

## Development Management Report

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

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

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

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

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

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

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

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

### **Recommendation**

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

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, resolve the outstanding transport and children’s play equipment requirements and deal with any other issues that arise from the final consultation responses, provided that they are not substantive.

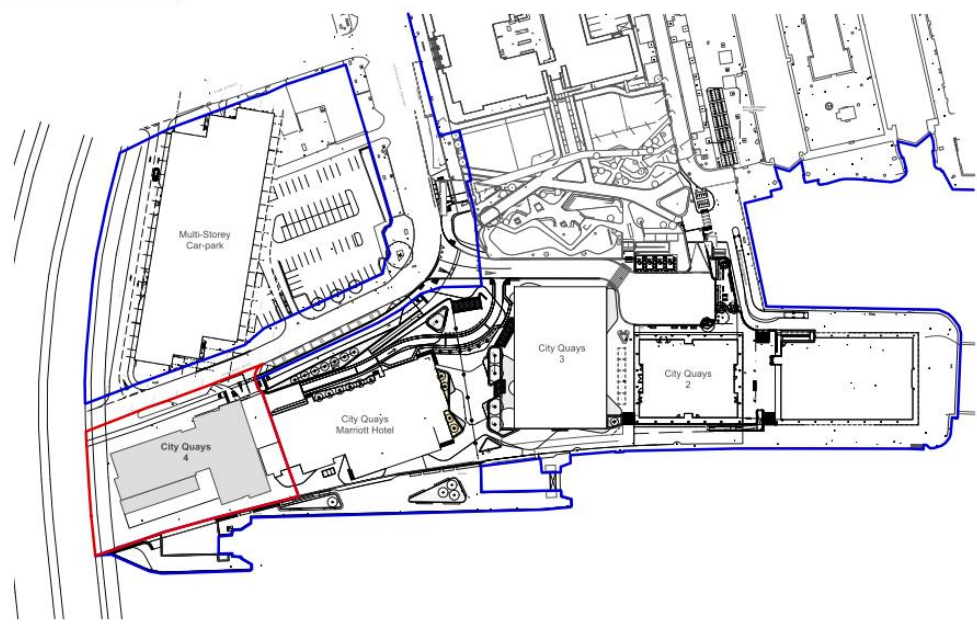
# DRAWINGS AND IMAGERY

## Site Location Plan:

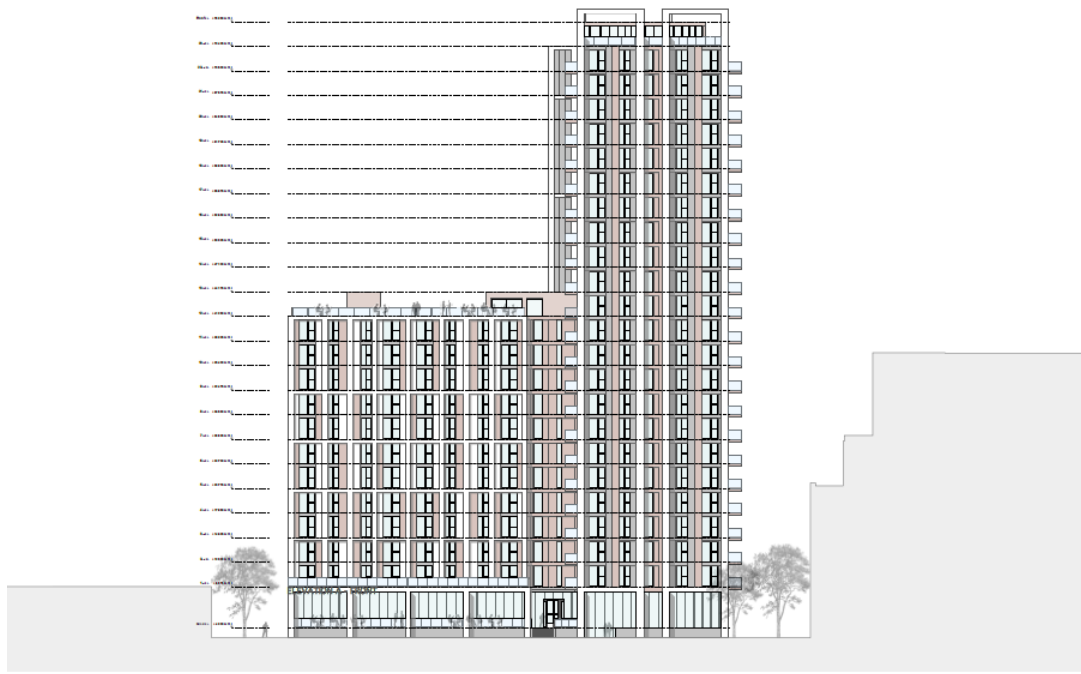
ALL INFORMATION ON THIS DRAWING IS UNLESS OTHERWISE SPECIFIED TO BE THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS DRAWING. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS DRAWING. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS DRAWING.



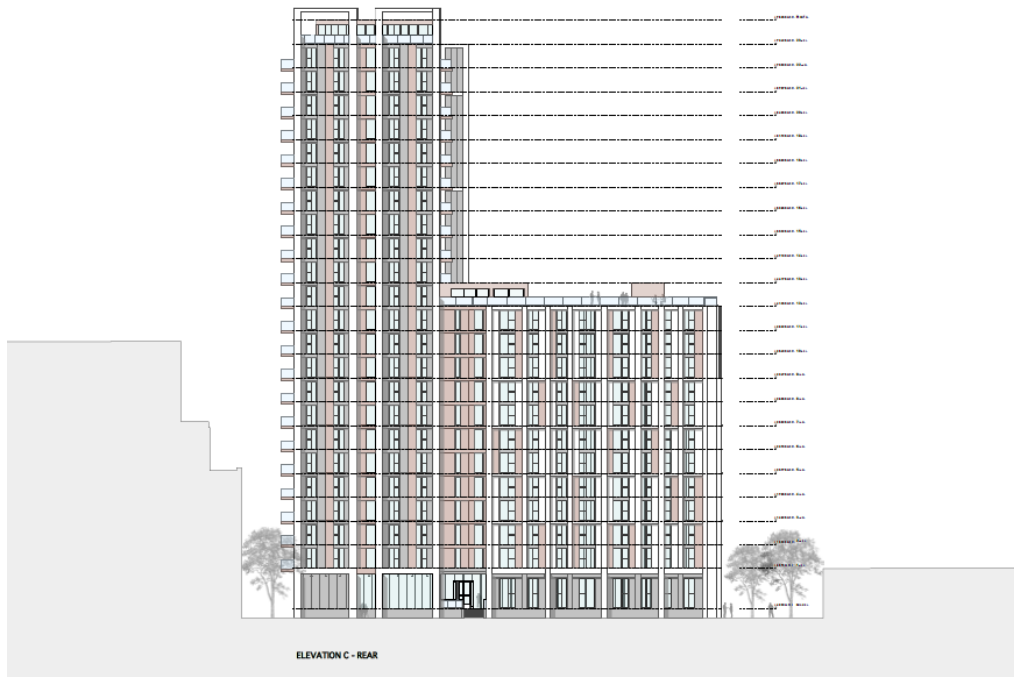
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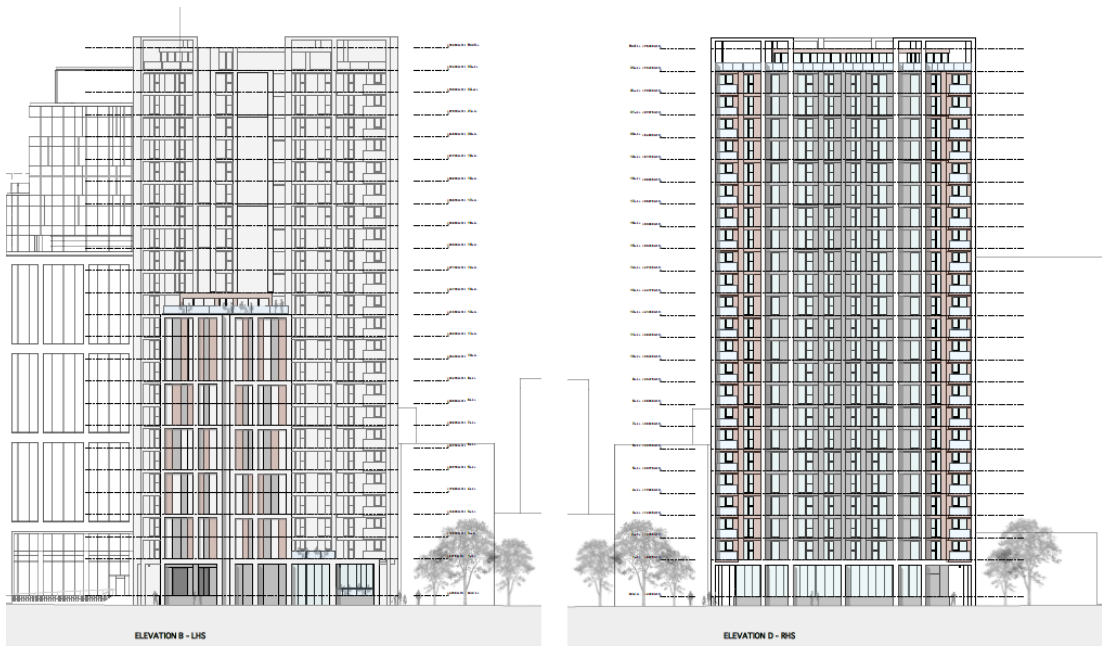
## Proposed Front Elevation:



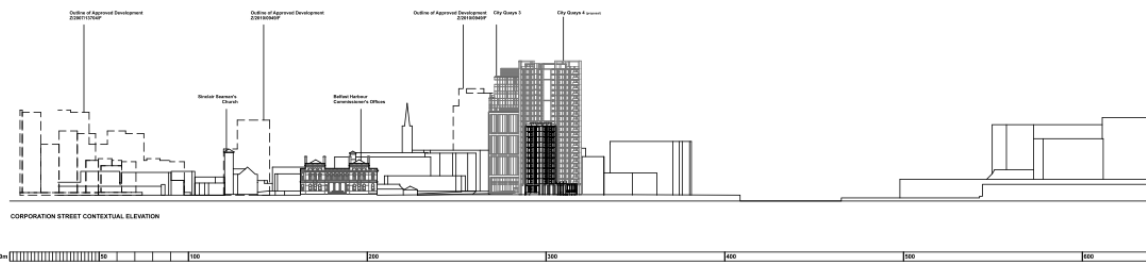
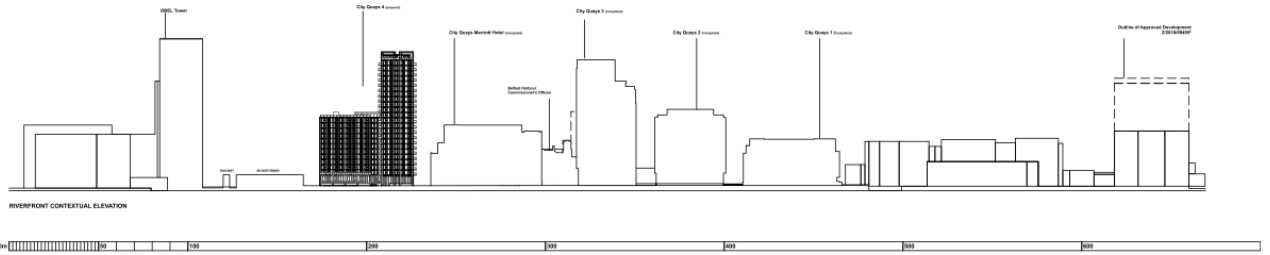
**Proposed Rear Elevation:**



**Proposed Side Elevations:**



## Contextual Elevations:



## CGIs:





**1.0**

**Characteristics of the Site and Area**

1.1

This application relates to the proposed “City Quays 4” development within the City Quays masterplan area, in the north-eastern part of Belfast City Centre. The site is immediately south of the AC hotel by Marriott, north of the Cross Harbour bridge (M3), east of Donegall Quay, and west of the River Lagan. The site area is approximately 0.33 ha and is currently a surface level car park. The Obel Tower is the other side of the M3 bridge to the south, at an overall height of 85 metres.

1.2

There are a number of Listed Buildings in the vicinity of the site, including:

- HB26 50 094 Belfast Harbour office: Grade A
- HB26 50 093 Sinclair Seaman’s Presbyterian Church: Grade B+
- HB26 50 306 Direct Wine Shipments 5-7 Corporation Square: Grade B2
- HB26 50 090 D Furnace House: Grade B1
- HB26 50 090 A Former Pumping Station: Grade A

1.4

The City Quays masterplan area encompasses circa 10 ha of the Belfast Harbour estate. The area currently comprises offices in City Quays 1, City Quays 2 and City Quays 3. It also includes the AC hotel by Marriott and a multi-storey car park (MSCP).

**Description of Proposed Development**

1.5

The application seeks full planning permission for the erection of 256 Build To Rent apartments (comprising a tower element of 23 storeys, approximately 76.4m in height adjacent to the AC hotel by Marriott and a lower section of 12 storeys, approximately 38.0m in height adjacent to the M3), together with all associated site and access works.



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

	<p>east Donegall Quay and Clarendon Dock to the north Corporation Square and Clarendon Quay to the west. Permission granted on 5<sup>th</sup> February 2019.</p> <ul style="list-style-type: none"> <li>• LA04/2022/0262/F – Public realm improvement scheme to create formal gardens area including erection of 'gateway nest' and 'swinging seat' features and seating; artwork trail; lawn areas; shared pedestrian and access routes; public plazas; promenade along Clarendon Dock; improvements to and widening of footpaths at Corporation Square; extensions of taxi bays, relocation of Belfast Bike and bicycle shelters and stands, realignment of the road; and relocation of listed railings fronting Corporation Square. Surface level car park to east of Harbour Office and adjoining lands at Corporation Square and Clarendon Road Belfast BT1 3AL.</li> </ul> <p>Permission granted on 1<sup>st</sup> March 2023.</p>
<p><b>3.0</b></p> <p>3.1</p>	<p><b>PLANNING POLICY</b></p> <p><b>Development Plan – operational policies</b></p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery  Policy SP2 – sustainable development  Policy SP3 – improving health and wellbeing  Policy SP5 – positive placemaking  Policy SP6 – environmental resilience  Policy SP7 – connectivity  Policy SD2 – Settlement Areas  Policy HOU1 – Accommodating new homes  Policy HOU2 – Windfall housing  Policy HOU4 – Density of residential development  Policy HOU5 – Affordable housing  Policy HOU6 – Housing Mix  Policy HOU7 – Adaptable and accessible accommodation</p> <p>Policy DES1 – Principles of urban design  Policy DES2 – Masterplanning approach for major development  Policy DES3 – Tall buildings  Policy RD1 – New residential developments  Policy BH1 – Listed Buildings  Policy BH5 – Archaeology  Policy HC1 – Promoting healthy communities  Policy TRAN1 – Active travel – walking and cycling  Policy TRAN 2 – Creating an accessible environment  Policy TRAN4 – Travel plan  Policy TRAN6 – Access to public roads  Policy TRAN8 – Car parking and servicing arrangements  Policy ENV1 – Environmental quality  Policy ENV2 – Mitigating environmental change  Policy ENV3 – Adapting to environmental change  Policy ENV4 – Flood Risk  Policy ENV5 - Sustainable drainage systems (SuDS)  Policy GB1 – Green and blue infrastructure network  Policy OS3 - Ancillary open space</p>



	<p>Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Development Viability</p> <p><b>Development Plan – zoning, designations and proposals maps</b> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p><b>Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p><b>Other Material Considerations</b> Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p><b>4.0</b></p> <p>4.1</p> <p>4.2</p>	<p><b>CONSULTATIONS AND REPRESENTATIONS</b></p> <p><u>Statutory Consultees</u> <b>DfI Roads</b> – final response awaited.</p> <p><b>DfC HED</b> – Concerns raised in respect of the impact on the setting of Listed Buildings, which are set out and addressed in the main assessment.</p> <p><b>DAERA</b> – No objection subject to conditions</p> <p><b>NI Water</b> – Concerns raised about the availability of waste water infrastructure, which are addressed in the main assessment.</p> <p><b>NIHE</b> – supports the proposal, accepting the principle of off-site social housing.</p> <p><u>Non-Statutory Consultees</u> <b>Planning Service Plans &amp; Policy Unit</b> – refer to main assessment.</p> <p><b>Planning Service Urban Design Officer</b> – refer to main assessment.</p> <p><b>Planning Service Conservation Advice</b> – refer to main assessment.</p> <p><b>Environmental Health</b> – content subject to conditions.</p> <p><b>BCC Economic Development Unit</b> – recommends that an Employability and Skills Developer Contribution is required.</p>

<p>4.3</p>	<p><b>BCC Landscape and Development team</b> – supports the complementary proposals for City Quays Gardens. Would like to see provision made for child friendly outdoor spaces. Satisfied that the proposal would not have an adverse impact on the townscape.</p> <p><b>Shared Environmental Services (SES)</b> – final comments awaited.</p> <p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p>
<p>4.4</p>	<p>The application has been advertised in the newspaper and neighbours notified.</p>
<p>4.5</p>	<p>One objection has been received, raising concerns about the height of the building. This issue is address in the planning assessment section of this report.</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p><b>PLANNING ASSESSMENT</b></p> <p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of housing in this location</li> <li>• Housing density</li> <li>• Affordable housing</li> <li>• Housing mix</li> <li>• Adaptable and accessible accommodation</li> <li>• Design and placemaking</li> <li>• Public realm</li> <li>• Impact on the heritage assets</li> <li>• Climate change</li> <li>• Residential quality and impact on amenity</li> <li>• Open space</li> <li>• Access and transport</li> <li>• Health impacts</li> <li>• Environmental protection</li> <li>• Flood risk and drainage</li> <li>• Waste-water infrastructure</li> <li>• Waste management</li> <li>• Natural heritage</li> <li>• Employability and Skills</li> <li>• Section 76 planning agreement</li> <li>• Pre-application Community Consultation</li> </ul> <p><b>Development Plan Context</b></p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>

5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Polices</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p><b>Belfast Urban Area Plan 2001</b> – the site is un-zoned “white land”.</p>
5.8	<p><b>Belfast Metropolitan Area Plan 2015 (2004)</b> – the site is un-zoned “white land” within the City Centre. Provision is made for a proposed bridge across the River Lagan to the north (CC 099/01).</p>
5.9	<p><b>Belfast Metropolitan Area Plan 2015 (v2014)</b> – the site is un-zoned “white land” within the City Centre. It is next to a proposed greenway, BT 147/09. Provision is made for a proposed bridge across the River Lagan to the north (CC 023/01).</p> <p><u><b>Principle of housing in this location</b></u></p>
5.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ol style="list-style-type: none"> <li>a. <b>The site is suitable for housing</b> – the site is a sustainable location within the City Centre and considered suitable in principle for housing. Moreover, it benefits from outline planning permission for mixed use development, including housing.</li> <li>b. <b>The location is accessible and convenient to public transport and walking cycle infrastructure</b> – the site is located within the City Centre, on the national cycling route and highly accessible to shops, services, amenities and public transport.</li> </ol>

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

5.20	<p>NIHE is supportive of both the BTR and Pilot Street applications, accepting the principle of off-site social housing, noting that both sites are in the same ownership and that the proposals ‘...allow for a more appropriate development of social housing units in this area.’ NIHE cites the significant housing need in Belfast with a social housing waiting list of 12,074 households with 9,385 in housing stress. Demand is increasing with projection of social housing need indicating a requirement for 7,984 new units across Belfast over the 5-year period 2022-2017.</p>																																								
5.21	<p>The Pilot Street social housing scheme is proposed to deliver 69 homes across two parcels of land, either side of Pilot Street, with the breakdown of house types set out in the tables below.</p> <p><b>Site 1</b></p> <table border="1" data-bbox="343 638 1492 929"> <thead> <tr> <th>Accommodation type</th> <th>Size per unit (sqm)</th> <th>Number of units</th> <th>% units</th> </tr> </thead> <tbody> <tr> <td>2 bedroom terrace 3 person apartments</td> <td>75</td> <td>1</td> <td>6%</td> </tr> <tr> <td>3 bedroom 5 person townhouses</td> <td>110</td> <td>2</td> <td>13%</td> </tr> <tr> <td>2 bedroom 3 person apartments</td> <td>64-71</td> <td>13</td> <td>81%</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>16</b></td> <td><b>100%</b></td> </tr> </tbody> </table> <p>Table 1a: Breakdown of house types at Pilot Street, Site 1</p> <p><b>Site 2</b></p> <table border="1" data-bbox="343 1097 1492 1377"> <thead> <tr> <th>Accommodation type</th> <th>Size per unit (sqm)</th> <th>Number of units</th> <th>% units</th> </tr> </thead> <tbody> <tr> <td>2 bedroom 3 person apartments</td> <td>65 - 67.5</td> <td>39</td> <td>73%</td> </tr> <tr> <td>1 bedroom 2 person apartments</td> <td>55.5 - 57</td> <td>8</td> <td>15%</td> </tr> <tr> <td>2 bedroom 3 person apartments</td> <td>85</td> <td>6</td> <td>11%</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>53</b></td> <td><b>100%</b></td> </tr> </tbody> </table> <p>Table 1b: Breakdown of house types at Pilot Street, Site 2</p> <p><i>Tenure</i></p>	Accommodation type	Size per unit (sqm)	Number of units	% units	2 bedroom terrace 3 person apartments	75	1	6%	3 bedroom 5 person townhouses	110	2	13%	2 bedroom 3 person apartments	64-71	13	81%	<b>Total</b>		<b>16</b>	<b>100%</b>	Accommodation type	Size per unit (sqm)	Number of units	% units	2 bedroom 3 person apartments	65 - 67.5	39	73%	1 bedroom 2 person apartments	55.5 - 57	8	15%	2 bedroom 3 person apartments	85	6	11%	<b>Total</b>		<b>53</b>	<b>100%</b>
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5.22	<p>The Pilot Street application is for a 100% social housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.14 of the SPG states that larger mono-tenure schemes [such as that proposed at Pilot Street] may be considered having regard to the following considerations:</p> <ul style="list-style-type: none"> <li>• <i>‘The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i></li> <li>• <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and</i></li> <li>• <i>Whether a scheme is proposed as ‘shared housing’</i></li> </ul>																																								

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



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



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

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

**Active frontage:**

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

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

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



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

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

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

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

5.61	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include the following SuDs measures:</p> <ul style="list-style-type: none"> <li>• Construction of 'blue roofs' in the amenity areas;</li> <li>• Integration of rain gardens and rain butts;</li> <li>• Construction of oversized pipes to service the development;</li> <li>• Gated discharge and check vales;</li> <li>• Discharge points at multiple locations; and</li> <li>• A facility for pumping/maintaining discharge rates during extreme conditions.</li> </ul>																																								
5.62	<p>The proposal is considered acceptable having regard to Policy ENV5.</p>																																								
	<p><b><u>Residential quality and impact on amenity</u></b></p>																																								
5.63	<p>Policies DES1, DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>																																								
5.64	<p>The BTR model includes shared communal amenity areas. The proposal includes private external and internal amenity areas as set out in the table below.</p>																																								
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5.65	<p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit. The proposal falls below this at an average of 4.0 sqm external amenity space per unit. However, the proposal also includes a reasonable level of shared internal amenity space consistent with the BTR model, increasing the overall amenity space to 7.9 sqm per unit. <i>Creating Places</i> was published in 2000 and did not envisage BTR or the other more contemporary forms of housing. Having regard to the level of internal amenity space to be provided, the location of the site, its immediate proximity to City Quays Gardens and proximity to the city centre core and waterfront, the proposed external amenity provision is considered acceptable.</p>																																								
5.66	<p>The orientation, layout and external design of the proposal has been directly informed by the site's constraints, mainly being its proximity to the M3 bridge and the adjacent AC hotel by Marriott. The arrangement of the hotel assists in addressing any issues relating to privacy or amenity of neighbouring residents, including overlooking loss of lights, overshadowing dominance, noise or other disturbance. The massing of the hotel steps down towards the northern boundary of the application site, and much of the</p>																																								

5.67	<p>southern gable of the hotel is blank; other than a lateral strip of windows which relate to the hallways at each floor level of the hotel, therefore no habitable rooms look directly into the application site. There is also a sufficient separation distance from the nearest residential properties in the Obel.</p> <p><b>Space Standards:</b></p> <p>The proposal comprises a mix of studio, one and two-bedroom apartments, with the space standards set out below. The proposed units are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.</p> <table border="1" data-bbox="339 562 1492 741"> <thead> <tr> <th>Accommodation Type</th> <th>Size per unit (Sqm)</th> <th>Number of Unit</th> </tr> </thead> <tbody> <tr> <td>Studio apartments</td> <td><b>34</b></td> <td><b>52</b></td> </tr> <tr> <td>1 bed apartments</td> <td><b>46</b></td> <td><b>116</b></td> </tr> <tr> <td>2 bed apartments 2 person</td> <td><b>70</b></td> <td><b>88</b></td> </tr> <tr> <td><b>TOTAL</b></td> <td></td> <td><b>256</b></td> </tr> </tbody> </table>	Accommodation Type	Size per unit (Sqm)	Number of Unit	Studio apartments	<b>34</b>	<b>52</b>	1 bed apartments	<b>46</b>	<b>116</b>	2 bed apartments 2 person	<b>70</b>	<b>88</b>	<b>TOTAL</b>		<b>256</b>
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5.68	<p><b>Open space</b></p> <p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>															
5.69	<p>Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.</p>															
5.70	<p>For residential development of 100 units or more, or for development sites of 5 hectares or more, an equipped children’s play area will be required as an integral part of the development. The council will consider an exception to this requirement where a sufficient equipped children’s play area exists within reasonable walking distance (generally around 400 metres) of the majority of the units within the development scheme and subject to the further provisions of this policy.</p>															
5.71	<p>In this case, no open space is proposed within the site. However, the applicant is committed to delivering <i>City Quays Gardens</i>, a high-quality area of open space (0.88ha) a short walk to the northwest of the application site. Construction of City Quays Gardens is expected to begin shortly. It is considered that once completed City Quays Gardens will provide valuable open space for residents of the proposed building. Given the location and characteristics of the BTR proposal, this is considered acceptable. Regard is also had to the close proximity of the site to riverside and its amenities, as well as the city centre core.</p>															
5.72	<p>In relation to the provision of children’s play equipment, the applicant states that the site is located within 321 metres of the “Bridges Urban Sports Park”. This is used for skateboarding, in-line skating and BMX-ing. However, officers are mindful that this is not a general children’s playpark and does not provide facilities for younger children. This view is shared by the Council’s Landscape and Development team. The applicant has offered a Financial Developer Contribution towards off-site provision of children’s play</p>															

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



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

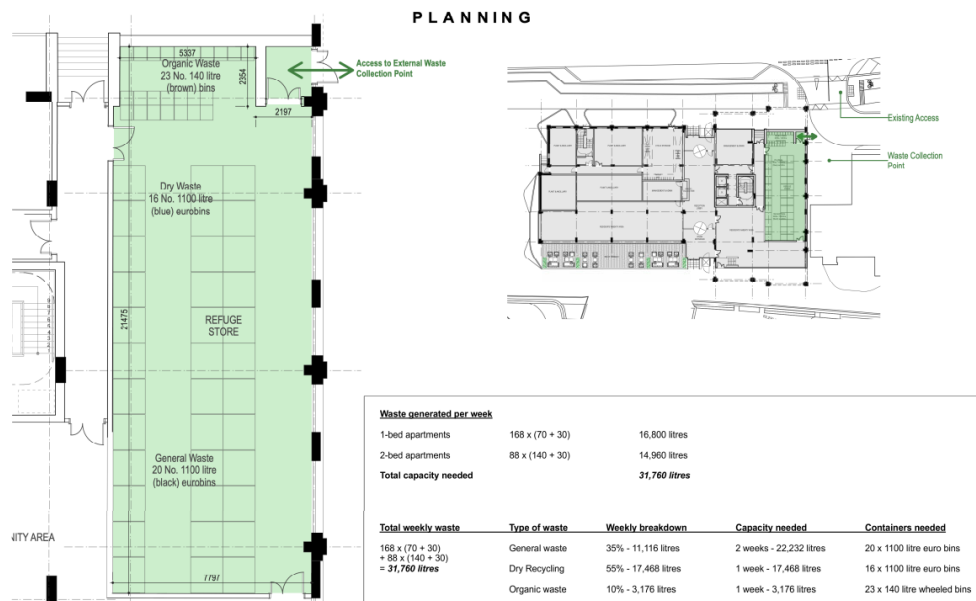
	<p><b><u>Environmental protection</u></b></p>
5.86	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p>
	<p><b><u>Contaminated land</u></b></p>
5.87	<p>Environmental Health (EH) has reviewed the information within the Preliminary Risk Assessment and Generic Quantitative Risk Assessment City Quays 4. EH recommends conditions in the event that planning permission is granted. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><b><u>Air quality</u></b></p>
5.88	<p>EH has reviewed the Air Quality Impact Assessment and the clarification report and find that both sufficiently demonstrate that future occupants of the development will not be exposed to air quality concentrations exceeding UK air quality objectives. EH is also satisfied in relation to potential dust impacts during construction subject to implementation of the proposed dust management measures. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><b><u>Noise and vibration</u></b></p>
5.89	<p>Having considered the applicant's noise impact assessment, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><b><u>Flood risk and drainage</u></b></p>
5.90	<p>Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.</p>
5.91	<p>DfI Rivers is currently considering additional information from the applicant relating to the design of the flood defence wall and its final comments are awaited.</p>
	<p><b><u>Waste-water infrastructure</u></b></p>
	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward</p>

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

**Waste management**

5.92

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



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

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

The proposed waste management plan and arrangements are considered acceptable.

**Natural heritage**

5.93

Policy NH1 relates to the protection of natural heritage resources.

5.94

The site is immediate adjacent the River Lagan and Belfast Lough. Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.

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

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

6.2	It is recommended that planning permission is granted.
6.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, resolve the outstanding transport and children's play equipment requirements and deal with any other issues that arise from the final consultation responses, provided that they are not substantive.
7.0	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</li> <li>2. No external facing panels or materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.  The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.  The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials. Reason: In the interests of the character and appearance of the area.</li> <li>3. Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a lighting and public art scheme to enhance the design and animation of the ground floor has been implemented in accordance with details that shall have first been submitted to and approved in writing by the Council. Reason: To enhance the design and animation of the ground floor.</li> <li>4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details. Reason: In the interests of the character and appearance of the area.</li> <li>5. The development hereby permitted shall be not be occupied until the river terrace and residents amenity area on the ground floor; residents first floor terrace and residents amenity area at first floor; and residents terrace and gym at 12<sup>th</sup> floor have been provided in accordance with the approved plans. These amenity areas shall permanently retained as such at all times. Reason: To ensure that appropriate amenity space is provided for the wellbeing of occupants of the development.</li> </ol>

6. The development hereby permitted shall be constructed to a minimum of Home Quality Mark 4.5 rating and shall not be occupied until certification that verifies this has been submitted to and approved in writing by the Council.  
Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.
7. The development hereby permitted shall not be occupied until the sustainability measures set out in Section 3.6.5 of the Flood Risk and Drainage Report, dated 19/12/22, have been constructed and installed and independent written verification of such as been submitted to and approved in writing by the Council.  
Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.
8. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.  
Reason: To ensure that appropriate provision is made for storage and disposal of waste.
9. The development hereby permitted shall not be occupied until the pedestrian crossing has been constructed in accordance with the approved plans.  
Reason: To provide a safe pedestrian route from the multi-storey car park to the building.
10. The development hereby permitted shall not be occupied until the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.  
Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.
11. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.  
Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.
12. Prior to the occupation or operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the Belfast Harbour Commissioners Remediation Strategy City Quays 4 604353 – R7 (00). Dated December 2022 have been implemented. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for the commercial end-use. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards BS 8485:2015+A1:2019 - Code of Practice for the Design of Protective Measures



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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