

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 16 <sup>th</sup> August 2022	
<b>Application ID:</b> LA04/2022/0023/O	
<b>Proposal:</b> Site for 15 storey residential development.	<b>Location:</b> Lands at Holmes Street to the rear of 15-21 Bruce Street Belfast.
<b>Referral Route:</b>	Major development
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Conway Estates Ltd 58 Moneymore Road Magherafelt BT45 6HG	<b>Agent Name and Address:</b> N/A
<p><b>Executive Summary:</b></p> <p>This application seeks outline planning permission for a 15 storey residential development.</p> <p>Details of scale and massing are to be determined now at this outline stage with siting, design, external appearance, access and landscaping being reserved for subsequent approval. Despite those matters being reserved, an indicative scheme has been submitted to help demonstrate that these can be achieved safely.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of residential use at this location;</li> <li>• Scale, Massing and Design;</li> <li>• Impact on Built and Archaeological Heritage;</li> <li>• Traffic and Road Safety;</li> <li>• Flooding and Drainage;</li> <li>• Amenity and Open Space</li> <li>• Human Health;</li> <li>• The consideration of developer contributions;</li> <li>• Pre-application Community Consultation;</li> </ul> <p>The site is within the development limits and within the city centre of Belfast in BUAP and both versions of Draft BMAP (2004 and 2014). The site is un-zoned “whiteland” within BUAP; un-zoned “whiteland” but also within the main office area/ Commercial District Character Area in dBMAP (2004); and zoned for Uncommitted Housing under CC04/01. It is also within the Commercial District Character Area in dBMAP (2015).</p> <p>The site is in the Linen Conservation Area.</p>	

The site is a central and sustainable location for residential development and the proposal would support increased city centre level in line with the *Belfast Agenda*. The principle of residential use here is considered acceptable.

Having regard to the location of the site and its surrounding context which includes a number of tall buildings, it is considered that the site can accommodate a building of the scale and massing proposed in keeping with the character and appearance of the area. The detailed design of the building would be subject to reserved matters approval.

The proposal would have an estimated construction cost of £6 million. Approximately 400 construction jobs would be created. The operational phase will deliver approximately 4 FTE jobs.

Consultees including DfI Roads, NIEA, Historic Environment Division, NI Water, DfI Rivers, the Council's Landscape Team, Environmental Health Department and Economic Development team have no objection to the proposal subject to conditions. The Conservation Officer raises concerns about the proposal. These consultations are detailed in the main body of the report.

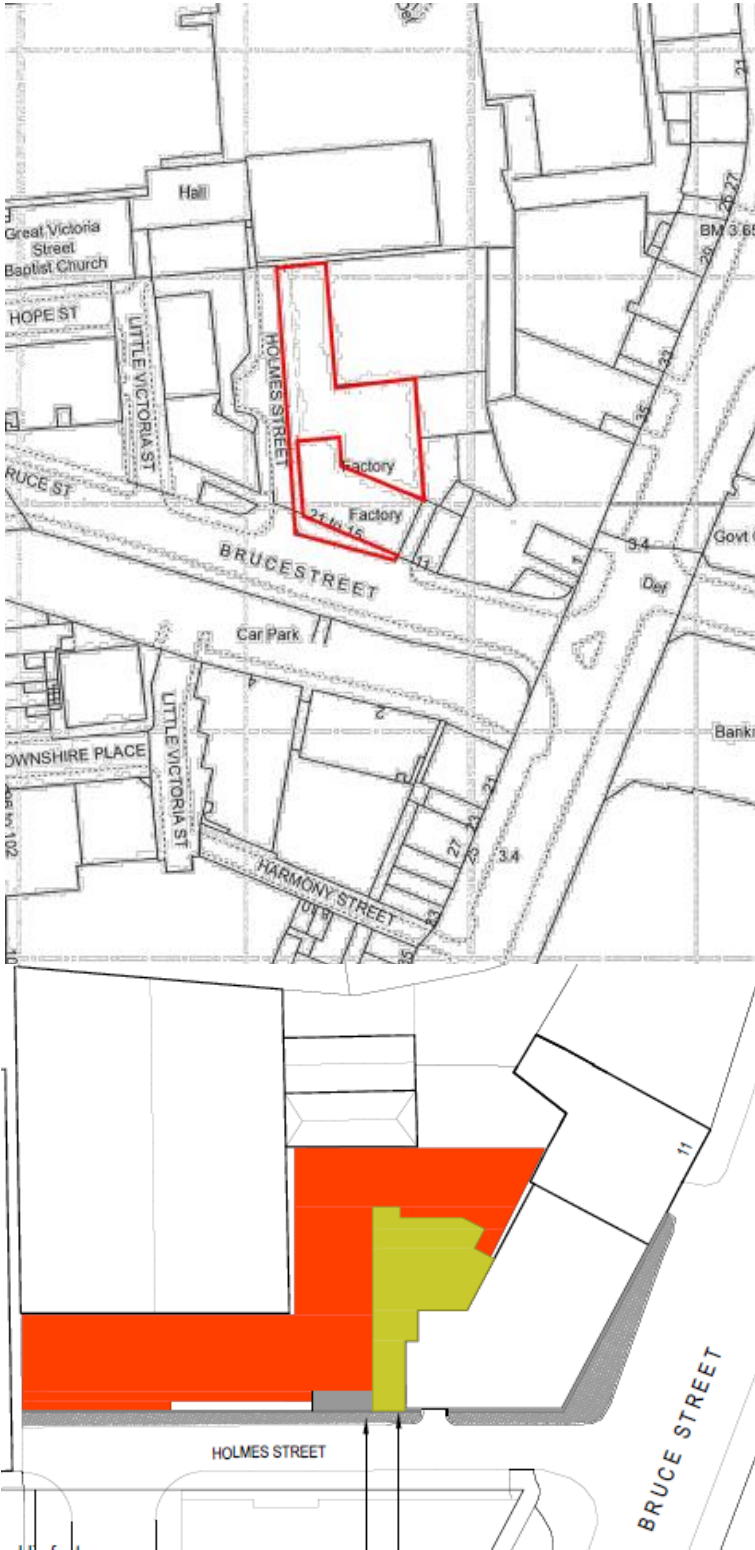
One objection has been received and is detailed in section 7.0 of the report.

The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), PPS3, PPS6, PPS7, PPS8, PPS12, PPS13 and PPS15.

Having regard to the Development Plan, and other material considerations, the proposed development is acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is requested for the Director of Planning and Place to finalise the wording of conditions and completion of a Section 76 planning agreement to secure a developer contribution towards Employability and Skills during the construction phase of the development.

Case Officer Report

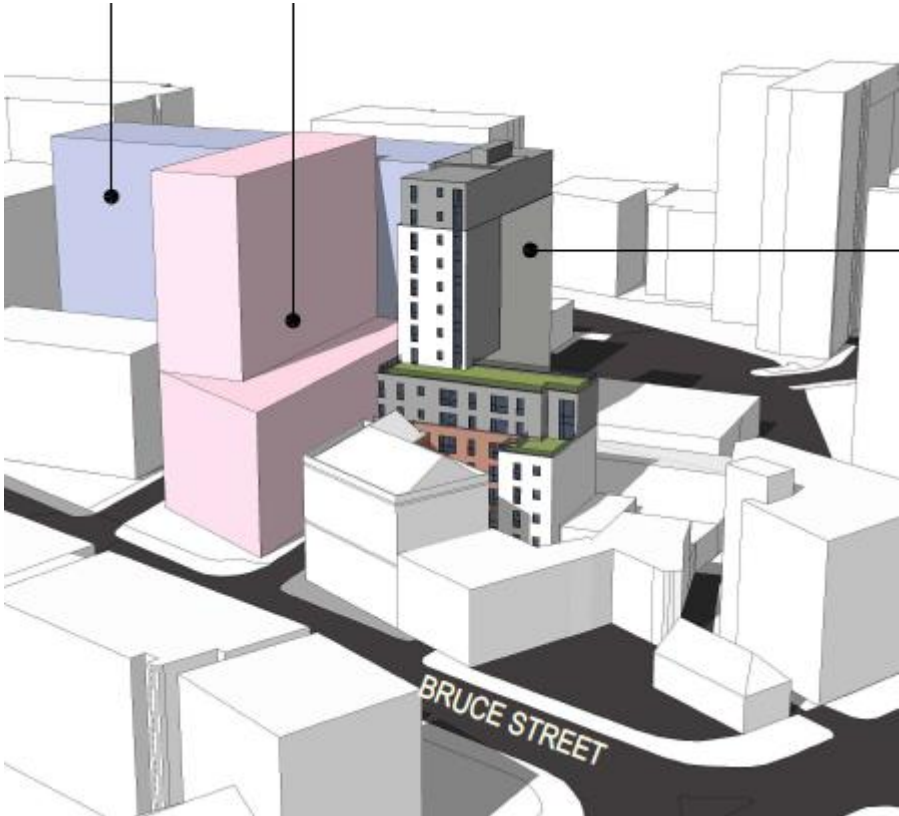
Site Location Plan/Site Layout/Elevations





HOLMES STREET ELEVATION

Indicative elevation (above)





Indicative 3D views (above)



Indicative CGIs (above)

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b><u>Description of Proposed Development</u></b>
1.1	The description of the proposal is: ' <i>Site for 15 storey residential development.</i> '
1.2	The application seeks outline planning permission to establish approval for scale and massing with siting, design, external appearance, access and landscaping being reserved for subsequent approval. Despite those matters being reserved, an indicative scheme has been submitted to help demonstrate that this can be achieved safely.
1.3	The indicative scheme shows 32no. 1-bedroom apartments, 35no. 2-bedroom apartments and 1no. studio apartment however as the number of apartments is reserved; this may differ at Reserved Matters stage.
1.4	The indicative scheme contains a single apartment at ground floor, bin and cycle storage and the entrance to the scheme facing on to Holmes Street. Due to the irregular shape of the site, there are a further 3 apartments which face onto a small area of communal open space around a courtyard.
1.5	There are roof terrace gardens on the 1 <sup>st</sup> , 5 <sup>th</sup> and 7 <sup>th</sup> floors totalling approximately 385 sq. m of outdoor communal space.
1.6	A PAD was submitted in 2019 (LA04/2019/2048/PAD) which explored the height, massing and residential use on this site.
<b>2.0</b>	<b><u>Description of Site and Area</u></b>
2.1	The site is 0.075 Hectares, relatively flat and currently used as a surface carpark with approximately 25 spaces.
2.2	The site is located on a small cul de sac (Holmes Street) which is bounded on one side by the student accommodation under construction (LA04/2021/2242/F) which will be 15 storeys. As you enter the street, straight ahead is the LIFE Church site with 2-storey buildings. There is a four-storey redbrick building known as the 'Creations Building' on the corner of Holmes Street and Bruce Street. This was formerly occupied by a furniture shop but is currently vacant.
2.3	The area is predominantly commercial however there are residential uses within a short walk most noticeably off the Dublin Road and Sandy Row.
2.4	The site is within the Linen Conservation Area.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b><u>Planning History</u></b> Full details of the planning history are provided at Annex A. Recent and specific planning decisions relevant to consideration of the application are detailed below:
3.1	<u>Application Site</u> Ref ID: LA04/2019/1459/PAN Proposal: Outline residential development Address: Lands at Holmes Street, to the rear of No.15-21 Bruce Street, Belfast., Decision: PAN Acceptable Decision Date: 03.07.2019

3.2	<p><u>Adjacent Site</u>  Ref ID: LA04/2021/2242/F  Proposal: Erection of new 15no storey purpose-built student accommodation building and associated development (amended scheme from that previously approved under application reference LA04/2018/2602/F)  Address: Lands bounded by Little Victoria Street Bruce Street and Holmes Street Belfast  Decision: Permission Granted  Decision Date: 18.03.2022</p>
3.3	<p>Ref ID: LA04/2018/2602/F  Proposal: Demolition of existing building at lands bound by Little Victoria Street, Bruce Street &amp; Holmes Street and erection of new 15No. storey purpose-built student accommodation building.  Address: Lands bounded by Little Victoria Street Bruce Street and Holmes Street Belfast  Decision: Permission Granted  Decision Date: 30.03.2021</p>
4.0	<p><b>Policy Framework</b></p>
4.1	<p>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>
4.2	<p>Regional Development Strategy 2035  Strategic Planning Policy Statement for Northern Ireland (SPPS)  Planning Policy Statement 2 – Natural Heritage  Planning Policy Statement 3 – Access, Movement and Parking  Planning Policy Statement 6 – Planning, Archaeology, and the Built Environment  Planning Policy Statement 7 – Quality Residential Environments  Planning Policy Statement 8 – Open Space  Planning Policy Statement 12 – Housing in Settlements  Planning Policy Statement 15 – Planning and Flood Risk  Creating Places: Achieving Quality in Residential Developments (2000)  Parking Standards (former Department of Environment)  Developer Contribution Framework (adopted 2020)</p>
5.0	<p><b><u>Statutory Consultees</u></b>  <b>Dfl Roads</b> – no objections in principle, subject to conditions  <b>Dfl Rivers</b> – no objections  <b>NIEA Water Management Unit</b> – no objection subject to NIW response  <b>NIW</b> – No objection  <b>Historic Environment Division</b> – no objection  <b>NIHE</b> – recommend social housing</p>
6.0	<p><b><u>Non-Statutory Consultees</u></b>  <b>Environmental Health BCC</b> – no objection subject to conditions  <b>Landscape BCC</b> – no objection  <b>Conservation Officer</b> – raises concerns about the design of the proposal and impact on the Conservation Area (these issues are addressed in the main report)  <b>Economic Development</b> – no objection subject to Section 76 clause to secure Employability and Skills during construction</p>

<p><b>7.0</b></p> <p>7.1</p> <p>7.2</p>	<p><b><u>Representations</u></b></p> <p>One representation has been received. The issues raised are summarised as follows:</p> <ol style="list-style-type: none"> <li>1. Lack of parking</li> <li>2. Inappropriate to have residential at ground floor</li> </ol> <p>These issues are considered in the main body of the report.</p>
<p><b>8.0</b></p> <p><b>8.1</b></p> <p>8.1.1</p> <p>8.1.2</p> <p>8.1.3</p> <p><b>8.2</b></p> <p>8.2.1</p> <p>8.2.2</p> <p><b>8.3</b></p> <p>8.3.1</p>	<p><b><u>ASSESSMENT</u></b></p> <p><b><u>Development Plan</u></b></p> <p>Section 45 (1) of the Planning Act (NI) 2011 requires the Council to have regard to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Following the Court of Appeal decision that quashed the adoption of the Belfast Metropolitan Area Plan 2015, the extant Development Plan is now the Belfast Urban Area Plan 2001 (BUAP). Both the draft Belfast Metropolitan Area Plan 2015 (dBMAP v2004) and Belfast Metropolitan Area Plan (dBMAP v2014) are material considerations. The weight to be afforded the draft Belfast Metropolitan Area Plan is a matter of judgement for the decision maker. The Committee is advised that significant weight should be afforded to the latest version of dBMAP 2015 (v2014) given the advanced stage it reached in the adoption process and that the only outstanding areas of contention related to retail policies at Sprucefield, Lisburn.</p> <p>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 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> <p><b><u>Strategic Planning Policy Statement</u></b></p> <p>The SPPS sets out five core planning principles for the planning system, including improving health and wellbeing, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.</p> <p>Paragraphs 4.11 and 4.12 of the SPPS require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported.</p> <p><b><u>The principle of a residential use at this location</u></b></p> <p>The site is within the development limits and within the city centre of Belfast in BUAP, and both versions of Draft BMAP (2004 and 2014). The site is un-zoned "whiteland" within BUAP; un-zoned "whiteland" but also within the main office area/ Commercial District Character Area in dBMAP (2004); and zoned for Uncommitted Housing under CC04/01. It is also within the Commercial District Character Area in dBMAP (2015).</p>



8.3.2	The site is designated as an 'Uncommitted Housing Site' in both versions of dBMAP. As no objections were received to the zoning, this is considered to carry significant weight.
8.3.3	The site is a central and sustainable location for residential development and the proposal would support increased city centre level in line with the <i>Belfast Agenda</i> . Having regard to the above considerations, the principle of residential use here is considered acceptable.
<b>8.4</b>	<b><u>Scale and Massing</u></b>
8.4.1	The scale and massing of the building are to be determined at this outline stage. A <i>Height Parameters Plan</i> has been provided which proposes heights of between 6m and 50m with 6m being the smallest, one storey element beside the courtyard, 24m for the 7-storey element, 48m for the 15 storey element and a further 2m in a restricted area for roof plant. Compliance with the Height Parameters Plan will be secured via condition.
8.4.2	There are relevant nearby planning permissions for buildings of height in the vicinity of the site such as the adjacent student accommodation to the west, which is under construction and is 15 storeys (51m-54m). There is also a recent approval for a 41.5m aparthotel to the rear of 29-33 Bedford Street under LA04/2020/0659/F. The LIFE Church Street is to the north and north-west of the site and contains 2-storey buildings. The Creations Building is 4-storeys.
8.4.3	Planning Policy Statement 7 (PPS 7) relates to quality in housing developments. PPS 7 objectives place emphasis on achieving quality residential development not only in terms of respecting local character and amenity but also the developments themselves should be attractive for prospective residents. Policy QD1 lists 9 criteria with which all proposals for residential development must conform. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations.
8.4.4	<u>Criterion (a)</u> of QD1 of PPS 7 requires the development to respect the surrounding context and to be appropriate in terms of layout, scale, massing, appearance and surfacing. The application is outline and therefore detailed matters are reserved for subsequent applications. The general arrangement, scale, height and separation distances are however provided to allow for full assessment of the potential impacts the development may have. These are considered to be appropriate for the context of the site.
8.4.5	<u>Criterion (b)</u> requires features of the archaeological and built heritage and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development. These considerations are dealt with in the later section of this report.
8.4.6	<u>Criterion (c)</u> requires adequate provision for public and private open space and landscaped areas as an integral part of the development. The indicative scheme indicates 385sqm of shared open space of which 256sqm is private, shared open space and 129sqm is public shared open space. In addition to the public amenity space, there are 17 no apartments with private amenity space which are on average 8.5sqm. As the indicative scheme contains 68 dwellings, this equates to approximately 5.6m of shared open space per apartment. This is below the minimum recommended standard of 10sqm in Creating Places, however, this is a matter of detail which can be reappraised and addressed at the reserved matters stage. There is no commitment to the number of residential units or average amenity space at this time.
8.4.7	<u>Criterion (d)</u> relates to the provision of local neighbourhood facilities. Given the city centre location, the development is considered to have very good access to facilities and it is unnecessary to require further facilities as part of the development.

8.4.8	<u>Criteria (e) and (f)</u> require adequate and appropriate provision for parking, walking and cycling in conjunction with the policy requirements of Planning Policy Statement 3: Traffic Movement and Parking. DfI Roads were consulted and have no objection in relation to access and parking. The site is highly accessible and considered acceptable with regard to criteria (e) and (f).
8.4.9	<u>Criterion (g)</u> relates to design and materials. This proposed design and materials have been reserved however there are indicative designs within the concept drawings which show a variety of materials such as red brick, dark grey cladding panels, and smooth render with consideration of the adjacent Creations building within the Conservation Area. Ultimately, these are matters for subsequent approval.
8.4.10	<u>Criterion (h)</u> deals with the impact the development may have on adjacent land uses and residents. The site is adjacent to commercial buildings and also student accommodation which is under construction. Taking into account the proposed layout, and separation distances and the nature of the proposed use, it is considered that the site can accommodate a building of the parameters proposed without undue impact in terms of overlooking, loss of light, overshadowing, noise or other disturbance. The detailed aspects of the scheme will be subject to subsequent approval.
8.4.11	In addition to Policy QD1, Criterion (c) of the Addendum to PPS 7 states that all dwelling units and apartments must comply with the space standards set out in Annex A of PPS 7. Due to the city centre location, the standards do not strictly apply however they do provide a useful guide and the units within the proposed scheme all meet or exceed the minimum sizes. The application does not propose a specific number or type of units and this is a matter for subsequent approval. A condition is recommended requiring an appropriate mix and balance of uses at the detailed design stage.
8.4.12	Northern Ireland Housing Executive (NIHE) was consulted and identified housing need in the area. This response was provided to the applicant who stated that they did not intend to provide affordable housing. As there is no policy requirement at this time, the Council cannot insist that affordable housing is provided as part of the scheme.
<b>8.5</b>	<b><u>Impact of the character and appearance of the Conservation Area</u></b>
8.5.1	Section 104 of the Planning (NI) Act 2011 requires that for conservation areas, special regard must be had to the desirability of (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; or (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.
8.5.2	The Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) is an important material consideration. The SPPS contains a policy direction reflecting Section 104 of the 2011 Act. Paragraph 6.18 of the SPPS advises that in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. It goes on to say that there will be a general presumption against the grant of planning permission for development where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest.
8.5.3	The proposed building should be considered having regard to the SPPS and Policy BH12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS 6). Policy BH12 requires new development to preserve or enhance character and appearance and be sympathetic to characteristic built form. The site is located within the Linen Conservation Area as designated in the BUAP and dBMAP.

8.5.4	<p>Policy BH12 of Planning Policy Statement 6 (PPS6) details criteria for new development in the conservation area. This policy contains a number of criteria which are applied to proposals in the Conservation Area. For ease of reference, proposal will be considered in turn under each criterion.</p> <p><b>(a) the development preserves or enhances the character and appearance of the area;</b>  <b>(b) the development is in sympathy with the characteristic built form of the area</b>  <b>(c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area</b></p>
8.5.5	<p>It is considered that the proposed building would be in keeping with the character and appearance of the area which includes building of substantial height and similar scale. The site is a small, semi-back-land site which is tucked away on a small cul-de-sac without any frontage on to the main routes of the Conservation Area. The detailed design of the building will be subject to separate reserved matters approval. The character and appearance of the Conservation Area would be preserved.</p>
8.5.6	<p>The Conservation Officer (CO) was consulted and advises that the Linen Conservation Area is characterised by:</p> <ul style="list-style-type: none"> <li>• Order and unity denoted by a strong base, middle and attic treatment with minor and major cornice</li> <li>• A rhythm of bays often expressed on the façade with pilasters</li> <li>• vertical expression to bays and openings of a human scale</li> <li>• A broken roof silhouette.</li> <li>• A high solid to void ratio with load bearing walls faced in brick.</li> </ul>
8.5.7	<p>The CO states that in terms of a hierarchy of heights, Holmes Street would ideally be subservient to Bruce Street. Whilst this is an accepted principle, the locale is notable for tall, back-land development such as the recently approved aparthotel at 31-33 Bedford Street and the Park Inn Hotel at Clarence Street West.</p>
8.5.8	<p>The CO expresses concern regarding the indicative ground floor use (residential and storage/plant) having a deadening effect on the frontage. This is a valid concern and one that was discussed with the applicant and agent. The argument put forward was that due to the cul de sac location, retail or commercial use would not be viable and that office use would not contribute any more than residential would in terms of vibrancy. Given the small footprint of the site and unusual circumstances of the city centre cul de sac, this is considered appropriate. The precise detail of the ground floor and activation of the street are matters for subsequent approval.</p>
8.5.9	<p>The CO provides further advice in terms of design, however, the detailed design of the building will be subject to separate reserved matters consideration and this will involve further consultation with the CO. In summary, it is considered that the character and appearance of the Conservation Area would be preserved.</p>
8.5.10	<p><b>d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;</b>  Environmental Health has not raised any concerns subject to conditions regarding contamination and noise.</p>
8.5.11	<p><b>(e) important views within, into and out of the area are protected;</b>  The CO notes that key views which have not been identified in the Design and Access Statement include the junction of Adelaide Street and Ormeau Avenue, junction of</p>

	Clarence Street West and Bedford Street and junction of Great Victoria Street and Bruce Street.
8.5.12	Having considered these key viewpoints, officers are content that the views would not be impacted adversely by the proposal. The combination of the Bedford Yard hotel approval and Bruce Street student accommodation approval would mean that the proposed building would sit comfortably within its setting and not adversely impact on these views.
8.5.13	The regeneration of the site along with adjacent sites will be beneficial, including the proposed public realm.
	<b>(f) trees and other landscape features contributing to the character or appearance of the area are protected;</b>
8.5.14	There are no landscape features on the site.
	<b>g) the development conforms with the guidance set out in conservation area documents.</b>
8.5.15	The Linen Conservation Area document contains development guidelines which state that: new development should relate sympathetically to the immediate surroundings. The Linen Conservation Area document makes reference to opportunities for public realm enhancement (new paving, seating, lighting and planting etc.) and the proposal includes new public realm improvements around the building including new paving and landscaping. It is considered that the proposals are consistent with the guidance.
8.5.16	It is considered that the proposal, by reason of its nature and the context of the site, would not readily provide opportunity for enhancement of the Conservation Area. However, having regard to the above analysis, it is considered that the character and appearance of the Conservation Area would be preserved. The proposal is therefore considered compliant with SPPS para 6.12 and Policy BH12 of PPS 6.
<b>8.6</b>	<b><u>The impact of the proposal on the setting of Listed Buildings</u></b>
8.6.1	The application site is in close proximity to / impacts upon a number of listed buildings which are of special architectural or historic interest and is protected by Section 80 of the Planning Act (NI) 2011. The Listed Buildings below are notable due to their proximity with/from the application site: <ul style="list-style-type: none"> <li>• HB26 30 060 35-37 Bedford Street, Belfast Grade B2</li> <li>• HB26 30 015 A 21 Bedford Street, Belfast Grade B2</li> <li>• HB26 30 015 B 23 Bedford Street, Belfast Grade B2</li> <li>• HB26 30 015 C 25 Bedford Street, Belfast Grade B2</li> <li>• HB26 30 106 BBC Broadcasting House, Ormeau Ave Grade B1</li> <li>• HB26 30 014 The Thompson Memorial Fountain, Ormeau Ave Grade B1</li> </ul>
8.6.2	Historic Environment Division (HED) was consulted and advises that ' <i>HED (Historic Buildings) acknowledge this is an Outline application and this is not the appropriate format for fully resolved scheme designs... ..it is our consideration that the proposal will not significantly harm the essential character of the setting of the surrounding listed buildings. This assessment is based on the applications sites location in that the development will not interrupt designed, sequential or consequential important views onto, including the experience and understanding of, any of the surrounding listed buildings. That is, there is no visual competition affecting the ability to discern or interpret the listed buildings.</i> '
8.6.3	HED ' <i>also acknowledges that there is a 'spine' of tall buildings within the area, notably between Bedford Street to Brunswick Street (east to west orientation) and from James Street South to Clarence Street West (north to south orientation). The site, while outside</i>

	<i>this direct block of streets, is within the alignment of Bedford Street to Brunswick Street (east to west orientation) and could be considered part of this existing defined space within which tall buildings are situated. An important aspect of the tall buildings within this defined contextual space is their location within 'backland' development plots, i.e. they sit behind the main heritage buildings (both listed and non-listed) which are the frontage to Bedford Street. Notably from Bedford Street / Franklin Street junction to the Bedford Street / Ormeau Avenue junction'.</i>
8.6.4	Having regard to the advice from HED, the proposal is considered compliant with SPPS para 6.12 and Policy BH11 of PPS 6. The setting of Listed Buildings would not be harmed.
	<b><u>The impact of the proposal on Archaeological Heritage</u></b>
8.7	HED: Historic Monuments states in their response that: <i>'The application site contains the location of a former weaving factory (IHR 10133) which is a site of industrial archaeology interest on the Department's Industrial Heritage Record. PPS 6 Policy BH2 applies.'</i>
8.7.1	
8.7.2	It further advises that it is <i>content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works, including an Industrial Archaeology survey and a mitigation strategy focussing on the industrial archaeological remains of the site. This is to identify and record any industrial archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6'.</i>
8.7.3	Subject to condition, the proposal is considered to satisfy Policies BH2 and BH4 of PPS 6.
8.8	<b><u>Landscaping and Open Space</u></b>
8.8.1	The Council's Landscape Planning and Development team was consulted. It notes that the provision of open space is below the minimum 10%.
8.8.2	It <i>'welcomes the inclusion of public realm proposals and private communal open space as an integral part of the proposals. We are encouraged that there is a small additional area set aside on Bruce Street, in front of the Creations building, with the potential to create new high quality public realm'.</i>
8.8.3	It notes that the application is in outline and recommends that at Reserved Matters stage that detailed landscape proposals including planting and schedules, paving, street furniture, lighting and boundary treatments are provided.
8.8.4	Public Realm improvements are proposed which include the corner of Bruce Street and Holmes Street. This will be secured via planning condition.
8.8.5	Policy OS2 of PPS 8: Open Space, Sport and Outdoor Recreation states that on sites with 25 units or more or on 1ha or more should provide 10% open space. There is provision for exceptions for city centre locations and schemes that provide good levels of private amenity space. The proposal does not provide any specific open space and this is to be expected given the nature of the development as a single block apartment scheme in a city centre location. The Council will be able to ensure appropriate levels of private amenity space at the reserved matters stage.
8.8.6	Given the public realm proposals, the city centre location and small footprint of the site, this is considered acceptable.
8.9	<b><u>Traffic, Movement and Parking</u></b>
8.9.1	DfI Roads were consulted on the current proposal and requested further information such as an amended Transport Assessment Form, Transport Assessment, Service Management Plan and provision of green travel measures. These were subsequently provided.

8.9.2	<p>The applicant has proposed provision of the following Green Travel Measures to mitigate the lack of parking provided with the scheme:</p> <ol style="list-style-type: none"> <li>1. Membership of a bike scheme such as Belfast Bikes for 3 no years</li> <li>2. A 3-year Residential Travel Card scheme</li> <li>3. 50% subsidy of Car Club membership</li> <li>4. Residential Travel Plan</li> </ol>
8.9.3	<p>These measures will be secured via Section 76 agreement.</p>
8.9.4	<p>The site is located within an area of parking restraint and there is no parking proposed within the development. However, this is considered appropriate given the highly sustainable location of the site, proximity to the proposed transport hub and current transport links and the provision of the proposed green travel measures.</p>
8.9.5	<p>Dfl Roads provided a final response of no objections subject to a number of conditions.</p>
<b>8.10</b>	<b><u>Contaminated Land</u></b>
8.10.1	<p>The application is supported by a Contaminated Land Risk Assessment which has been considered by Environmental Health. Environmental Health offers no objection and a condition is included to require submission of a Verification Report to demonstrate compliance with the remedial measures.</p>
<b>8.11</b>	<b><u>Noise</u></b>
8.11.1	<p>Environmental Health has reviewed the applicant's Noise Impact Assessment and advised that it meets the relevant requirements.</p>
8.11.2	<p><i>They state that 'having reviewed the information, it is noted that a high specification of double glazing with a Ctra specification rating as well as alternative means of ventilation will be required to ensure suitable internal noise levels can be achieved in habitable rooms to prevent adverse noise impact for future users'.</i></p>
8.11.3	<p>Conditions are duly included to ensure appropriate glazing, ventilation and glazing barriers for external balcony areas.</p>
<b>8.12</b>	<b><u>Air Quality</u></b>
8.12.1	<p>Environmental Health has reviewed the proposal and recommends a condition in the event that any centralised combustion sources are proposed.</p>
<b>8.13</b>	<b><u>Site Drainage/Flood Assessment</u></b>
8.13.1	<p>The application is supported by a Flood Risk Assessment and Drainage Assessment. The proposal has been considered against Policy FLD 3 of Revised PPS15. DFI Rivers advises that the Flood Risk Assessment is deemed to be robust with regards to managing flood risk.</p>
8.13.2	<p>DFI Rivers has no objection subject to condition to require a final drainage assessment.</p>
<b>8.14</b>	<b><u>Wastewater Infrastructure and Water Supply</u></b>
8.14.1	<p>DAERA NIEA Water Management Unit cited concern over the potential impact on sewage loading to Belfast wastewater treatment works (WWTW), however, their response states that subject to an acceptable response from NI Water, that they would have no objection</p>
8.14.2	<p>NI Water advises that the waste-water treatment capacity is not currently available to support the proposed development. However, it confirms that it has a programme for WWTW improvements which will increase capacity over the coming years. NI Water also states that there are network capacity issues. NI Water advises that they are content to</p>

	support the application subject to two Grampian conditions which require the developer to provide full details of wastewater treatment and disposal and full details of disposal to the drainage network in advance of occupation.
8.15.2	Given NI Water's confirmation that capacity will be increased and that the proposed building is highly unlikely to be occupied until after June 2023 when some additional capacity will be in place, together with the existence of a considerable number of unimplemented residential and commercial planning permissions across the city which represents a fall-back for connection to the public drainage system, it would be unreasonable to impose the conditions suggested by NI Water. Furthermore, NI Water has not provided specific and robust evidence of detriment.
<b>8.15</b>	<b><u>Economic Considerations.</u></b>
8.15.1	The proposal would have an estimated construction cost of around £6 million. Approximately 400 construction jobs would be created. The operational phase would deliver approximately 4 FTE jobs.
8.15.2	The Council's Economic Development Team was consulted and recommends a clause requiring developer contributions towards employability and skills for the construction phase of the development which will be secured via Section 76 planning agreement.
<b>8.16</b>	<b><u>Pre-Community Consultation</u></b>
8.16.1	For applications that fall within the major category a prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on the applicant for planning permission to consult the community in advance of submitting an application.
8.16.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2019/1459/PAN) was submitted to the Council on 20 June 2019 and was deemed acceptable on 03 July 2019.
8.16.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which details a public event, social media, leaflets and the public advertisement.
8.16.4	Of the feedback received, lack of parking, potential closure of Holmes St to traffic, impact on LIFE church, sewage capacity and infrastructure complaints, impact on existing fire exit and impact of construction on nearby buildings were raised.
8.16.5	The applicant deals with each of these issues in the PACC report and all material considerations are detailed above in the case officer consideration.
8.16.6	It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
<b>10.0</b>	<b>Summary of Recommendation:</b>
10.1	Having regard to the Development Plan, and other material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions.

10.2	Delegated authority is requested for the Director of Planning and Place to finalise the wording of conditions and completion of a Section 76 planning agreement to secure a developer contribution towards Employability and Skills during the construction phase of the development.
11.0	<p><b>Proposed Conditions:</b></p> <p>11.1 The development hereby permitted must be begun by the following, whichever is the later.</p> <ul style="list-style-type: none"> <li>• Five years from the date of this permission; or</li> <li>• The expiration of two years from the date of approval of the last of the reserved matters</li> </ul> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>11.2 Application/s for approval of the reserved matters shall be made to the Council within three years from the date of this permission.</p> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>11.3 The under-mentioned reserved matters shall be as may be approved, in writing, by the Council: -</p> <p>Siting; the two dimensional location of buildings within the site.</p> <p>Design; the two dimensional internal arrangement of buildings and uses and the floor space devoted to such uses, the three dimensional form of the buildings and the relationship with their surroundings including height, massing, number of storeys, general external appearance and suitability for the display of advertisements.</p> <p>External appearance of the Buildings; the colour, texture and type of facing materials to be used for external walls and roofs.</p> <p>Means of Access; the location and two dimensional design of vehicular and pedestrian access to the site from the surroundings and also the circulation, car parking, facilities for the loading and unloading of vehicles and access to individual buildings within the site.</p> <p>Landscaping; the use of the site not covered by building(s) and the treatment thereof including the planting of trees, hedges, shrubs, grass, the laying of hard surface areas, the formation of banks, terraces or other earthworks and associated retaining walls, screening by fencing, walls or other means, the laying out of gardens and the provisions of other amenity features.</p> <p>Reason: To enable the Council to consider in detail the proposed development of the site.</p> <p>11.4 The scale and height of the development shall not exceed that shown on the Height Parameters Plan No 15 uploaded on 21 July 2022.</p> <p>Reason: To ensure an appropriate form of development in the Conservation Area.</p> <p>11.5 Notwithstanding the submitted details, the number, type and mix of residential units shall not be provided unless in accordance with details that shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: To ensure the delivery of quality residential accommodation</p>



11.6	<p>A Private Streets Determination for the provision of a 2.0m wide footway across the Holmes Street frontage of the site, shall be submitted to and approved by the Council at reserved matters stage. The development shall not be carried out unless in accordance with the approved details.</p>
	<p>Reason: To ensure the provision of an adequate footway along the development frontage in the interests of road safety and the convenience of road users.</p>
11.7	<p>The development hereby permitted shall not be occupied until adequate provision has been made for covered and secure cycle parking the details of which will be determined at Reserved Matters stage.</p>
	<p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p>
11.8	<p>Prior to occupation, a Final Service Management Plan shall be submitted to and approved in writing by the Council. This shall be based on the Service Management Plan published by the Council on EPIC on the 2<sup>nd</sup> February 2022. The development shall not be operated unless in accordance with the approved Final Service Management Plan.</p>
11.8	<p>Reason: To ensure adequate servicing arrangements for the development.</p>
	<p>Prior to the commencement of any of the approved development on site, a final drainage assessment, compliant with Annex D of PPS 15 and Sewers for Adoption Northern Ireland 1st Edition and containing a detailed drainage network design including a demonstration of how out of sewer flooding will be safely manage, shall be submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p>
	<p>Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.</p>
11.9	<p>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 McCloy Consulting Ltd report entitled 'Contaminated Land Risk Assessment, Holmes Street, Belfast, M01822-03_DG01, October 2021', and clarified within the subsequent McCloy Consulting Ltd letters (dated 7th June 2022 and 18th July 2022) and email (dated 20th July 2022) have been implemented.</p>
	<p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential with homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken.</p>
	<p>The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that:</p> <ul style="list-style-type: none"> <li>a) A minimum 800mm clean cover system has been emplaced in any private garden areas (including a 200mm capillary break layer formed from clean stone at the base), formed from material that is demonstrably suitable for use (residential with homegrown produce).</li> <li>b) A minimum 450mm clean cover system has been emplaced in any communal green spaces or soft landscaping areas (overlying a capillary break layer formed from clean stone at the base), formed from material that is demonstrably suitable for use (residential with homegrown produce).</li> <li>c) All clean cover systems are underlain by a geo-membrane.</li> </ul>

11.10	<p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p> <p>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. This new contamination shall be 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.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
11.11	<p>Prior to installation of any glazing and the required alternative means of ventilation, a report detailing the final glazing schedule and alternative means of ventilation shall be submitted to and approved in writing by the Council. This schedule must demonstrate that the glazing and alternative means of ventilation meet the minimum sound reduction values (Ctr<sub>a</sub>) to all facades, as presented in Irwin Carr Consulting Noise Impact Assessment dated 12th October 2021, titled: Noise Impact Assessment Holmes Street, Belfast. Report No. RP004N 20191, 57 (Holmes Street) – Section 6.0 - Table 7: Recommended Glazing.</p> <p>Prior to occupation of the hereby permitted development:</p> <ol style="list-style-type: none"> <li>1. The approved final glazing schedule and approved alternative means of ventilation shall be installed.</li> <li>2. The developer shall submit to the Council for approval, verification that the glazing schedule and alternative means of ventilation, as approved, have been installed. This should be by way of a written declaration from the supplier and installation contractor confirming such installation.</li> <li>3. A 1.2m high glazing barrier with no gaps shall be installed to the rear external balcony areas as detailed in Appendix E – Glazing Data Sheets of Irwin Carr Consulting Noise Impact Assessment.</li> </ol> <p>All glazing and barriers must be maintained and retained in accordance with the approved details.</p> <p>Reason: Protection of residential amenity.</p>
11.12	<p>In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning &amp; Development Control: Planning For Air Quality (January 2017), an Air Quality Impact Assessment shall be submitted to and approved in writing by the Council prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development. The development shall not be carried out unless in accordance with the approved details.</p>

11.13	<p>Reason: In the interests of public health.</p> <p>The termination points of flues or vents associated with any combustion plant installed at the development shall be so located as to safeguard recreational areas such as terraces/balconies and neighbouring receptors against exceedances of Air Quality Strategy objectives. The suitability of the proposed combustion plant, flue location and flue termination height shall be confirmed using the emission screening tools detailed within the Defra Local Air Quality Management Technical Guidance document LAQM.TG(16). Where the emission screening tools are not applicable to the proposed development, suitability must be demonstrated using atmospheric dispersion modelling software. The emission screening tools and atmospheric dispersion modelling must demonstrate that there will be no exceedances of the UK Air Quality Strategy objectives at relevant receptor locations.</p>
11.14	<p>Reason: In the interests of public health and protection of residential amenity.</p> <p>Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawing 11 uploaded on 21 May 2022 have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> <li>1. Surface materials; and</li> <li>2. The design and provision of underground ducting.</li> </ol> <p>The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.</p>
11.15	<p>Reason: In the interests of the character and appearance and to enhance connectivity to and from the development.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council. The POW shall provide for:</p> <ul style="list-style-type: none"> <li>• The identification and evaluation of archaeological remains within the site;</li> <li>• Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;</li> <li>• Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and</li> <li>• Preparation of the digital, documentary and material archive for deposition;</li> </ul> <p>All construction thereafter must be in accordance with the approved POW.</p>
11.16	<p>Reason: To ensure that archaeological remains within the application site are properly identified, protected and appropriately recorded.</p> <p>A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under 11.2. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p>
11.17	<p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated, and the excavation archive is prepared to a suitable standard for deposition.</p> <p>Development shall not commence until full details of wastewater treatment / disposal have been submitted to and agreed in writing by the Council in consultation with NI Water.</p>

	Reason: To ensure appropriate wastewater treatment / disposal arrangements are in place.
<b>12.0</b>	<b>Representations from Elected Representatives</b> (if relevant) N/A
<b>13.0</b>	<b>Referral to Dfl</b> (if relevant) N/A

<b>ANNEX</b>	
<b>Date Valid</b>	6th January 2022
<b>Date First Advertised</b>	21st January 2022
<b>Date Last Advertised</b>	N/A
<b>Date of Neighbour Notification(s)</b>	19th January 2022
<b>Number of Neighbour Notifications</b>	19 with 1 objection
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	N/A
<b>Planning History</b>	
<p>Ref ID: LA04/2018/2170/F            Proposal: Change of use from retail to office use on all 4 floors. Roller shutters replaced with double doors.            Address: 17-21 Bruce Street, Belfast, BT2 7JD.,            Decision: Permission Granted            Decision Date: 07.01.2019</p> <p>Ref ID: LA04/2019/1459/PAN            Proposal: Outline residential development            Address: Lands at Holmes Street, to the rear of No.15-21 Bruce Street, Belfast.,            Decision: PAN Acceptable            Decision Date: 03.07.2019</p> <p>Ref ID: Z/2012/1315/F            Proposal: Change of use from disused retail warehouse and showrooms (class A1) to place of worship (suis generis) with ancillary uses including coffee bar, youth conference facilities (no external changes)            Address: 11 Bruce Street, Belfast,            Decision: Permission Granted            Decision Date: 17.04.2013</p> <p>Ref ID: Z/2008/2205/F            Proposal: Proposed office and retail development over 12 floors. Associated siteworks and roadworks. (Amended scheme reduced by two storeys)            Address: 5, 6, 7 Little Victoria Street, BT2 7JH and 23-29 Bruce Street, BT2 7JD            Decision: Permission Granted            Decision Date: 13.10.2014</p> <p>Ref ID: Z/2006/0162/O            Proposal: Erection of 6-storey building comprising 20 No. apartments with associated car parking (renewal of permission Z/2002/0347/O).            Address: 1-3 Holmes Street, Belfast, BT2            Decision: Permission Granted            Decision Date: 04.04.2006</p>	

Ref ID: Z/2002/0347/O

Proposal: Renewal of planning permission for the erection of 20 no. apartments with associated car parking (reference Z/98/2919)

Address: 1 Holmes Street, Belfast, BT2

Decision: Permission Granted

Decision Date: 20.08.2002