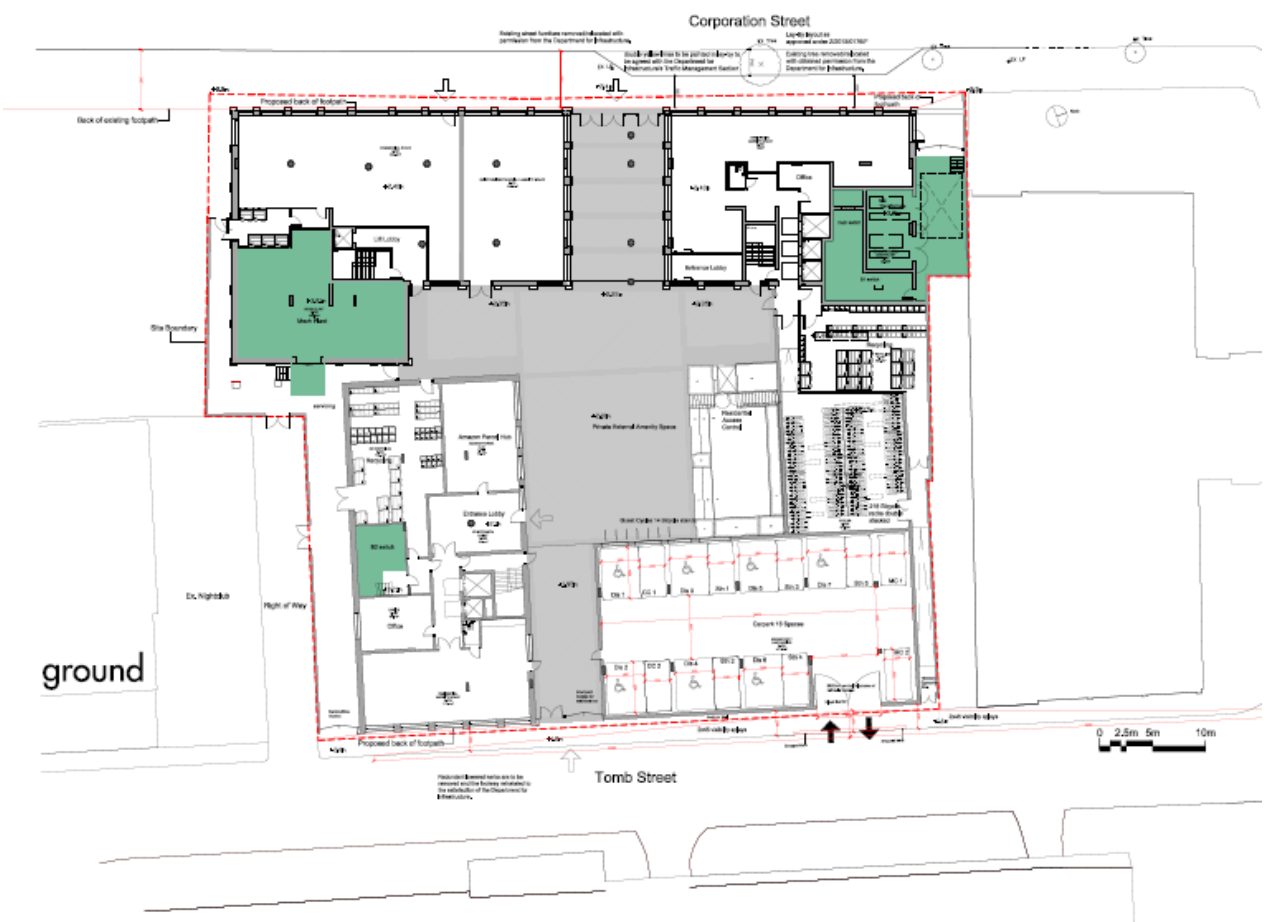
Southern Elevation



Northern Elevation



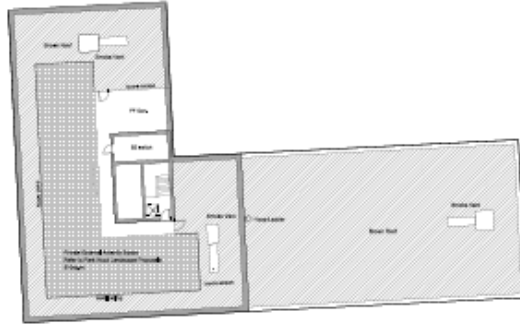
Ground Floor Plan



First Floor Plan



Ninth to Tenth Floor



level 9-10



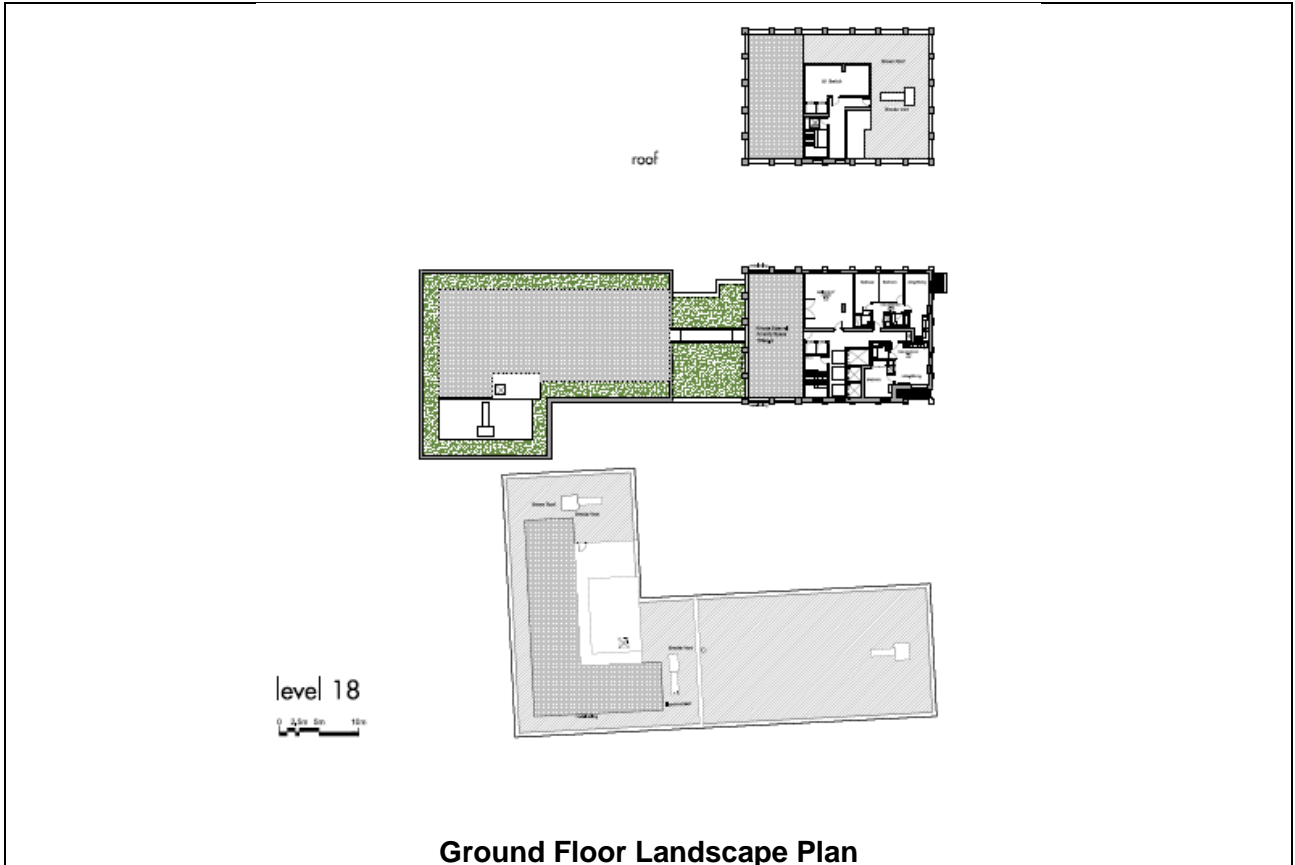
Twelfth to Seventeenth Floor



level 12-17



18th Floor/Roof Plan



Ground Floor Landscape Plan



CGIs

CGI view along Corporation Street



CGI view along Dunbar Link



CGI view from Custom House Square



CGIs of Northern Tower at night time



2.0

Characteristics of the Site and Area

2.1

The site extends from Corporation Street along its western boundary to Tomb Street along its eastern boundary. An existing 5 storey government office block is located to the immediate north of the site. There is a vacant plot of land and an existing nightclub to the immediate south of the site. Within the wider area there are a mix of uses including Royal Mail sorting office on Tomb Street, a residential facility on Corporation St/Waring St/Tomb St along with residential, commercial and business uses. The application site comprises an existing multi-storey car park accessed from Tomb Street, a surface level car park and a vacant area of land which is currently overgrown.

3.0	<p>Description of Proposal</p>
3.1	<p>The development proposes the demolition of the existing multi-storey car park on the site and the erection of 298no. build for rent apartments in four blocks from 7 to 19 storeys. The proposal also includes a ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development.</p>
4.0	<p>Planning Assessment of Policy and Other Material Considerations</p> <p>4.1 Policy Context</p> <p>Regional Planning Policy</p> <ul style="list-style-type: none"> • Regional Development Strategy 2035 (RDS) • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement • Planning Policy Statement 7 (PPS 7) – Quality Residential Environments • Planning Policy Statement 8 (PPS 8) – Open Space, Sport and Outdoor Recreation • Planning Policy Statement 15 (PPS 15) - Flood Risk <p>Local Planning Policy Context</p> <ul style="list-style-type: none"> • Belfast Urban Area Plan (2001) BUAP • Draft Belfast Metropolitan Area Plan 2015(v2004) • Draft Belfast Metropolitan Area Plan 2015(v2014) • Belfast Local Development Plan Draft Plan Strategy 2035 <p>Other Material Considerations</p> <ul style="list-style-type: none"> • Creating Places • Developer Contribution Framework <p>4.2 Planning History</p> <p>LA04/2018/2433/PAN - Construction of 347 build for rent apartments over 9 to 19 storeys, retail unit at ground floor level and semi-basement carpark consisting of c.84 spaces, 21-29 Corporation Street and 18-24 Tomb Street, Belfast. PAN Acceptable 22.10.2018</p> <p>LA04/2018/2419/PAD - Construction of 347 build for rent apartments over 9 to 19 storeys, retail unit at ground floor level and semi-basement carpark consisting of c.84 spaces, 21-29 Corporation Street and 18-24 Tomb Street.</p> <p>Z/2015/0176/F - construction of basement carpark, 250 bed hotel including; bar, conference facilities and ancillary accommodation, and demolition of 2 storey structure and multi deck carpark, 21-29 Corporation Street and 18-24 Tomb Street, Belfast, BT1 3BA. Permission granted 12.02.2019</p> <p>Z/2008/2396/F - Construction of basement car park, 250 bed hotel including bar, conference facilities and ancillary accommodation and demolition of 2 storey structure and multi-deck car park, 21-29 Corporation Street and 18 - 24 Tomb Street, Belfast, BT1. Permission granted 14.01.2010</p> <p>4.3 Consultations</p> <p>4.3.1 Statutory Consultations</p>

	<p>DFI Roads – No objection subject to conditions. DFI Rivers Agency – No objection. NI Water – Objection. NIEA – No objection subject to condition. HED – No objection.</p> <p>4.3.2 Non-Statutory Consultations</p> <p>Environmental Health – No objection subject to conditions. Shared Environmental Services – No objection subject to a condition. SES advises that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects subject to mitigation measure proposed as a condition. Economic Development Unit - No objection. Employability and skills related Developer Contributions Section 76 clauses will be required for the construction phase of the development. BCC Urban Design Officer – No objection subject to conditions. BCC Waste Management Team – No objection. BCC Landscape Planning and Development Team – No objection. BCC City Regeneration and Development Team – No objection. BCC Plans and Policy Team – No objection.</p> <p>4.4 Representations</p> <p>4.4.1 The application has been advertised and neighbours notified. Two third party objections have been received which raised the following issues.</p> <p><i>Initial objection on behalf of Royal Mail received on 27th September 2021</i></p> <ul style="list-style-type: none"> • The SPSS is clear that the applicant should provide noise mitigation and existing businesses should not be unduly affected by a new noise-sensitive use. Noise from existing Royal Mail use is likely to affect residential amenity and these mitigation measures are essential. • Bedrooms and windows are proposed overlooking Royal Mail. The impact of Royal Mail existing use, importantly the noise impacts on the proposed development have not been appropriately tested. • The noise survey should be updated to capture early morning movements to/from the Royal Mail site. A detailed scheme of noise mitigation measures should be provided to secure appropriate mitigation. • The Construction Management Plan should be updated to confirm no impact on Royal Mail. • Whilst Royal Mail acknowledge the need for residential development in Belfast, the proposed development will introduce a new residential use immediately adjacent to an established noise-generating use and appropriate mitigation should be secured by condition. <p><i>Further objection on behalf of Royal Mail received 05/12/22</i></p> <ul style="list-style-type: none"> • The updated Noise Impact Assessment from the 31/10/22 confirms impact of Royal Mail existing operation on the proposed development and provides proposed mitigations to deal with the noise impact. Royal Mail asks that if the planning permission is recommended for approval the planning conditions are recommended to protect future occupiers to avoid any future complaints and protect Royal Mail operations i.e. noise insulation measures for the development to be been submitted to and approved in writing by the Council and submission of noise mitigation
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	<p>measures as set out in Noise Impact Assessment should be installed and agreed in writing with the Council and be implemented and permanently retained thereafter.</p> <p>The matters raised in the objection are considered in the report below.</p>
5.0	Planning Assessment
5.1	<p>Key Issues</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • The acceptability of the proposed use at this location • The acceptability of the design • Impact on surrounding context • Access, parking and traffic management • Environmental Considerations - Drainage, Contamination, Noise, Habitats Regulation Assessment
5.2	Development Plan Context
5.2.1	Section 6(4) of the Planning Act (Northern Ireland) 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.
5.2.2	The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) provides the statutory plan context for the area.
5.2.3	Draft BMAP 2015 (dBMAP v2014), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).
5.2.4	In dBMAP (v2004) the site is unzoned land within the city centre and falls within the main office area, Victoria Street/Oxford Street draft Area of Townscape Character (Ref CC 106), Laganside North and Docks Character Area (Ref CC 017), Belfast Core Area of Parking Restraint and within the Belfast Metropolitan/Settlement Development Limit. Part of the site also falls within a Development Opportunity site (Ref CC 081). In dBMAP (v2014) the site is also unzoned land within the city and within the Belfast Metropolitan/Settlement Development Limit. The site also falls with the Laganside North and Docks Character Area (Ref CC015) and Belfast City Core Area of Parking Restraint (CC 025). Within the BUAP and the site is unzoned land within the City Centre and within the main office area.
5.2.5	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until

	<p>such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
5.3	Background
5.3.1	This proposal was the subject of extensive PAD discussions with the agent/applicant prior to submission of the planning application. Advice was provided from the Urban Design Officer, HED, DFI Roads and Planning Service during the PAD process.
5.4	Principle of Development/Proposed Use
5.4.1	The site is located within Belfast City Centre and the proposal includes residential and commercial uses (A1: Shops /A2: Financial, Professional and Other Services). The proposed development is considered to meet the core principles of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and objectives of the Belfast Agenda. The proposed uses do not conflict with the development plan context. The proposed uses are considered acceptable in principle and compatible with surrounding uses. Further assessment of the proposed development is set out below.
5.5	Scale, Height, Massing, Design and Layout
5.5.1	The proposed development comprises 4 blocks laid out around a central courtyard which is accessed at street level from Corporation Street and Tomb Street. The site is bounded to the west by Corporation Street and to the east by Tomb Street. The blocks vary in height, design and materials across the development. Two blocks front onto Tomb Street which are 7 storeys (max. height c.24.5m including roof plant/lift overrun) and 9 storeys (max. height c.31.8m including roof plant/lift overrun) high and two blocks front onto Corporation Street which are 11 storeys (max. height c.37.6m including roof plant/lift overrun) and 19 storeys (max. height c.62.2m including roof plant/lift overrun).
5.5.2	The tallest 19 storey block is located at the north-western portion of the site fronting onto Corporation Street. The development steps down along Corporation Street to 11 storeys. Along Tomb Street the development is 9 storeys at the south-eastern corner stepping down to 7 storeys. The proposed internal courtyard allows for pedestrian flow from Corporation Street and Tomb Street and incorporates both public and private amenity space (the latter at first floor level).
5.5.3	The proposed building is taller than its immediate neighbours to the north and south which include the adjacent 5 storey office block, 4-6 storey residential development to the south and 1 -3 storey nightclub to the immediate south. A vacant site is located immediately to the south of the site on Corporation Street which is currently used as a surface level car park. Within the wider area building heights vary and include taller buildings to the east including the Royal Mail building on Tomb Street which extends from 6-10 storeys high and the Obel building which is 27 storeys (85m high). The Obel building provides a backdrop of a tall building to the proposed development when viewed from Dunbar Link as shown in the VUCITY image below. Planning permission was previously granted on part of the site for a 12 storey hotel (37m high) which established the principle of a taller building on the site.

Proposed View along Dunbar Link extracted from VUCITY



- 5.5.4** The proposal comprises 298 apartments on floors 1 to 19. A commercial unit (393 sqm GFA) is proposed at ground floor level fronting onto Corporation Street. Ancillary facilities including bike/bin storage, an Amazon Parcel Hub and utility services are also provided at ground floor level. Two residential amenity lounges are proposed along Corporation Street and along Tomb Street frontage. These uses provide welcome active frontage at street level.
- 5.5.5** The primary (western) elevation fronting Corporation Street comprises two distinct elements;- i.e. the 19 storey tower proposed to be finished in mid bronze coloured panels and an adjacent 11 storey block which is proposed to be finished in buff coloured facing brick. A recessed link setback by three bays, incorporates a darker bronze-coloured panel finish between these blocks helps break up the massing of the development and adds visual interest. The Urban Design Officer considers that the materials will result in a contrasting element between the tower and the buff facing brick of its 11 storey neighbour giving the tower a slender appearance. The recessed link allows for the provision of projecting balconies. The upper two floors of the 11 storey buff brick element includes a degree of chamfering to the brick detailing which helps define a two storey 'top' element which is a welcomed design detail.
- 5.5.6** A ground floor uniform base with continuous strong horizontal banding above ground floor level brings cohesion to the development along Corporation Street. The predominant finish at ground floor level along Corporation Street is stone effect cladding with a dark stone effect base. The stone effect cladding continues on the vertical piers on the 19 storey tower elevation which provides a primary frame with mid bronze coloured panels proposed between the piers surrounding window frames.
- 5.5.7** The northern elevation of the 19 storey element proposes artwork in the form of fret cut panelling which is also proposed along part of the Tomb Street ground floor frontage and along part of the southern elevation ground floor.
- 5.5.8** A variety of Juliette, recessed and projecting balconies are proposed along Corporation Street which will add visual interest whilst also providing private amenity space to individual apartments. The applicant has advised that window reveal depths will be determined following detailed engagement with the Mechanical Engineer and the

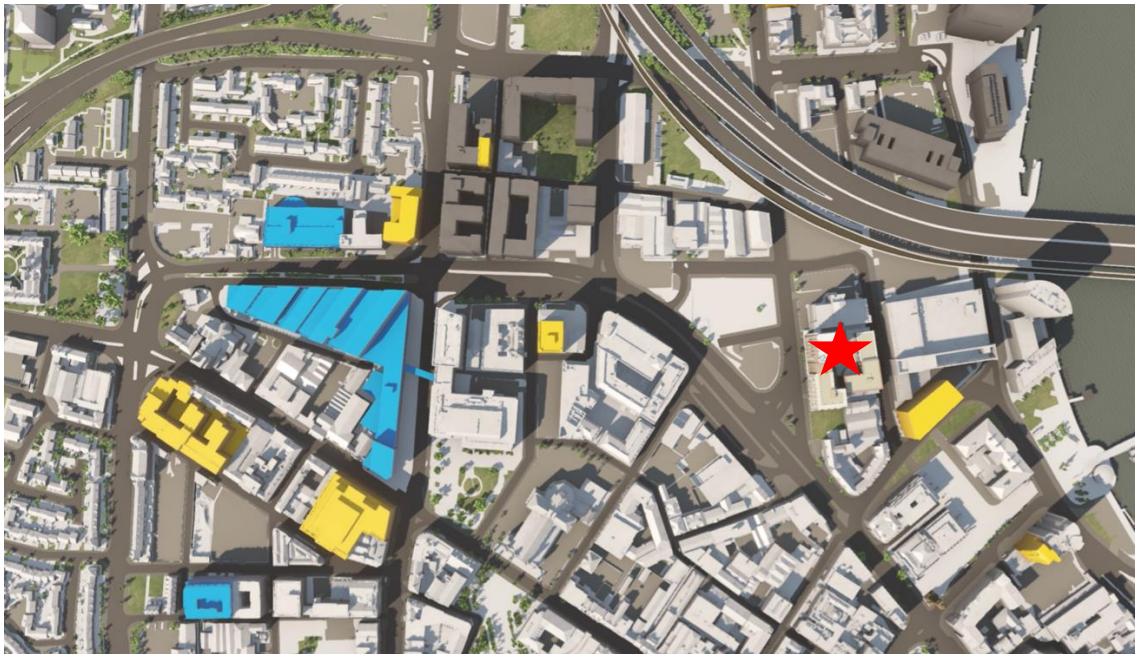
	vent/window/curtain walling contractors later in the construction process. A planning condition is recommended to ensure that such details are submitted to and agreed by the Council prior to commencement of the development.
5.5.9	Along Tomb Street the proposed 9 storey block is to be predominantly finished in red coloured facing brick and the 7 storey block to be finished in self-coloured render. The red brick picks up on the finished of existing buildings on the lower end of Tomb Street whilst contrasting with the 7 and 11 storey lighter coloured finishes. The 9 storey block also includes detailing of the upper floors which provides a smoother transition to the height of the lower 7 storey element and is welcomed by the Urban Design Officer. As with the Corporation Street elevation stone effect banding at ground level and vertical piers brings cohesion to the base of the building.
5.5.10	The Urban Design Officer considers that the proposed development has the potential to positively contribute to the skyline particularly when viewed from Queen's Quay and the Lagan footbridge. The Urban Design Officer welcomes the concentration of building height to the northern portion of the site which will create a taller focal point within the cityscape at this location which is emphasised by the notable drop from 19 storeys to the 7-11 storeys height of the remaining three component and allows for a more slender and elegant form to be applied to the tower element that begins to cluster with adjacent buildings and responds positively to the legibility of the city, assisting with long distance orientation.
5.5.11	The Urban Design Officer also considers that the drop in height enables the building to step down to respect the scale of existing development to the south, along the lower end of Tomb Street/Waring Street.
5.5.12	The Urban Design Officer advises that consideration has been made across the scheme in the detailing and application of materials to relate these elements to the scale, height and massing in a meaningful way.
5.5.13	Parking is proposed at ground floor level with access from Tomb Street. Part of the Tomb Street ground floor frontage is proposed to be finished in a perforated metal screen (along with the Northern elevation of the 19 storey block and part of the southern elevation (ground floor)). The applicant has proposed that the perforated metal screening be linked to the historical Sailortown context, playing a role both during the day and night and mitigating against the visual impact of ground floor parking. The historic references to the area are considered appropriate. Details of the artwork will require to be submitted prior to commencement and a condition is set out below. The backlit copper screen along the front elevation of the proposed car park will screen the car parking and provide visual interest particularly at night-time.
5.5.14	BCC Landscape Planning and Development Team has assessed the Landscape and Visual Impact Assessment (LVIA) accompanying the application and consider that currently the site would be categorised as a landscape of low sensitivity, quality and value and therefore capable of accommodating change in landscape and visual terms. They also consider that the visual setting demonstrates a capability to accommodate a notable change based on the existing site character and nature of adjacent landscape character. Furthermore, they advise that the LVIA demonstrates predicted landscape and visual effects that will not be significant and can be successfully absorbed into the character and views of this part of Belfast.
	Laganside North and Docks Character Area Urban Design Criteria

5.5.15	<p>The site falls within Laganside North and Docks Character Area as set out in Draft BMAP 2015 which states that the following design criteria be applied within the area:</p> <ol style="list-style-type: none"> 1. <i>The density of development in the area shall be maintained and increased where appropriate, including around the transport nodes, through high site coverage and high plot ratio;</i> 2. <i>Development proposals shall take account of the height of adjoining buildings;</i> <p>Street Frontages</p> <ol style="list-style-type: none"> 3. <i>That part of any development which fronts onto York Street shall be a minimum building height of 5 storeys, or 17 metres to building shoulder height, and a maximum height of 7 storeys;</i> 4. <i>That part of any development which fronts onto Frederick Street, Great Patrick Street or Dunbar Link shall be a minimum building height of 4 storeys, or 12 metres to building shoulder height, and a maximum height of 6 storeys;</i> 5. <i>Development which fronts onto Frederick Street, Great Patrick Street or Dunbar Link shall be set back 1.5 metres from the footway to allow for a privacy zone for residential development;</i> 6. <i>That part of any development which fronts onto Victoria Street shall be a minimum building height of 6 storeys, or 18 metres to building shoulder height, and a maximum height of 7 storeys;</i> <p>Intersections</p> <ol style="list-style-type: none"> 7. <i>On the key gateway site at the intersection of Corporation Street and Dunbar Link, as identified on Map No. 2/001- Belfast City Centre, building height shall be a minimum of 6 storeys and a maximum of 8 storeys;</i> 8. <i>On the key gateway site at the intersection of Albertbridge Road / Albert Bridge with Short Strand, as identified on Map No. 2/001- Belfast City Centre, building height shall be a minimum of 4 storeys and a maximum of 5 storeys;</i> 9. <i>On the key gateway site at the intersection of Newtownards Road / Bridge End and Short Strand, as identified on Map No. 2/001 - Belfast City Centre, building height shall be a minimum of 4 storeys and a maximum of 6 storeys;</i> 10. <i>On the key gateway site at the intersection of Queen's Bridge / Ann Street and Oxford Street, as identified on Map No. 2/001 - Belfast City Centre, building height shall be a minimum of 6 storeys and a maximum of 8 storeys;</i> <p>Elsewhere</p> <ol style="list-style-type: none"> 11. <i>New development shall respect the established building line. Exceptions may only be permitted where development creates significant public open space;</i> 12. <i>In the area bounded by York Street, M3 Bridge, Queen's Square and Dunbar Link, building heights shall be a minimum of 3 storeys and a maximum of 5 or 6 storeys with a setback upper floor. Development proposals shall provide for a landmark building up to 10 storeys in height on the north of Great Patrick Street, east of Nelson Street. New development shall be positioned with development of quarter to half block scale;</i> 13. <i>In the area east of the River Lagan (including the Sirocco Works / Bridge End / Short Strand Development Opportunity Ref. CC 020) building height shall be a minimum of 3 storeys and a maximum of 5 storeys or 6 storeys with setback upper floors. Development proposals shall provide for a landmark building, up to 12 storeys in height, between Queen Elizabeth and Queen's Bridges. New development shall be positioned with development of quarter to half block scale; and</i> 14. <i>Large block coarse grain shall be permitted along the river. In other locations, development shall be fine grain in nature, and aim to reflect traditional plot widths</i>
5.5.16	<p>The density of the proposed development equates to 596 per hectare which is high density and is considered to comply with criterion 1 set out above. The proposed</p>

development takes account of the height of surrounding buildings and meets the second criterion. Criterion 3 – 10 do not apply given the location of the site. The site respects the established building line along Corporation Street and Tomb Street and complies with criterion 11. Criterion 12 sets a minimum (3 storeys) and maximum building height (5/6 storeys). Since the publication of BMAP planning permission was also granted on part of the site for a 12 storey hotel (37m high) on 12.02.2019 and this permission remains live which exceeds the maximum height set out in the urban design criteria above and is an important material consideration in the assessment of the proposed development. In addition, building heights within the area vary with a number of taller buildings (The Obel and recent development around the re-located University of Ulster including Student accommodation) in close proximity to the site i.e. the northern edge of the city centre. The aerial image below shows the changing landscape in the vicinity of the site. As a result the height of the proposed development is considered appropriate at this location given the existing and emerging urban context. Criterion 13 does not apply.

5.5.17

The proposed design of the development has four distinct blocks. The variation in heights, materials and fenestration/elevation detail across the development seeks to respect the traditional plot widths/urban grain and the development is considered to comply with criterion 14.



This aerial view extracted from the VUCITY model demonstrates approvals in yellow, development under construction in blue and recently completed development in dark grey. The coloured developments include taller buildings e.g. Graham House, Albert Square, 35-41 Queen's Square, Student accommodation at York Street/Great Patrick Street/Little Patrick Street/Nelson Street, residential development at Academy Street, Ulster University, York Street/Frederick Street, Student accommodation at Little Donegall Street, Kent Street/North Street. The application site is identified by the red star.

5.5.18

BUAP Tall Buildings Policy CC 12 states that high buildings must be sympathetic in scale to the traditional height of buildings in the City Centre. The policy seeks to ensure that high buildings:-

- Do not mar or dominate the surrounding hills or the scale of attractive Belfast views;

	<ul style="list-style-type: none"> • Relate sympathetically in design to the urban structure of the city; • Relate sympathetically to their immediate surroundings; • Relate sympathetically to buildings or groups of buildings of architectural and historic interest
5.5.19	The BUAP states that ' <i>Belfast does not have the tradition of high point or slab blocks, commercial or residential, normally associated with large urban areas. The centre has been built to a traditional height of mainly 4 to 6 storeys. The City has a unique hill setting and consequently tall buildings can be incongruous as well as blocking out sections of the hills, particularly as viewed from the approaches to the City Centre</i> '.
5.5.20	The BUAP was published in 1990 and over the intervening three decades buildings higher than 6 storeys have been approved and built in the city centre. As indicated above in recent years in the vicinity of the site a number of student blocks have been constructed which are 11/12 storeys high and a 16 storey development has been granted approval on Academy Street. The Obel building at 27 storeys (85m high) sits to the north east of the site. When viewed from north/north west the Obel building provides an existing backdrop of a taller building to the proposed development. The development of the University of Ulster site on York Street has resulted in a grouping of taller buildings in the vicinity of the site.
5.5.21	As a result the urban context is quite different to that at the time when the statutory BUAP was published. Notwithstanding, it is considered that the proposed development is sufficiently removed from the surrounding hills so as not to mar or dominate them. Views into the site will be short to medium range and will not adversely impact on attractive views of Belfast. BCC Landscape Planning and Development Team having assessed the Landscape Visual Impact Assessment, agree that the baseline and visual setting demonstrates a capability to accommodate a notable change based on the existing site character and nature of adjacent landscape character and agree that the assessment demonstrates predicted landscape and visual effects that will not be significant and can be successfully absorbed into the character and views of this part of Belfast.
5.5.22	The height, scale and massing of the proposed development has been assessed above and it considered that the proposed development satisfactorily relates to the immediate context and the urban structure of the city. In conclusion it is considered on balance the proposed development does not conflict with Policy CC 12 of the BUAP.
5.5.23	The Urban Design officer considers that the proposed scale, height and massing is acceptable given the existing context and has a considered approach to the distribution of scale, height and massing across the site. On balance the scale, proportions, height and massing of the proposed development are considered acceptable taking account of the factors set out above and the proposed development is considered to be in compliance with the SPPS and criterion (a) (g), (h) and (i) of Policy QD1 of PPS 7.
5.6	Materials
5.6.1	The development proposes a variety of materials including include buff coloured facing brick (on the exterior of the lower block on Corporation Street) stone effect cladding on horizontal banding and vertical piers along with mid-bronze coloured panels on the 19 storey element and dark bronze panels on the recessed element. On Tomb Street primary materials include red coloured facing brick on the 9 storey element and self-coloured render on the 7 storey element with stone effect cladding at ground level.

	Artwork within the development is proposed to be finished in copper and will be backlit. The Urban Design Officer considers that the palette of materials is appropriate to the context and reflects the industrial character of the neighbouring Sailortown/Docklands.
5.6.2	During the processing of the application, the materials on elevations fronting onto the internal courtyard have been amended to include a lighter palette of materials (i.e. from red brick to self – coloured render). These changes will help increase light levels and in combination with the buff brick and metallic panels also proposed will assist in optimising reflective light within the courtyard. Officers have assessed the proposal in VUCITY and are satisfied that adequate levels of natural light will be achieved in the internal courtyard and within apartments facing onto the courtyard.
5.6.3	The external finishes of the block vary across the site bringing individuality and distinctiveness to the four blocks creating variety in the development and are found in the locality and are considered acceptable and compliant with the SPPS and criterion (g) of Policy QD 1 of PPs 7.
5.7	Amenity/Open Space Provision
5.7.1	The proposed development has been assessed against the SPPS, Policy QD 1 of PPS7, Policy OS 2 of PPS 8 (Open Space, Sport and Recreation) and Creating Places. Communal and private amenity space solely for the use of residents is provided throughout the development at a number of locations including ground floor residential lounges, raised amenity space in the internal courtyard, rooftop terraces and private balconies.
5.7.2	The internal courtyard proposes an external amenity area. At ground floor level public access is available. Access to the upper (first floor) level is controlled by a gate on the stair and access is restricted to residents only. A water feature (water cascading over a textured wall) is proposed between the ground and first floor amenity areas which will provide visual interest within the courtyard. Defensible/buffer planting is located around the perimeter of the first floor amenity area. This is welcomed by the Urban Design Officer and will assist in protecting the amenity/privacy of first floor apartments fronting onto the external amenity area.
5.7.3	Balconies are provided for 123 of the 298 apartments. Overall an average of 10 sqm of amenity provision per apartment has been proposed which accords with the lower limit (10 and 30 sqm) as recommended in Creating Places guidance. The level of amenity provision is considered satisfactory for an inner city location and is commensurate with other recent development proposals.
5.7.4	Environmental Health response advises that the Noise consultant has stated that residents have access to external communal areas within the range of 50-55db LAeq16hr.
5.7.5	Acoustic barriers are proposed around the 9 th and 11 th Floor communal roof terraces and comprise Environmental Health recommend a condition securing the installation of acoustic barriers around the 9 th and 11 th Floor roof terraces. These barriers comprise of a 0.7m high parapet wall and a 1.2 m glazed acoustic barrier. These measures are required to mitigate external noise which is predicted to exceed the World Health Organisation (WHO) recommended external noise thresholds (50-55dB LAeq16hr). A condition is recommended requiring details of the acoustic barriers to be submitted for approval prior to commencement of the development. The Urban Design Officer considers that the inclusion of these measures will not result in a material difference from a visual impact perspective.

5.7.6	The 18 th floor roof terrace does not include an acoustic barrier. The Noise information submitted confirms that predicted noise levels within the 18 th Floor and Ground floor terrace are within the WHO recommended external noise thresholds.
5.7.7	The Noise Information submitted advises that the primary noise sources impacting the external areas are associated with the adjacent night club beer garden and patron dispersal which will have the most impact at night when residential occupiers are not using the external amenity areas.
5.7.8	Environmental Health has referred officers to the British Standard BS8233:2014 guidance which states the following: <i>“the acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50-55dBL_{Aeq,16hr}.”</i> The standard continues... <i>“these guideline values may not be achievable in all circumstances where development might be desirable. In such a situation development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited.”</i> The Noise report submitted by the applicant states that individual balcony areas are not considered an intrinsic feature of the development and no mitigation has been recommended and that typically barriers at balcony areas provide minimal mitigation.
5.7.9	Officers acknowledge the guidance as set out above and consider that the proposed mitigation measures on the 9 th and 11 th floor will seek to achieve the lowest practicable noise levels in these external amenity areas. Officers also consider that in this urban context close to existing businesses and roads infrastructure a degree of external noise is unavoidable. Furthermore, officers are of the view that there are a number of external communal amenity areas on the 18 th and ground/first floor level which are within the WHO thresholds. In addition, there are several internal amenity areas providing amenity space for residents in the form of residential lounges. In summary, there are a number of communal amenity areas within the development providing prospective occupiers with a variety of useable amenity spaces which are within the WHO noise thresholds and this is on balance considered acceptable.
5.7.10	Policy OS 2 of PPS 8 states that proposals for new residential development of 25 or more units will only be permitted where public open space is provided as an integral part of the development. Policy OS 2 of PPS 8 goes on to state that an exception to the requirement of providing public open space will be permitted in the case of apartment developments where a reasonable level of private communal open space is provided. In this case a reasonable level of amenity space has been provided and it is considered that the exemption test is met.
5.7.11	The proposal is considered to comply with criterion (c) of Policy QD1 of PPS 7 and Policy OS 2 of PPS 8.
5.8	Space Standards/Living Standards
5.8.1	The development proposes 298 apartments in total which comprise of the following:- <ul style="list-style-type: none"> • 8 studio apartments, • 160 1 bed apartments 1 person apartments, • 10 - 1 bed, 2 person apartments, • 90 - 2 person, 3 bed apartments, • 12 - 2 bed, 4 person apartments and

<p>5.8.2</p>	<ul style="list-style-type: none"> • 18 - 3 bed, 6 person apartments. <p>Whilst the space standards set out in the Addendum to PPS 7 do not apply to this proposal the recommended space standards are nevertheless a useful guide in ensuring the provision of good quality residential accommodation. The proposed units comply with the space standards as set out in the Addendum to PPS 7. The majority of units are 1 bed, 1 person apartments thereby limiting occupation to a single person. During the processing of the application the applicant was encouraged to amend the unit sizes to provide a better balance of unit sizes and, in particular, to increase the number of 1 bed, 2 person units as smaller units are considered inflexible. As a result the applicant submitted a viability report which assessed an alternative mix which included 18 studio apartments, 215 - 1 bed, 2 person apartments and 65 - 2 bed 4person apartments. The Viability Report concluded that an alternative mix of units as set out above would not be financially viable whereas the scheme as submitted is considered financially viable. The Viability Report indicated that market testing of the proposed scheme had taken place which had attracted both operator and investor interest in the scheme and neither raised any issues regarding the developers proposed unit mix. The Viability Report further states that one of the interested operator investors has a completely contrary view to Belfast City Council planners in that they are seeking a weighting towards 1 bed, 1 person units which provide for a more efficient scheme in terms of both occupier interest and financial viability.</p>
<p>5.8.3</p>	<p>The Plans and Policy team has assessed the Viability Report and advises that the <i>'assumptions used within the viability report submitted by the applicant look reasonable and they have no reason to question the conclusions drawn, as they align with the emerging conclusions from the Council's own viability work'</i>. The Plans and Policy team advise that it should however be possible for the applicant to design a scheme that provides a more sustainable mix of unit sizes than the original proposal that is viable to deliver and we would recommend further discussion with the applicant in relation to this.'</p>
<p>5.8.4</p>	<p>Following assessment of the Viability Report and receipt of the Plans and Policy team response the applicant's team was provided with the opportunity to make amendments to adjust the scheme to create a more balanced development given the comments set out in the Plans and Policy team response. No further amendments have been received.</p>
<p>5.8.5</p>	<p>Restricting occupancy of individual apartments via condition would not be appropriate in enforcement terms as it would be difficult to monitor and would require an excessive degree of supervision. The predominance of 1 bed 1 person apartments does not of itself justify a refusal of the proposal and there is no policy basis on which to do so. On balance the mix of unit sizes is considered acceptable.</p>
<p>5.8.6</p>	<p>The applicant has also voluntarily submitted an Addendum to the initial Viability Assessment which considers the financial viability of Social and Affordable Housing if incorporated into the proposed scheme and amended scheme considering a differing unit mix based on the Belfast City Council Local Development Plan 2035 (Draft Plan Strategy). Policy HOU 5 of the Draft Plan Strategy states that 'Planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.' As set out at paragraph 5.25 above the Draft Plan Strategy is a material consideration but has limited weight until it is adopted. Until such times as the Plan is adopted existing policies will be applied including the SPPS and relevant PPSs. The response from NIHE advises that they would support a 10% social housing</p>

	<p>scheme on this site however the existing policy context does not require the provision of social and/or affordable housing and therefore it is not being sought for this development. The proposal remains for private, build-to-rent accommodation.</p>
5.8.7	<p>The Plans and Policy team has assessed the Addendum Viability Assessment and agree with the conclusion that tested schemes at 20% Social/Affordable Housing are considered unviable.</p>
5.9	<p>Impact on the surrounding context</p>
5.9.1	<p>The site is located in close proximity to a number of listed buildings of special architectural or historic interest as protected under Section 80 of the Planning Act (NI) 2011, including: the Head Line Building, 10-14 Victoria Street Belfast (HB26/50/053 - Grade B1), the Former First Trust Bank, 4 Queen's Square, Belfast (HB26/50/056 - Grade B+) and Custom House Custom House Square Belfast (HB26/50/062 - Grade A).</p>
5.9.2	<p>HED notes that the Townscape and Visual Impact Assessment information shows the visual impact of the proposal from significant nodes around the city and advises that whilst the tower element of the design is largely visible across the Belfast skyline, the proposal does not appear to detract from designated views of or from listed buildings in the vicinity. HED considers the proposal complies with paragraph 6.12 of the SPPS 6.12 (Development proposals impacting on Setting of Listed Buildings) and Policy BH11 (Development affecting the Setting of a Listed Building).</p>
5.9.3	<p>The proposed development will sit adjacent to a 5 storey office block to the immediate north. The southern elevation of the office block comprises large areas of blank gable along with centrally located windows. The proposed 19 storey block fronting onto Corporation Street will be juxtaposed next to blank sections of the adjacent office building's southern elevation and surface level car parking. The 7 storey block fronting onto Tomb Street will also be juxtaposed next to a large section of blank gable. A right of way is located between the 7 storey block and the adjacent office building creating a separation buffer. Above first level there is gap of c. 22m between the 19 storey and 7 storey blocks which will allow light to penetrate into the centrally located windows located on the southern elevation of the office block. The primary outlook from the office block is towards Corporation Street, Tomb Street and Gamble Street. It is considered that the proposed development will have minimal impact on the existing office block and the proposed relationship is considered acceptable.</p>
5.9.4	<p>A nightclub is located to the immediate south of the site and there is a right of way along part of the southern boundary between the site and the nightclub creating a degree of separation. Environmental Health has assessed the proposed relationship with the nightclub and are satisfied that the glazing specifications (containing an element of laminated glass which is superior to standard glass in terms of acoustic performance) presented in the accompanying Noise Information supporting the application demonstrate that the proposed glazing will meet required glazing sound reduction requirements. The Noise Information supporting the application also confirms that the proposed glazing will ensure night time noise on Tomb Street is adequately mitigated.</p>
5.9.5	<p>Tomb Street Post Office is located directly across from the site on Tomb Street. Concerns have been raised regarding the impact of the proposed development on the existing operations of the Post Office. The most recent objection on behalf of Royal Mail requests that if an approval of planning permission is recommended, that planning conditions are included to protect future occupiers to avoid any future complaints and</p>

	<p>protect Royal Mail operations. Environmental Health has considered the objections received on behalf of Royal Mail and advise in their response that the Noise Information supporting the application advises that the assessment carried out captures the worst case noise levels from all sources in the locality and applied these to demonstrate the worst case impact on the development and that noise levels measured at the Tomb Street façade represents the highest levels measured from all sources through the survey including the operation of the post office premises. Environmental Health advise that the assessment carried out presents mitigation incorporated to ensure internal noise target levels will be met and will ensure that noise levels are significantly lower than any levels identified in the industry standard BS 4142 (Methods for Rating and Assessing Industrial and Commercial Sound). Environmental Health recommend a number of noise related conditions to ensure that proposed noise mitigation measures such as glazing, alternative means of ventilation, acoustic specification of each façade, and acoustic barriers are carried out in accordance with the Noise Information submitted and that prior to installation, further details of e.g. glazing, alternative means of ventilation and acoustic specification of facades are submitted for approval by the Council. Furthermore, Environmental Health also recommend such mitigation measures (glazing, alternative means of ventilation) are verified prior to occupation. The proposed conditions are considered appropriate and address the issues raised by Royal Mail, as set out in their most recent objection letter.</p>
5.9.6	<p>Centenary House and Calder Fountain Lifehouse supported housing development is located to the south of the site. It is considered that there is adequate separation between these existing buildings and the proposed development to ensure no adverse impact on existing residential amenity.</p>
5.9.7	<p>It is considered that the design and layout of the proposed development will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. The proposal is considered compliant with the SPPS and PPS 7.</p>
5.10	<p>Access Parking and Traffic Management</p>
5.10.1	<p>The development proposes a car park accessed from Tomb Street to serve the development. The car park at ground floor level proposes 14 car parking spaces and 2 spaces for motor cycles. The car parking spaces comprise comprising 7 disabled spaces, 2 car clubs space and 5 standard car parking spaces. In addition, 216 Bicycle racks are proposed within the development. The site is located in Belfast City Core Area of Parking Restraint as set out in dBMAP (v 2014). Policy TRAN 1 states that reductions in standards will be considered in appropriate circumstances where evidence of alternative transport arrangements can be clearly demonstrated, or other material considerations exist that justify an exception to the policy. In this case the reduction in parking is proposed to be supported by the following green travel measures which will be secured through a Section 76 Planning Agreement.</p> <ul style="list-style-type: none"> • Travel cards for each apartment for 3 years/Travel Plan Fund • Discounted membership of a car club for a period of 3 years • Discounted membership of Belfast Bike Scheme for 3 years
5.10.2	<p>Pedestrian access to the building will be provided from Corporation Street and Tomb Street and from within the internal courtyard which will provide a movement pattern that supports walking and cycling. The proposed commercial unit fronting Corporation Street will be accessed and serviced from Corporation Street.</p>

5.10.3	<p>Servicing of the site is proposed from Corporation Street and Tomb Street. The Service Management Plan states that <i>'A representative from the development management company will be responsible for setting up the initial delivery times of any regular vehicle deliveries to the premises'</i> and that <i>'In keeping with other city centre sites and the existing behaviours of other developments on Tomb Street, servicing for the proposed development will take place on-street. For any servicing needs along Corporation Street, the development site benefits from an extant planning approval (Z/20115/0176/F) for the provision of a lay-by, which will allow service vehicles to stop clear of the carriageway without causing any delay to traffic flow. This lay-by includes the extension of existing double yellow lines to ensure the area is not abused as parking. All efforts will be made to co-ordinate and confirm initial delivery times to avoid any detrimental effects on the public roads, this includes clashes with other deliveries or peak traffic times.'</i></p>
5.10.4	<p>It is proposed that waste including recycling will be stored in dedicated bin areas on the ground floor. The Service Management plan advises that <i>'Bins will be provided in the bin store of the apartment block and the management company will organise that these are brought on-street (Tomb Street) and returned to the bin storage area on bin collection days.'</i></p>
5.10.5	<p>A number of the apartments fall outside the recommended 30m travel distance from bin storage to apartments which is set out in Building Control Regulations. During the processing of the application discussions took place with the applicant, Waste Management Unit (WMU) and Building Control (BC). The applicant presented mitigating measures and both WMU and BC are satisfied with the proposed arrangements.</p>
5.10.6	<p>DFI Roads has no objections to the proposed development subject to conditions which are set out below. The proposal is considered to comply with the SPPS, Policy AMP 7 of PPS 3 Criteria (e) and (f) of Policy QD 1 of PPS 7 and Policy TRAN 1 of dBMAP.</p>
5.11	<p>Environmental Considerations - Drainage, Contamination, Noise, Air Quality</p> <p>Drainage</p>
5.11.1	<p>The proposal has been considered against policies FLD 1-5 of Revised PPS15. DFI Rivers have raised no objections under FLD 1, 2, 3, 4 and 5, subject to a condition requiring a final drainage assessment to be submitted prior to commencement.</p>
5.11.2	<p>NI Water has objected to the proposal on the basis that there is insufficient waste water treatment capacity available to service the proposed development. They have also advised that the foul sewer network cannot presently serve this development proposal without significant risk of environmental harm and detrimental impact on existing properties. Importantly, NI Water makes allowance for existing significant committed development across the city including extant planning permissions such as the extant hotel approval on the site. Such development, which includes un-implemented permissions across the city, will not all come forward at once.</p>
5.11.3	<p>In practical terms it is considered unreasonable for the Council to withhold planning permission for the proposed development given NI Water's pre-existing commitments to connect to significant levels of un-implemented development across the city including the extant permission on part of the site. Moreover, NI Water has not provided evidence that the proposed development would have a direct and detrimental</p>

	<p>impact on waste-water infrastructure or environment, particularly in the context of impacts over and above what has already been committed across the city. NI Water confirms that it has a programme for WWTW improvements which will increase capacity over the coming years. Whilst NI Water advises that it cannot support the proposal at this time, some additional capacity will be available from July 2023 as a result of the completion of initial upgrade work, subject to an Impact Assessment. NI Water therefore recommends negative planning conditions to permit the proposed development to be constructed but not occupied until 01 July 2023 and until such times as an extension to the existing surface water network to serve the development is provided.</p>
5.11.4	<p>Shared Environmental Service (SES) has carried out a Habitats Regulation Assessment (see reference below) on behalf of the Council and advise that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects subject to mitigation measures which are recommended as conditions and would require consent for surface water and foul sewage connections to be secured prior to occupation. On this basis, this condition is considered appropriate and necessary in this particular case.</p>
5.11.5	<p>Noise The application is supported by a Noise Impact Assessment and accompanying addendums. Environmental Health has considered the proposal along with the objections received (as referred to above) and have recommended appropriate conditions.</p>
5.11.6	<p>Contamination The application is supported by a Preliminary Risk Assessment which has been considered by both DAERA: NIEA and Environmental Health. Neither has raised objections and both have provided conditions/informatives if permission is granted.</p>
5.11.7	<p>Air Quality Environmental Health has reviewed the proposal and has advised that they have no concerns regarding air quality.</p>
5.12	<p>Habitats Regulation Assessment</p>
5.12.1	<p>In accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended) Shared Environmental Services (SES) on behalf of the Council has carried out an appropriate assessment and having considered the nature, scale, timing, duration and location of the project, SES advises that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including mitigation measures. This conclusion is subject to mitigation measures being conditioned in any approval which require consent for surface water and foul sewage connections to be secured prior to occupation. The recommended condition is set out in full below.</p>
5.12.2	<p>Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 02/11/2021. This found that the project would not have an adverse effect on the integrity of any European site.</p>

5.13	Developer Obligations
5.13.1	Para 5.69 of the SPPS states that ' <i>Planning authorities can require developers to bear the costs of work required to facilitate their development proposals.</i> ' Relevant further guidance is provided by the Council's Developer Contribution Framework, adopted in 2020.
5.13.2	Green Travel Measures in the form of a travel card for each apartment for a period of 3 years, provision of 2 car club spaces within the building, provision of discounted membership of a car club (50%) for a period of 3 years and membership of a bike scheme for a period of 3 years are proposed to support the proposed development. In addition, the developer has agreed to provide a financial contribution of £400k towards improving public realm and connectivity to the city centre which will include a contribution towards the pedestrian junction on Corporation Street/Dunbar Link.
5.13.3	BCC Economic Development Unit has advised that given the scale of the employment to be created, the high rates of unemployment, current sectoral growth and reported shortages in specific skilled trades, it is likely that the development will give rise to skills or labour shortages within the construction sector and conclude that Employability and skills related Developer Contributions Section 76 clauses will be required for the construction phase of the development.
5.13.4	BCC CRD highlight that the significance of the immediate and wider setting of the proposal is reflected in the suite of DfC documents, regarding the ongoing regeneration of Greater Clarendon and Sailortown and consider that the scheme should contribute to the improvement of the public realm to both integrate the proposed development and enhance local streetscape quality/character, and to enable safe and sustainable movement within this part of the city centre.
5.13.5	CRD advise that in order to ensure a fully integrated approach to the design and delivery of public realm within the streets immediately adjacent to the proposed development and within the wider area as set out in existing regeneration strategy and guidance, it is considered that a developer contribution in the form of a commuted sum paid to the council is appropriate in this instance. This approach would enable the delivery of necessary improvements associated with the proposal as part of a strategic programme of public realm investment that reflects the joint Council, DfC and DfI ambition set out in 'A Bolder Vision'.
5.13.6	Furthermore, CRD consider that the proposal should also contribute to (and benefit from) enhanced pedestrian and cycle links to/from the city centre. Such improvements should be designed alongside the development of public realm proposals, and contribute to permeability and ease of movement by providing enhanced crossings to address the severance caused by Corporation St / Dunbar Link. A contribution towards enhanced pedestrian crossings is considered appropriate.
5.13.7	Officers consider that public realm works are necessary to mitigate the impacts of this major development. In addition, the site's location, somewhat disconnected from the city centre due to the surrounding dominant roads infrastructure necessitates the requirement for improved connectivity to the city centre. The applicant has agreed to provide a financial contribution of £400,000 towards public realm improvements/improved connectivity to the city centre. Such improvements will include pedestrian crossing improvements at Corporation Street and Dunbar Link and upgrades to the walking/cycling environment surrounding the site.

5.13.8	The planning obligations will be included as part of the planning permission by means of a Section 76 planning agreement and comply with the adopted Developer Contributions Framework and the SPPS. Delegated authority is requested to finalise the S76.
5.14	Pre-Application Community Consultation
5.14.1	In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 09 October 2018 (LA04/2018/2433/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable subject to additional consultation with Inner North Belfast Neighbourhood Partnership. The response also advised that a leaflet drop should take place with businesses and residents which directly about the proposed full application site.
5.14.2	Given the passage of time between the initial public consultation events and submission of the planning application officers recommended during the PAD process that the applicant undertake an updated public consultation exercise. Whilst there is no legislative requirement to undertake additional public consultation events it is considered good practice and the applicant undertook an updated consultation exercise. Furthermore, during the period between the initial community consultation exercise and the updated consultation exercise the Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020 was enacted in response to COVID19 restrictions. This Regulation temporarily suspended the requirement for a public event and facilitated alternative consultation measures such as web based engagement, use of social media, community surveys and use of information sheets and newsletters in place of public events.
5.14.3	A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements. The report has confirmed advertising for the public event and that the initial public event took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that an online community consultation magazine was available on the Clyde Shanks Ltd website on the 1 st July 2021 until the 15 th July 2021. The report also confirmed that a leaflet drop to businesses and residents which directly about the application site took place in 2018.
5.14.4	The report states that 2 feedback forms were returned during the initial public consultation event and that ' <i>The majority of the comments received at the public event were positive and supportive of the project, with particular emphasis on the quality of design and articulation of the elevations.</i> ' No feedback was received during the most recent round of consultation.
5.14.5	The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.
Neighbour Notification Checked Yes	

Summary of Recommendation:

Having regard to the development plan, relevant policy context and other material considerations including the representation, the proposed development is considered acceptable and it is recommended that full planning permission is granted subject to conditions and a Section 76 to secure an Employability and Skills Plan, green travel measures and a financial contribution towards improving public realm and connectivity to the city centre.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 and to deal any other issues which might arise.

Draft Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No external finishes shall 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 finishes.

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

3. Notwithstanding the submitted details, no development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless the detailed design of the recesses to the windows and external doors have been submitted to and approved in writing by the Council. The details shall include detailed scaled section drawings. The development shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the character and appearance of the area. Approval is required in advance because the design of the recesses is fundamental to the overall design of the building.

4. Prior to installation details of the Artwork to be erected along the Tomb Street elevation (ground floor), Northern Elevation of the 19 storey block and the Southern Elevation (ground floor) shall be submitted to and agreed in writing by the Council. The development shall be carried out in accordance with the agreed details and retained thereafter.

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

5. The development shall not be occupied unless the visibility splays and any forward sight distance have been provided in accordance with the Private Streets Determination drawing No.19-059-P-101 Rev.P01 uploaded to the Planning Portal 15th February 2022. The access and visibility splays shall be retained in accordance with the approved plans at all times.

Reason: To ensure safe and convenient access to the development.

6. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter.

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

7. The vehicular access hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of the Council.

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

8. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No.19-059-P-101 Rev.P01 bearing the Department for Infrastructure Determination date stamp 10th June 2022.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

9. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No part of the development hereby permitted shall be occupied until the works necessary for the improvement of the public road have been completed in accordance with the details outlined in blue on drawing No.19-059-P-101 Rev.P01 bearing the Department for Infrastructure Determination date stamp 10th June 2022. The Department hereby attaches to the determination a requirement under Article 3(4)A of the above Order that such works shall be carried out in Accordance with an agreement under Article 3(4)C.

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

10. The development hereby approved shall not be occupied or operated until the hard surfaced areas have been provided in accordance with the Private Streets Determination drawing No.19-059-P-101 Rev.P01 uploaded to the Planning Portal 15th February 2022. Such areas shall not be used for any purpose other than the parking and movement of vehicles and such areas shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site

11. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the with Private Streets Determination drawing No.19-059-P-101 Rev.P01 uploaded to the Planning Portal 15th February 2022. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.

12. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan Rev.B uploaded to the Planning Portal 2nd September 2021.

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

13. Prior to the commencement of any of the approved development on site, a final drainage assessment, compliant with FLD 3 & Annex D of PPS 15, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted to the Planning Authority for its consideration and approval.

Reason: To safeguard against flood risk to the development and from the development to elsewhere.

14. 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 is in place for the operational phase of the proposal that will ensure no impacts to European Sites. Approval is required upfront because the design of drainage is an integral part of the development and its acceptability.

15. Prior to the occupation 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 RSK Environment Ltd report entitled 'ES Corporation Street, Remedial Strategy, Lands at 21 to 29 Corporation Street, Belfast' (referenced 603571_R2(01) and dated July 2021) have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified potential contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:

a) Gas protection measures commensurate with the site's Characteristic Situation 2 classification have been provided to the buildings in accordance with BS 8485:2015+A1:2019 (minimum gas protection score of 3.5). Gas protection measures must be verified in line with the requirements of CIRIA C735.

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

16. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent 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 in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health and of environmental receptors to ensure the site is suitable for use.

17. Prior to the installation of the glazing units to the façade of the habitable rooms of the hereby permitted development a noise report detailing the proposed glazing unit to the habitable rooms on each floor and on each façade, shall be submitted to and approved in writing by the Council. The report shall include the glazing units acoustic data sheets and shall demonstrate that the proposed glazing units acoustic performance meet the required glazing sound reduction as detailed in table 12 of the Irwin Carr Consulting Additional Information entitled "21-29 Corporation Street Belfast & 18-24 Tomb Street" dated 30th November 2022 report reference LT001N 2022077. The development shall be carried out in accordance with the approved details.

Reason: Protection of residential amenity.

18. Prior to the construction of the hereby approved development the acoustic specification of the walls of each façade of the residential units shall be submitted to and approved in writing by the Council. The entire façade structure must meet as a minimum the acoustic specification as detailed in table 12 of the Irwin Carr Consulting Additional Information entitled "21-29 Corporation Street Belfast & 18-24 Tomb Street" dated 30th November 2022 report reference LT001N2022077. The approved façade wall structure shall be constructed as approved.

Reason: Protection of residential amenity.

19. Prior to the construction of the hereby approved development, the applicant shall submit a noise report shall be submitted to and approved in writing by the Council. The noise report shall confirm the final specification of the mechanical Ventilation Heat Recovery system (MVHR) proposed to the residential units including the operation noise levels, and details of any necessary acoustic mitigation measures. The report shall demonstrate that the operation noise associated with the MVHR system shall not exceed the night time internal noise guidelines of 30dB LAeq British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' in line with section 3.2.4 of the Irwin Carr Additional Information dated 30th November, letter reference LT001N 2022077.

The noise report shall confirm the location of the external inlet and outlet vents serving the MVHR system. The report shall provide details of the proposed acoustic mitigation measures and shall demonstrate by way of calculation that noise break in via the externally located inlet and outlet vents and the façade shall not exceed the BS8233 internal noise targets and the Irwin Carr Consulting design target of NR 20 over each octave band. The development shall be carried out in accordance with the approved details.

Reason: Protection of residential amenity

20. Prior to occupation of the hereby approved residential units, the window schedule and alternative means of ventilation, as approved, shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with British Standard BS8233:2014

‘Guidance on sound insulation and noise reduction for buildings’, and so that the residential units are not impacted by music break in from entertainment venues and can achieve NR 20 over each octave band, with the windows closed and the alternative ventilation provided in accordance with building control regulations. The approved windows and alternative means of ventilation shall be retained within the development thereafter.

Reason: Protection of residential amenity

21. Prior to occupation of any residential unit hereby permitted, a report verifying that the window schedule and alternative means of ventilation as approved have been installed shall be submitted to and approved in writing by the Council. The report shall comprise a written declaration from the suppliers and installers of the glazing and alternative means of ventilation confirming that the scheme of windows and alternative means of ventilation have been installed as approved.

Reason: Protection of residential amenity

22. Prior to commencement details of the proposed 0.7m parapet wall and 1.2m glazed acoustic barrier shall be submitted to and approved in writing by the Council. The glazed acoustic barrier shall be at least 1.2m in height, with no gaps and a mass of at least 15kg/m² and prior to occupation shall be installed in the external roof terraces to the 9th and 11th as detailed in appendix B of the Irwin Carr Consulting Additional Information entitled ‘21-29 Corporation Street Belfast & 18-24 Tomb Street’ dated 30th November 2022 report reference LT001N2022077’ and agreed details. The parapet wall and acoustic barrier shall be retained thereafter.

Reason: Protection of residential amenity

23. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Environmental Construction Management Plan has been submitted to and approved in writing by the Council. The Final Environmental Construction Management Plan shall include measures to control noise, dust, vibration and other nuisance during the demolition/construction phase and ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Final Environmental Construction Management Plan.

Reason: To safeguard the amenities of the area and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment. Approval is required upfront because construction works have the potential to harm the amenities of the area.

Notification to Department (if relevant) – Not Required

Date of Notification to Department: N/A
Response of Department: N/A

Representations from Elected Members: None

ANNEX	
Date Valid	26th August 2021
Date First Advertised	10th September 2021
Date Last Advertised	17th December 2021
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10-14 ,Tomb Street,Belfast,Antrim,BT1 3AS The Owner/Occupier, 11-17 ,Corporation Street,Belfast,Antrim,BT1 3BA The Owner/Occupier, 18a ,Tomb Street,Belfast,Antrim,BT1 3AS The Owner/Occupier, 19 Corporation Street,Belfast,Antrim,BT1 3BA The Owner/Occupier, 2 Victoria Street,Belfast,Antrim,BT1 3GE The Owner/Occupier, 24-42 Corporation Street, Belfast, BT13DP The Owner/Occupier, 26-36 ,Tomb Street,Belfast,Antrim,BT1 3AS The Owner/Occupier, 6 Tomb Street, Belfast, BT1 3AS Clare Lucey Cushman & Wakefield,1 Colmore Square,Birmingham,B4 6AJ The Owner/Occupier, Design Centre, 39 Corporation Street, Belfast, BT1 3BA The Owner/Occupier, Graham House, 1 Albert Square, Belfast, BT1 3EQ The Owner/Occupier, Royal Mail Delivery Office, 7-13 Tomb Street, Belfast, BT1 1AA	
Date of Last Neighbour Notification	6th December 2022
Date of EIA Determination	6th September 2021
ES Requested	No
Drawing Numbers and Title	

Drawing Nos.

- 01 – Site Location Plan – Published 02.09.21
- 02A– Block Plan – Published 13.10.22
- 03B - Ground Floor Plan – Published 07.12.21
- 04a - First Floor Plan – Published 25.11.21
- 05a - Second to Fourth Floor Plan – Published 25.11.21
- 26 - Fifth and Sixth Floor Plan – Published 25.11.21
- 06a - Seventh to Eighth Floor Plan – Published 25.11.21
- 07a - Ninth to Tenth Floor Plan – Published 25.11.21
- 08a - Eleventh Floor Plan – Published 25.11.21
- 09a - Twelfth to Seventeenth Floor Plan – Published 25.11.21
- 10a - Eighteenth Floor and Roof Plan – Published 25.11.21
- 11a - Context Elevations – Published 25.11.21
- 12a - Elevation A Rev A (Corporation St) – Published 25.11.21
- 13a - Elevation B Rev A (Southern Elevation) – Published 25.11.21
- 14a - Elevation C Rev A (Tomb St) – Published 25.11.21
- 15b - Elevation D Rev B (Northern Elevation) – Published 20.06.22
- 16a - Elevation E Rev A – Published 25.11.21
- 17a - Elevation F Rev A – Published 25.11.21
- 18b - Elevation G Rev C (Courtyard Elevation) – Published 30.06.22
- 19a - Landscape Proposals Ground Floor Rev B – Published 26.11.21
- 20A - Landscape Proposals Level 11 - Roof Terrace – Published 09.11.21
- 21A - Landscape Proposals Level 18 - Roof Terrace – Published 09.11.21
- 22 - Landscape Details-Planters, Benches – Published 02.09.21
- 23 - Landscape Proposals-Concept – 02.09.21
- 24 - Landscape Details-Paving Published 02.09.21
- 25 - Section DD – Published 02.09.21
- 27 - Landscape Proposals – Level 9 Roof Terrace – Published 26.11.21
- 28 - General Arrangement Plan – Published 07.12.21
- 30 - Construction Details – Published 07.12.21
- 19-059-P-101 - Private Streets Determination – Stamped Drawing Published 22/06/22
- 31 – Coloured Elevation A (Corporation Street) Published 07.07.22
- 32 – Coloured Elevation B (Southern Elevation) Published 07.07.22
- 33 – Coloured Elevation C (Tomb Street) Published 07.07.22
- 34 – Coloured Elevation D (Northern Elevation) Published 07.07.22
- 35 – Coloured Elevation E (Internal Courtyard) Published 07.07.22
- 36 – Coloured Elevation F (Internal Courtyard) Published 08.07.22
- 37 – Coloured Elevation G (Internal Courtyard) Published 08.07.22