Development Management Report

Summary	
Committee Date: 10th December 2024	
Application ID: LA04/2024/1138/F and LA04/2024/1141/DCA	
Proposal: Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	**Location:** Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: MRP NUH Ltd Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	**Agent Name and Address:** Clyde Shanks 2nd Floor 7 Exchange Place Belfast BT1 2NA
Date Valid	16th October 2024
Target Date	14th May 2025
Contact Officer	Ed Baker, Planning Manager

Executive Summary:

This application relates to lands comprising the rear of Nos. 24-54 Castle Street, Nos. 2-6 Queen Street and Nos. 1-7 & 21 Fountain Street, Belfast. The application site is within the City Centre Conservation Area and within close proximity to a number of listed buildings.

The site is approximately 0.6 hectares (ha) and is occupied by a number of existing buildings. Fronting Castle Street and Fountain Street is the six storey building known as Norwich Union House; it contains a number of retail units on the ground floor and vacant offices above. To the rear of the building is a multi-storey car park. On the junction of Castle Street and Queen Street is a four-storey building known as Westgate House which contains retail on the ground floor and offices above. Two smaller scale buildings of two and three storeys infill Norwich Union House and Westgate House, both contain one retail unit at ground floor. There is a significant gap site along Queen Street currently used as a surface level car park.

The key issues for consideration of the application are set out below.

- Principle of PBMSA in this location
- Design, Placemaking, and impact on Conservation Area
- Impact on heritage assets
- Impact on Conservation Area
- Impact on amenity
- Climate change
- Open space
- Access and transport
- Health impacts
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Waste management
- Section 76 planning agreement
- Pre-Application Community Consultation

The site is a highly sustainable location within the City Centre and close to transport links such as Grand Central Station and other public transport services. The application is supported by satisfactory evidence of need for the proposal.

Following negotiations and amendments to the scheme, the proposed building is considered to be of a very good quality design appropriate to its context within the City Centre Conservation Area and setting of Listed Buildings. The proposal will develop an existing vacant building and large gap site within Queen Street, introducing active frontages and supporting the regeneration of the surrounding area.

NI Water have recommended refusal and this is addressed within the report.

DAERA NIEA have raised concerns about the submitted Ecology Report. This has subsequently been amended and NIEA have been re-consulted. Delegated Authority is requested to deal with the outstanding consultation response and any issues arising providing they are not substantive.

Three letters of support have been received as detailed within the main report.

The proposal was subject to a Pre-Application Discussion (PAD), although not all officers' design advice was followed when the application was submitted. A range of design issues had to be resolved and the applicant entered into a Planning Performance Agreement with the Planning Service to work through the issues. This involved several design workshops.

The applicant intends that if approved the development will be constructed with practicable completion in time for the 2027/28 academic year.

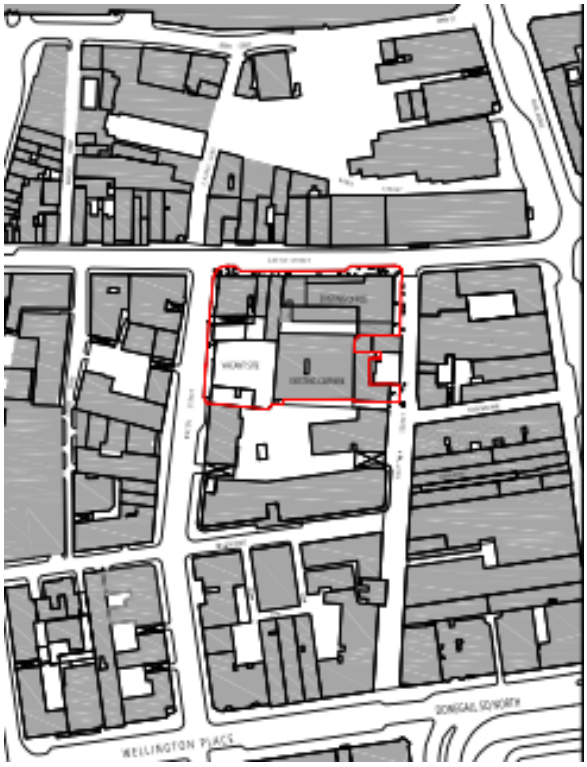
Recommendation

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.

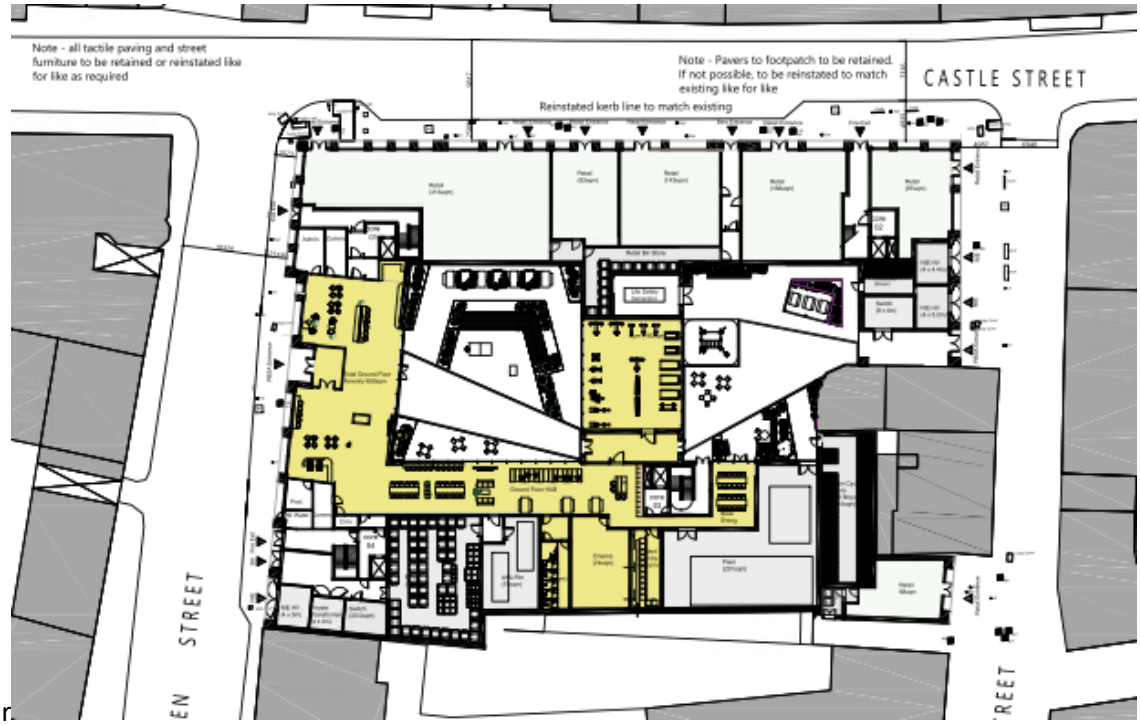
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and resolve the outstanding consultation from by DAERA NIEA in relation to the ecology report, and deal with any other issues that arise, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

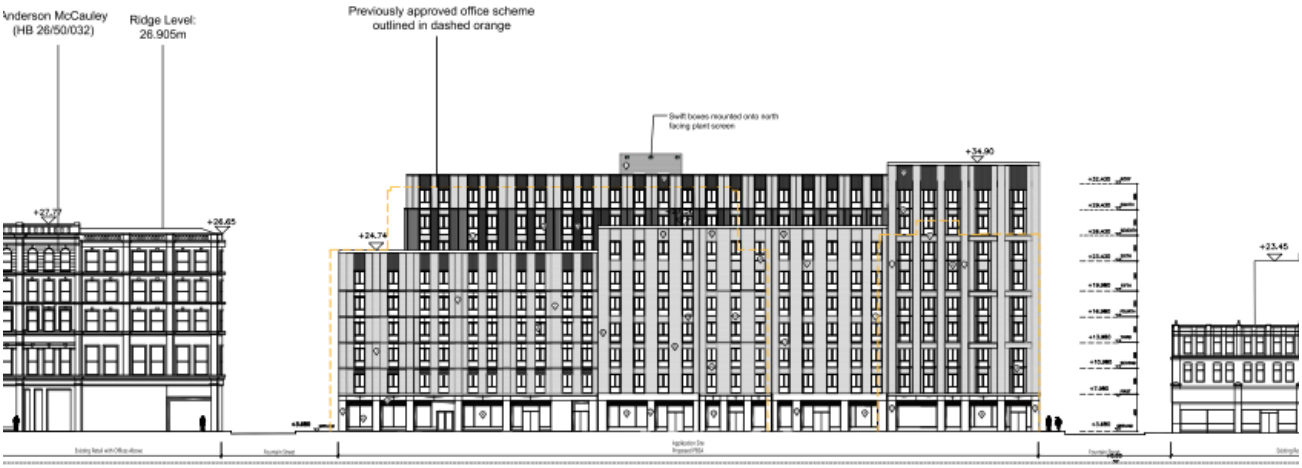
Site Location Plan:



Proposed Site Layout:

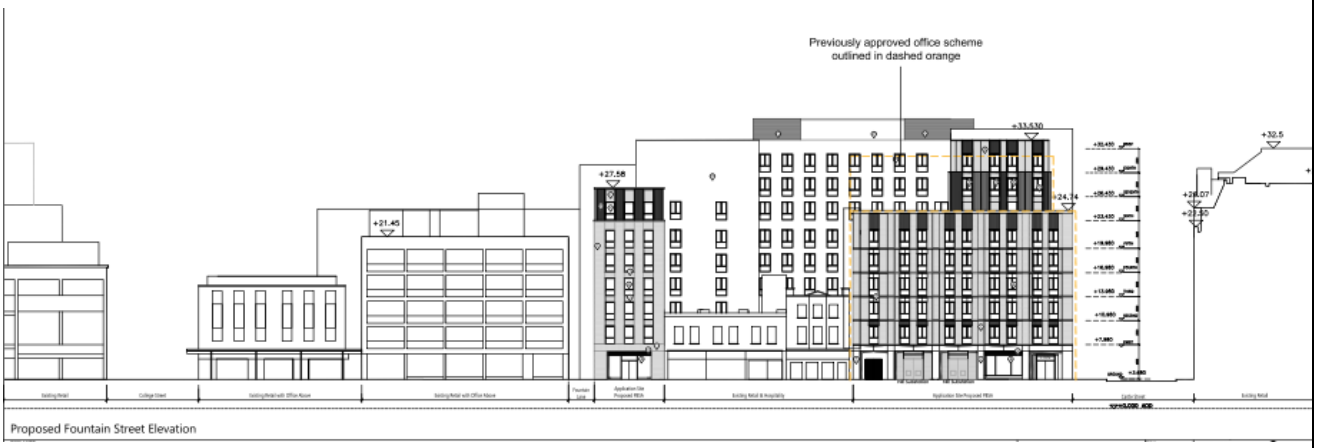


Proposed Elevations:



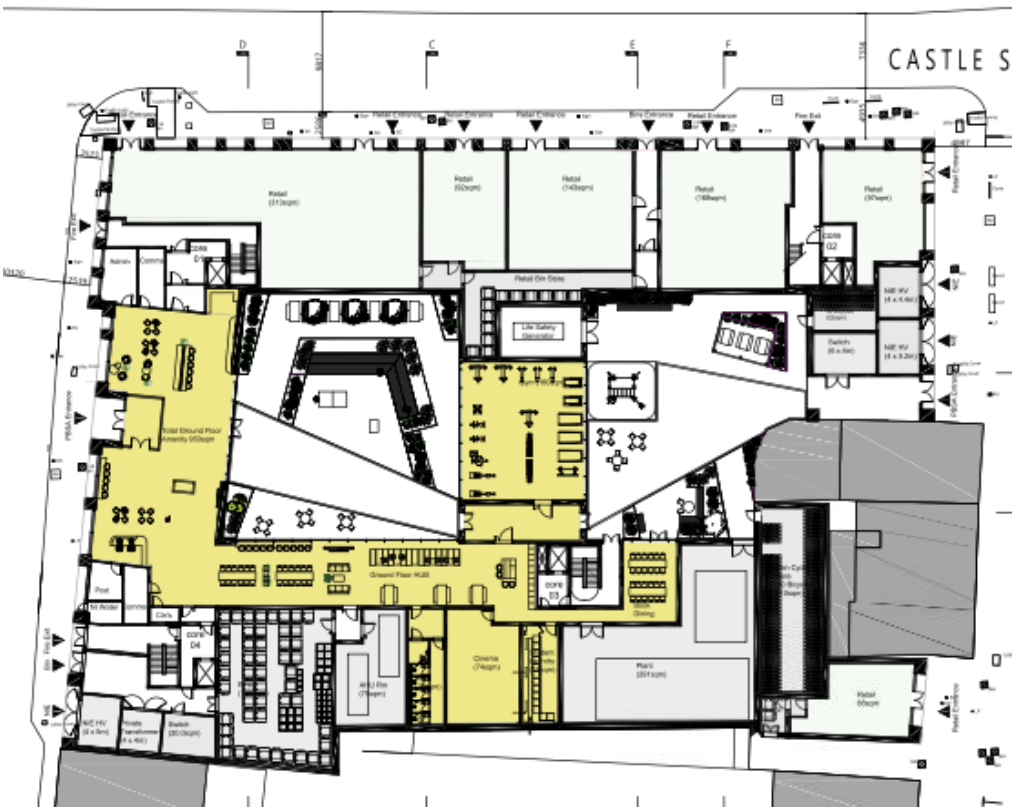
Proposed Castle Street Elevation

Proposed Queen Street Elevation



Proposed Fountain Street Elevation

Ground floor plan:

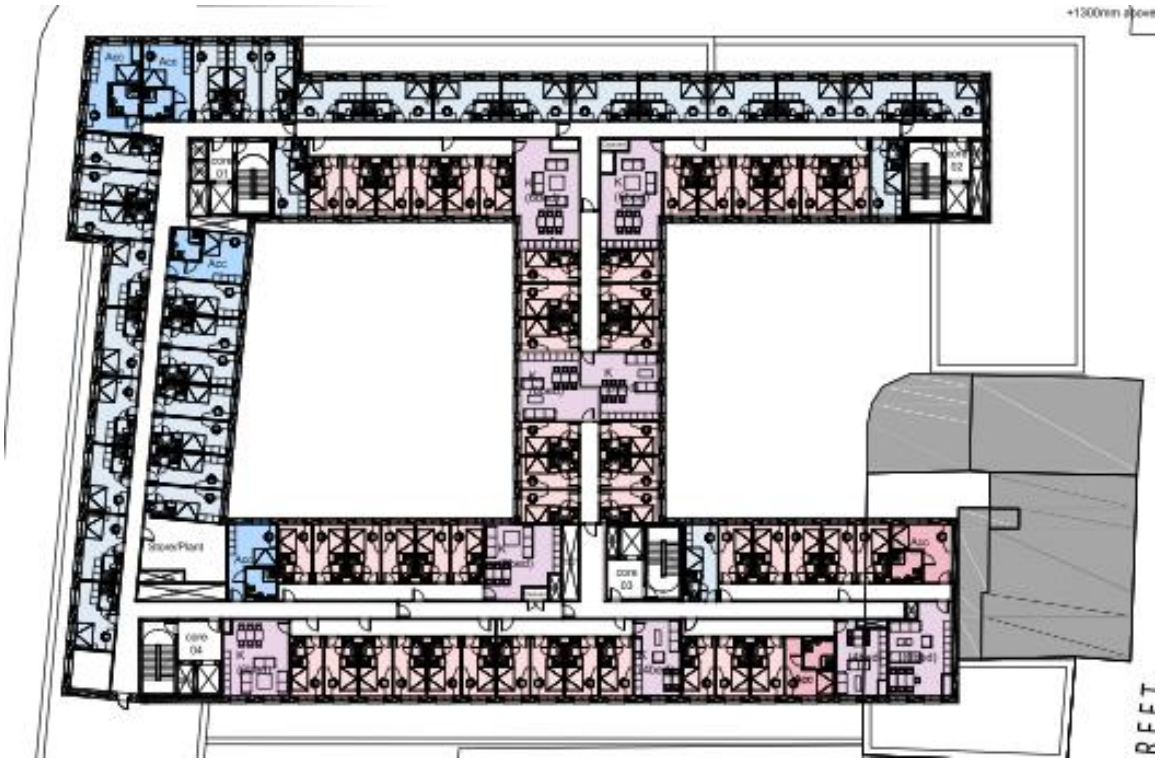


1st Floor Plan:

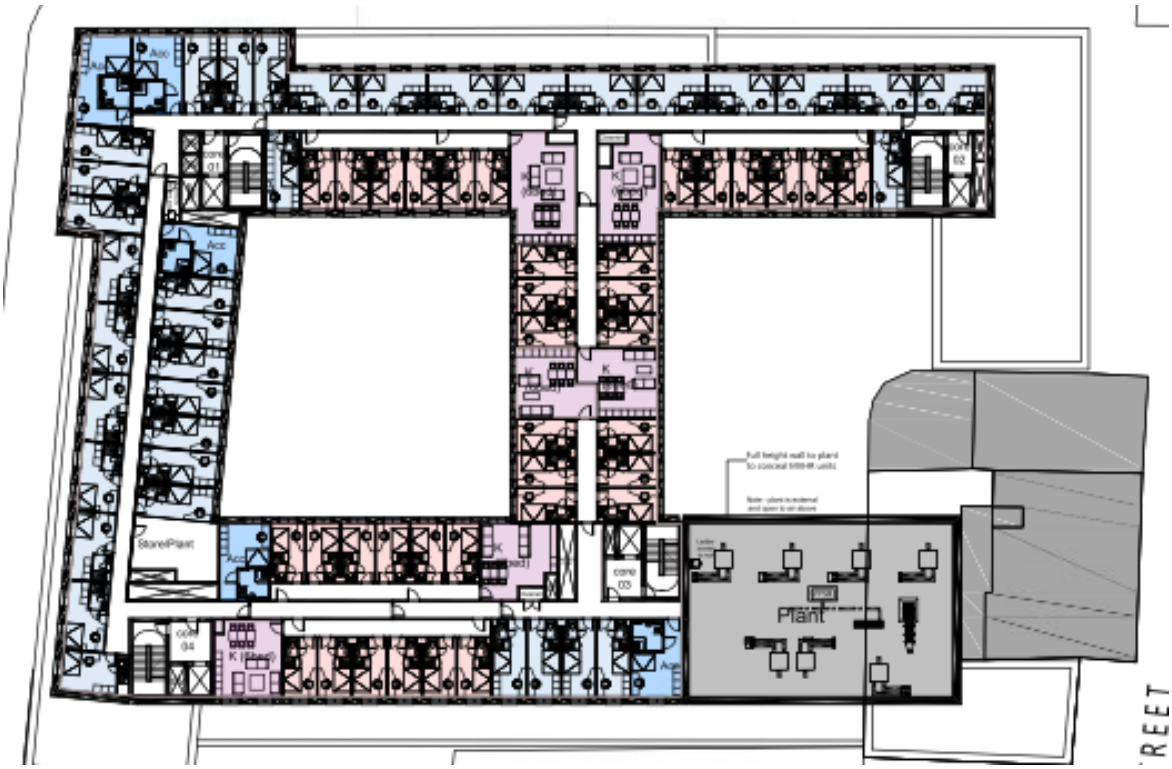
Levels 2 to 5:

Level 6:

Level 7:



Level 8:



CGIs

View from Castle Place:

Fountain Street:

Views from Castle Street:

Queen Street:

1.0	**Characteristics of the Site and Area**
1.1	This application relates to lands comprising the rear of Nos. 24-54 Castle Street, Nos. 2-6 Queen Street and Nos. 1-7 & 21 Fountain Street, Belfast. The application site is within the City Centre Conservation Area and within close proximity to a number of listed buildings.
1.2	The site is approximately 0.6 hectares (ha) and is occupied by a number of existing buildings. Fronting Castle Street and Fountain Street is the six storey building known as Norwich Union House; it contains a number of retail units on the ground floor and vacant offices above. To the rear of the building is a multi-storey car park. On the junction of Castle Street and Queen Street is a four-storey building known as Westgate House which contains retail on the ground floor and offices above. Two smaller scale buildings of two and three storeys infill Norwich Union House and Westgate House, both contain one retail unit at ground floor. There is a significant gap site along Queen Street currently used as a surface level car park.
1.3	The surrounding area is commercial in nature reflecting the City Centre location. Typically, ground floors are occupied by retail/café/restaurant/bar uses and offices above. The nearest residential use is College Court Central, an apartment block approximately 70m from the site.
1.4	The immediate context is of varied heights and design. There is a general graduation in height along Castle Street towards Castle Place with building heights increasing from three stories to six stories of the existing Norwich House and Bank Buildings. Typical building heights on Fountain Street and Queen Street vary between two and six stories although it is acknowledged there are taller buildings at the junction of Queen Street and College Street with buildings increasing to ten stories.
1.5	The site is within the City Centre Conservation Area.
	Description of Proposed Development
1.6	The application seeks full planning permission for the demolition of the existing buildings on the site and construction of a new PBMSA development of 6 to 9 stories. The proposal includes 821 rooms made up of 210 studio rooms and 611 cluster rooms. There will be an associated café, communal facilities including a gym, cinema, meeting/study rooms, laundry rooms, landscaped roof garden and inner courtyards. The proposal includes additional Short Term use outside of term time with no restriction on who can avail of the short-term use outside of term time.
1.7	The proposed material treatments of the building include a mix of red brick tones, grey/beige brick and profiled red PPC aluminium for the areas of the building to be set back.
1.8	The proposal was subject to a Pre-Application Discussion (PAD), although not all officers' design advice was followed when the application was submitted. A range of design issues had to be resolved and the applicant entered into a Planning Performance Agreement with the Planning Service to work through the issues. This involved several design workshops.
1.9	The application was originally submitted in June 2024 but later found to be invalid due to the red line boundary being incorrect. This has since been corrected and the new valid date of the application is 16th October 2024.

2.0	**RELEVANT PLANNING HISTORY**
2.1	LA04/2019/2299/F + LA04/2019/2303/DCA Proposal: Demolition of existing property and redevelopment of the site including the provision of approximately 230,730sqft gross new build floorspace comprising class B1(a) office on 6 levels over active ground floor uses including retail (A1), restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment. Address: 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street Belfast BT1 5EA. Decision: Approval Decision Date: 30.04.2020
2.2	LA04/2019/0068/F Proposal: Demolition of existing building and construction of 54 apartments with associated landscaping and a retail unit at ground floor. Address: Westgate House, 2-4 Queen Street, Belfast., Decision: Approval Decision Date: 07.07.2020
2.3	Z/2009/0622/F Proposal: Erection of 122 room budget hotel with bar/ restaurant and conference facilities, 2 No. retail units & associated car parking. Address: 6-8 Queen Street, Belfast. BT1 Decision: Approval Decision Date: 14.11.2012
2.4	Z/2008/2433/F Proposal: Amendment to previous scheme (Z/2006/2044/F) to include demolition of existing building and erection of an 8 storey building with retail on ground and first floors and offices above. Address: Olive Tree House, 23-31 Fountain Street, Belfast. Decision: Approval Decision Date: 16.04.2009
2.5	Z/2006/2044/F Proposal: Demolition of existing building and erection of new 7 storey building, retail on ground and first floor with offices on upper floors. Address: Olive Tree House, 23-31 Fountain Street, Belfast Decision: Approval Decision Date: 24.01.2008
2.6	Z/2004/2278/F Proposal: Renewal of permission granted for a 6 storey building (previous planning ref: Z/1999/2151) Address: 6-8 Queen Street, Town Parks, Belfast, Northern Ireland, BT01 6ED Decision: Approval Decision Date: 28.02.2005

3.0	**PLANNING POLICY**
3.1	**Development Plan – Plan Strategy** <u>Belfast Local Development Plan, Plan Strategy 2035</u> *Strategic Policies:* 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 *Operational Policies:* Policy HOU12 – Purpose Built Managed Student Accommodation (PBMSA) Policy HOU13 – Short-term Let Accommodation 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 BH2 – Conservation Areas Policy BH5 – Archaeology Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy TRAN9 – Parking standards within areas of parking restraint 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 HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources
3.2	<u>Supplementary Planning Guidance</u> Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Residential Design Sustainable Urban Drainage Systems

	Transportation Planning and Flood Risk Development and Trees
3.3	**Development Plan – zoning, designations and proposals maps** Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
3.4	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
3.5	**Other Material Considerations** Purpose Built Managed Student Accommodation in Belfast (June 2016) Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework (2020) Belfast Agenda (Community Plan)
4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	Statutory Consultees **DfI Roads** – No objections with conditions. **DfC HED** – No objection. **DfI Rivers** – No objection. **DAERA** – Concerns raised with the submitted bat survey. Amended information has been submitted and NIEA re-consulted; the response remains outstanding. **NI Water** – Recommends refusal (see main assessment).
4.2	Non-Statutory Consultees **Conservation Advice** – Concerns raised and addressed in the report. **Environmental Health** – No objections with conditions. **BCC Landscape and Development** – No objection. **BCC Economic Development Unit** – Recommends an employability and skills Developer Contribution for the construction phase. **Shared Environmental Services (SES)** – No objection. **Development Plan Housing Team** – No objections, comments provided and set out in main report.

	Representations
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	Three letters of support have been received and are summarised below: • Site currently vacant and subject to anti-social behaviour; • Area in need of regeneration; • Good transport links and facilities to support students; • QUB and Ulster University have confirmed additional demand; • Proposal supports Belfast being a 'learning city' as well as grow the city centre economy.
5.0	**PLANNING ASSESSMENT** **Main Issues**
5.1	The main issues relevant to consideration of the application are set out below. • Principle of PBMSA in this location • Design, Placemaking, and Impact on Conservation Area • Impact on heritage assets • Impact on Conservation Area • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Section 76 planning agreement • Pre-Application Community Consultation
	Development Plan Context
5.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001

	("Departmental Development Plan") remain part of the statutory local development plan until the Local Policies Plan is adopted. <u>Operational Polices</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1. <u>Proposals Maps</u>
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan"), 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.
5.7	**Belfast Urban Area Plan 2001** – the site is un-zoned "white land" within the Development Limit.
5.8	**Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014**) – the site is within the City Centre, the Primary Retail Core and an Area of Parking Restraint. The proposal is also within the City Centre Conservation Area. **<u>Principle of PBMSA in this location</u>**
5.9	The site is located within the urban development limit in the BUAP 2001 and both versions of dBMAP 2015.
5.10	Policy HOU12 of the Plan Strategy relates to proposals for PBMSA and lists a number of criteria that proposals should meet, as discussed below. *Accessibility:*
5.11	In locational terms, criterion a. requires that PBMSA proposals are easily accessible to higher education institution campuses by sustainable transport modes and not within established residential areas. The site is located within the City Centre boundary. It is located approximately 0.5 miles from Ulster University and 1.1 miles from Queens University with walking times of 11 and 26 minute respectively.
5.12	The site benefits from excellent access to public transport services due to its very central City Centre location. There are nearby bus stops on Castle Street, Queen Street and Royal Avenue. The closest train station is Grand Central which is an 11 minute walk. The site benefits from easy access to shops, services, leisure and amenities.
5.13	Having regard to these factors, the proposal satisfies the accessibility requirements of criterion a.

	Development not within an Established Residential Area:
5.14	In addition, criterion a. of Policy HOU12 requires that new PBMSA development is not within an established residential area. Appendix B of the Plan Strategy states that an Established Residential Area is '…*normally taken to mean residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens. These areas may include buildings in commercial, retail or leisure services use, usually clustered together and proportionate in scale to the size of the neighbourhood being served*.
5.15	The site is located in the City Centre which is a mixed commercial area forming the primary retail core. The nearest residential use is an apartment block some 70m from the site and therefore there is no recognisable form of housing.
5.16	It is concluded that the site is within a mixed-use area and not within an Established Residential Area.
	Minimum of 200 occupants:
5.17	Criterion b. specifies that PBMSA proposals should consist of a minimum of 200 occupants. The proposal is for 821 bedrooms, therefore satisfying this criterion.
	Need for additional PBMSA:
5.18	Criteria e. requires that proposals meet an identified need for the type of accommodation proposed, demonstrated through a statement of student housing need. The application is supported by a "Statement of Student Need". The applicant's statement details that in 2021/22 there were 34,660 full time students and that Belfast has the 13th largest full time student population in the UK outside of London. In Belfast, the higher education institutions are Queens University (QUB), Ulster University, Stranmillis University College, St. Mary's University College and Belfast Met the largest Further and Higher Education College in Northern Ireland.
5.19	QUB and Ulster University gave a joint presentation to the Council's City Growth and Regeneration Committee (CGRC) in December 2022. The Committee was advised that the city required a further 6,000 rooms for students by 2028/30. In addition, there was a growing demand for PBMSA over private rental sector accommodation and insufficient rooms either in the planning process or being constructed to address the shortfall.
5.20	In reality, in light of the emerging trend of PBMSA accommodation being increasingly favoured over traditional house shares, the increase in the number of international students choosing to study in Belfast and the projected increase in NI school leavers seeking university places by 2030, the scale of need for student beds is likely to continue to grow beyond the previously projected 6,000 beds.
5.21	Lambert Smith Hampton commissioned a report into PBMSA, dated March 2024, and states that the ration of students to PBMSA will reduce to 3.7:1 if all schemes in the pipeline were developed and that should the projected demand come to fruition, the current development pipeline would not be sufficient to meet demand. The report concluded that investor activity in the market will increase.

5.22	The Statement of Student Need confirms that QUB has stated that an additional 3,000 beds will be needed over the next five years. The Statement confirms that 3,194 beds have been identified with consent to be developed with 2,349 awaiting consent. It is noted that the Plan Team have differing figures in this regard although they are broadly comparable.
5.23	The Statement of Student Need confirms that while Queen's University guarantees accommodation for all undergraduate and postgraduate first year students, Ulster University can only guarantee accommodation for overseas students in their first year of study. The Statement of Student Need goes on to state that the student population in Belfast has grown by 4,020 between 2019/20 and 2021/22 which is 30% greater than the number of beds which have been developed in that timeframe.
5.24	The Statement of need includes the following table, which shows the potential unmet demand as below. **Table 1: CBRE Unmet Demand for PBMSA**

DEMAND POOL	Belfast	
Total Full-time Students (2021/22)	34,660	
Less living with parent/guardian	13,530	
Less not in attendance	700	
Less living in own residence	4,080	
Total Potential Students in the Target Market (Demand Pool)	**16,250**	
SUPPLY (bedspaces) (2023/24)		
University Halls	4,815	
Private Halls	4,058	
Current PBSA Supply	**8,873**	
PBSA in the Pipeline (with consent)	3,194	
Total PBSA Supply including pipeline	**12,067**	
UNMET DEMAND	**Excluding Pipeline**	**Including Pipeline**
Demand Pool less Supply	**7,377**	**4,183**

5.25	The Statement concludes that the unmet demand pool including the pipeline of development is 4,183. The calculations do not include students living with parents or those who live in their own residence and the Statement therefore suggests that the number could be greater than calculated.
5.26	The Council's Plans and Policy Team has been consulted on the issue of need. It states that there have been 5,423 bed spaces constructed since 2015 (Table 2). It confirms that 2,055 beds are currently under construction and 551 beds have been approved but not started (Table 3). There are also 3,913 beds pending from PBMSA Planning Applications currently under assessment (Table 4).

Table 2: Existing operational PBMSA supply

Project Name	Address	Beds	Operational	CBRE (Oct, 2023)
John Bell House	1A College Square East	413	Sept 16	413
Botanic Studios	78-86 Dublin Rd, Belfast BT2 7HP	156	Sept 17	156
Great Patrick Street	28-30 Great Patrick Street	475	Sept 18	474
Elms BT1	78 College Avenue	747	Sept 18	747
Elms BT2	McClintlock Street	490	Sept 18	490
Swanston House	41-49 Queen Street	317	Sept 18	317
123 York Street	123-137 York Street	407	Sept 19	428
Little Patrick Street	26-44 Little Patrick Street	430	Sept 20	774
101 York Street	81-107 York Street (Liv student)	717	Sept 21	717
Bruce Street	Little Victoria St, Bruce St & Holmes St	271	Sept 23	269
Aster House	University Rd & Botanic Avenue (over railway)	253	Sept 23	253
Alma Place	18-26 Library Street	393	Sept 23	462
Completed	**12**	**5,423**		**5,500**

Table 2: Future Supply figures for PBMSA accommodation in Belfast

Under Construction			
Project Name	**Address**	**Beds**	**CBRE (Oct, 2023)**
Athena House	Little York St, Great George's St & Nelson St	774	774
Bradbury Place	30-44 Bradbury Place	156	?
	48-52 York Street	307	307
123 York Street Extension	8-12 Little Patrick Street	94	94
	140 Donegall Street	724	724
Total Under construction	**5**	**2,055**	**1,899**

Approved (Not started)		**Beds**	**CBRE (2023)**
Sinclair House	89-101 Royal Avenue	30	30
	118-122 Royal Avenue	21	-
Catholic Chaplaincy	28-38 Elmwood Avenue	41	41
QUB Dublin Road	14 Dublin Road, Belfast, BT2 7HN	459	459
Total Not started	**4**	**551**	**530**
Total constructed/ Under construction/ Approved not started	**19**	**8,029**	**7,929**

Table 3: Pending PBMSA Planning Applications

Reference	Address	Beds
LA04/2022/1284/F	Library Street and Little Donegall Street	862
LA04/2023/2922/F	Site bounded by Glenalpin Street, Wellwood Street and Norwood Street, Belfast	354
LA04/2023/3030/F	41-49 Dublin Road and 3-5 Ventry Street, Belfast, BT2 7HD	201
LA04/2024/0664/F	Lands comprising existing Fanum House, Norwood House and adjacent lands, No's 96-110 Great Victoria Street	594
LA04/2024/0681/F	Lands to the northeast of Olympic House, east of Queen's Road and south of Belfast Metropolitan College	1,007
LA04/2024/1138/F	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street	895
Total pending		**3,913**

5.27 Since the tables above were provided by the Plans and Policy team, there have been a number of updates to PBMSA applications as shown below:

Table 2:
The referenced QUB Dublin Road scheme is now under construction.

Table 3:
LA04/2022/1284/F – Application has been Refused but there is a pending appeal.
LA04/2023/3030/F – Application has been Approved.
LA04/2024/0681/F – Application has been Approved.
LA04/2024/0664/F – Application has been Approved by Committee with delegated authority granted for outstanding consultation responses and the S76.

5.28 The above updates increase the number of beds constructed/under construction/approved, not started from 8,029 to 9,797 and decreases the total pending beds currently under assessment from 3,913 to 2,145.

5.29 The need for 6,000 spaces by 2028/30 expressed by QUB and Ulster University in 2022 will have been met by the existing supply should all of the approved PBMSA developments be implemented, equating to around 6,350 spaces. However, evidence points towards the demand being higher.

5.30 Moreover, the Plans and Policy team advises that '*based on CBRE's assessment quoting 10,458 existing bedspaces and should all applications submitted to Council be approved and developed it would total 16,977 bedspaces in Belfast. The total student numbers are not known for future academic years and therefore a ratio or percentage of bedspaces to future student numbers would be a prediction at best.'*

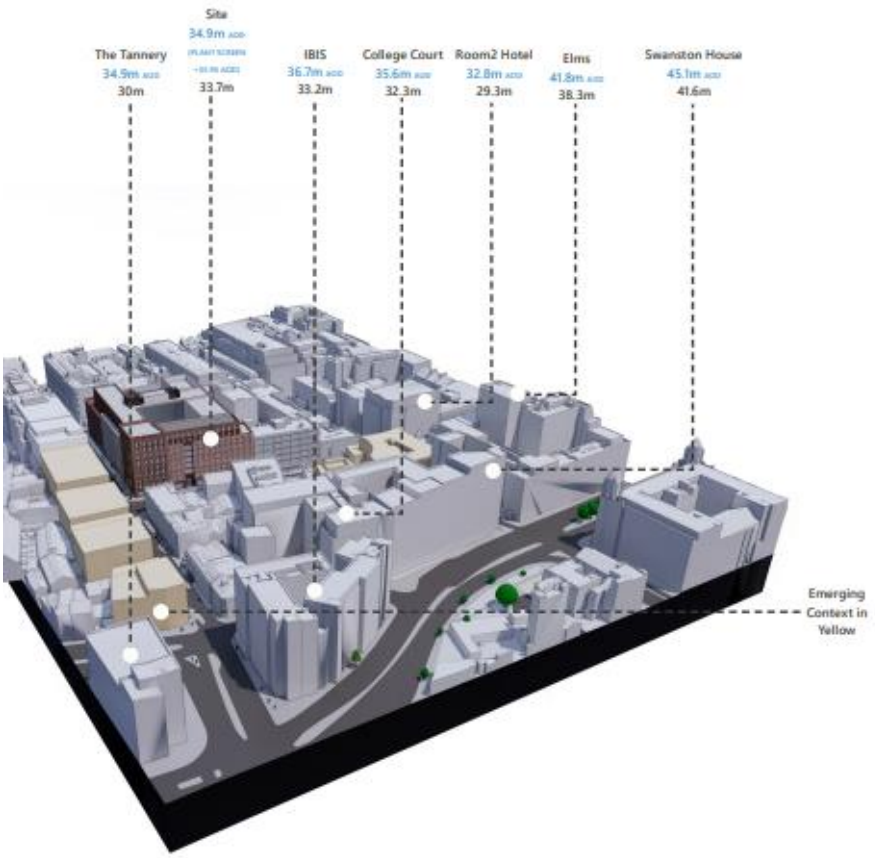
5.31 The Plans and Policy team state that the pipeline of PBMSA would result in a bed ratio of 2.65:1 and conclude this is broadly comparable with other university cities elsewhere in the UK.

5.32 The Plans and Policy Team response acknowledges that the fact Ulster University cannot guarantee accommodation for all first-year students provides an insight into the current PBMSA market as students may need to seek accommodation in the private rental market such as HMOs. The response also acknowledges that there has been a 27.7% increase in the full-time student population in Northern Ireland from 2017/18 to 2021/22.

5.33	The Plans and Policy Team is content that the increase in demand for PBMSA is likely to continue and a shortfall of PBMSA bed spaces currently exists in Belfast when considered as a ratio of the student population as a whole. The response does state it is unclear as to what extent the existing pipeline of PBMSA developments will meet the existing demand but even if all current and proposed PBMSA bed spaces are delivered, the ratio of PBMSA bed spaces to full time students is likely to remain broadly comparable with other university cities elsewhere in the UK.
5.34	Having regard to these factors, it is considered that a need for the proposal is established and that criterion e. is satisfied. *Purpose Built Managed Student Accommodation in Belfast SPG:*
5.35	In the absence of specific planning policy at that time, in 2016 the Council published PBMSA Supplementary Planning Guidance to support the consideration of such planning applications. Updated SPG is currently the subject of public consultation and does not currently have determining weight.
5.36	The 2016 SPG is material and sets out similar requirements to Policy HOU12 and other relevant policies in the Plan Strategy, covering areas such as accessibility, controlling development in established residential areas, open space, space standards, parking, waste and recycling. The Plan Strategy is the statutory Development Plan and carries greater weight than the 2016 SPG. Nevertheless, for the reasons set out in this report, it is considered that the proposal is consistent with the objectives of the guidance. *Economic development:*
5.37	The Council's Economic Development Unit notes that the estimated construction cost of the development is £80 million. It is expected that approximately 311 construction jobs will be created and 12 jobs at operational phase. These are material considerations that support the case for the granting of planning permission.
5.38	The Economic Development Unit advises that an Employability and Skills Developer Contribution is required for the construction phase and that this should be secured by a Section 76 planning agreement.
5.39	Having regard to the factors discussed above, the principle of PBMSA development in this location is considered acceptable. **<u>Principle of Short Term Let in this Location</u>**
5.40	The proposal includes the proposal to be used as short term let accommodation outside of term time when the building will not be occupied by students. HOU13 provides 6 criteria to be met for short term let accommodation. Criteria e and f do not apply as the proposal is not within an HMA and does not involve a change of use from permanent residential use.
5.41	The proposed short term use would be considered to strengthen and diversify the range of short term accommodation in the city. The proposed location is within the city centre where the surrounding tourist accommodation is in the main provided by hotels. The proposal would strengthen the short term range of accommodation and provide a meanwhile use when the building is not occupied by students. The proposed location is highly accessible by public transport with bus stops located on Castle Street and Queen Street and the Belfast Grand Central a short distance from the site.

5.42	The proposal is within close proximity to visitor attractions such as Belfast City Hall, Linen Hall Library and the Grand Opera House.
5.43	Appropriate management arrangements will be secured through the Section 76.
5.44	The short term use is welcomed to ensure the building is in use while students are not occupying the building, the proposal complies with Policy HOU13.
	Design, Placemaking and impact on the Conservation Area
5.45	The proposal has been assessed against Policies SP5, DES1, DES2 and DES3 of the Plan Strategy, the SPPS and *Creating Places*. 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 and siting of tall buildings. *Previous planning approval:*
5.46	Planning permission was previously granted for a 6-storey office building on part of the site in April 2020 (LA04/2019/2299/F). The proposal excluded Westgate House to the north-west corner of the site and the two/three storey buildings which infill between Westgate House and Norwich House. The permission remains extant and establishes the principle of a six-storey building on the site. This is an important material consideration setting a baseline for the consideration of height, scale and massing. *Demolition:*
5.47	To facilitate the proposed redevelopment, the following buildings are proposed to be demolished: • Norwich Union House – 6 storeys Westgate House – 4 storeys • No. 44 Castle Street – 3 storey building • No. 46 Castle Street – 2 storey building • No. 21 Fountain Street – 3 storey building • Multi Storey car park to the rear of Norwich House.
5.48	An application for Conservation Area Consent has been submitted(LA04/2024/1141/DCA) and is assessed as part of this report.
5.49	With regards to development in Conservation Areas, Section 104(11) states that 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; (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.
5.50	The SPPS states 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 when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist*'.

5.51	Policy BH2 relates to development proposals in the Conservation Area. In relation to demolition, it states that there will be a presumption in favour of retaining listed buildings and non-listed buildings in conservation areas. Total or partial demolition of a building will only be permitted where: *j. It makes either a negative or no material contribution to the character and appearance of the area; and* *k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.*
5.52	The proposed buildings to be demolished are not historic in nature and of no architectural merit. Internal conservation advice was sought and states that: '*it is considered that none of the buildings contribute to a sense of historicity or aesthetic value of the area, or its reading as a Victorian / Edwardian commercial centre.*' The buildings do not make a material contribution to the character and appearance of the Conservation Area. The demolition of the proposed buildings is considered acceptable in principle subject to suitable replacement that enhances the character of the Conservation Area (criterion k). Demolition should not commence until a valid contract is in place for the redevelopment and it is recommended that this requirement is secured by means of the Section 76 planning agreement. *Scale, height and massing:*
5.53	The proposal comprises a single large block fronting Fountain Street, Castle Street and Queen Street. There is a break in the development along Fountain Street with No. 11 to 19 Fountain Street to be retained which are two to three stories in height. There are two central courtyards provided either side of a central element that connects the Castle Street frontage of the building to the rear of the building.
5.54	The proposal is comprised of five sub-blocks (Blocks A to E) separated by changes in the shoulder height and/or materials. Block A (Fountain Street) is separated from Block B by Nos. 11 to 19 Fountain Street and is 7 stories in height. The proposal then rises to 9 stories with the shoulder height graduating along Castle Street and to the tallest block at the corner of Castle Street and Queen Street which has no setback of upper floors.
5.55	The five blocks are described below. • Block A is to be located along Fountain Street and has a shoulder height of 19.8m and a total height of 24m. • Block B is the red brick section at the junction of Fountain Street and Castle Street. This block has a shoulder of 21m with a three-storey setback and a total height of 29.9m. • Block C is a buff brick and has an increased shoulder height of 23.9m. The total height remains at 29.9m • Block D – this is the tallest element of the scheme with no setback and a total height of 31.3m. • Block E is the section along Queen Street with a shoulder height of 23.9m and a total height of 29.9m.

5.56	In comparison, the heights of other buildings in the vicinity include: • Bank Buildings to the North at 6 stories (32.5m), • Anderson McCauley Building to the East at 5 stories (27.77m), • The Tannery (30m), College Court (32.3m), IBIS (33.2m) and Swanston House (41.6m) to the West (32.3m) between 7 and 10 stories. • Room2 Hotel (29.3m) at 10 stories and Elms (38.3m) to the south at 11 stories. **Aerial Image showing proposal within surrounding tall buildings:** 
5.57	The immediate surrounding context of Castle Street, Fountain Street and Queen Street is typically 2 to 6 stories in height. There is a collection of taller buildings towards the periphery of the city core such as College Court, The Tannery, IBIS and Swanston House which are up to 11 stories in height. Queen Street contains taller buildings towards the junction of College Street such as the Room2 Hotel at ten stories.
5.58	The site is located within the Old City Character Area as designated in the original version of the draft Belfast Metropolitan Area Plan (2004) and also within the latest version of draft BMAP (2014) (CC009). This sets out a number of urban design criteria for the area and criteria specific to the area. There is a general criterion that affects the site: '*That part of any development which fronts onto Donegall Place, Royal Avenue, Castle Street, Castle Place, or High Street shall be a minimum height of 5 storeys, or 17 metres to building shoulder height, and a maximum of 7 storeys with use of setback, articulated roof forms reinforcing traditional character*.'

5.59	There are no site specific criteria which affect the proposal however there are three further criteria which apply throughout the Character Area: • New development shall respect the established building line. Exceptions may only be permitted where development creates significant public open space. • Building heights shall be a minimum of 3 storeys and a maximum of 4 storeys, or 5 storeys with use of set-back, articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected; • Development shall be fine grain in nature and aim to reflect traditional plot widths. • The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units – subdivision of block into 4 to 2 buildings.
5.59	Block A is proposed to be 7 stories with a height of 24m. The existing Norwich Union House adjoins buildings of two to five stories and there is a variance in height throughout Fountain Street. While Block A is proposed to be taller than the surrounding context, it would sit comfortably with the height being just above that of the shoulder of the proposed Block B. Given the further separation distance from the listed building, the proposed height of Block A will not detract from the listed buildings or the Conservation Area.
5.60	Block B turns the corner from Fountain Street onto Castle Street. This block contains a shoulder height of six stories (21m) and a total height of 9 stories (29.9m). The shoulder height is lower than the adjacent Anderson McCauley building and the three upper stories are set 7.6m off the corner and 3m behind the building line. The proposed shoulder line being below that of the adjacent Anderson McCauley building and of a similar height to the Bank Buildings ensures the height sits comfortably in the street-scene. The height and massing ensure that the building does not detract from the surrounding listed buildings and strikes a consistent height within the block that enhances the Conservation Area when compared to the existing Norwich House. The proposed shoulder height is the same as the previous approval and while the total height is taller, the setback of the upper floors from the corner and the building line is greater to mitigate any concerns of the increased height.
5.61	Block C is of the same height of Block B with though the shoulder height increases by one storey (2.8m). The increased shoulder height along with the change in brick tone successfully breaks up the building to reflect the historic plot widths within the Conservation Area and ensures the proposal does not dominate the street-scene. The shoulder height, whilst increase, is of a similar height to that of the Anderson McCauley building and the use of buff brick compliments that of the listed building.
5.62	Block D is located at the corner of Castle Street and Queen Street and proposes a height of 31.3m which is the tallest element of the development and unlike the other elements of the proposal, the upper floors are not set back from the building line. The increased height on the corner element is considered acceptable by placing emphasis on the junction and appearing as a focal point of the development. There is sufficient separation distance from the listed buildings which allows the increase height without competing for focus. The previous extant approval under the reference LA04/2019/2299/F excluded West Gate House on this corner of Castle Street and Queen Street; the inclusion of the corner block allows a cohesive development with logical steps up in height to the corner.

5.63	Block E along Queen Street mirrors the height of Block C with a shoulder height of 7 stories (23.9m) and the upper two floors setback from the building line with a total height of 29.9m. The upper two floors are also set approximately 6m from the gable end and the neighbouring building Queen's House. The proposed block is sympathetic to the neighbouring building by ensuring its steps down to be only 2.7m greater in height where it meets the neighbouring building. The proposed block acts as a transition piece between Queen's House and the taller corner (Block D) and provides legibility to the street-scene. To ensure the scale and massing of the block along Queen Street is sufficiently broken up, the main entrance is set back into the building with a change in materials and an increase in glazing.
5.64	Following negotiations and amendments to the scheme, it is considered that the scale, height and massing of the proposal are contextually appropriate. Blocks C to E have been lowered by one storey to sit comfortably within the street-scene and not dominate the neighbouring listed buildings or the Conservation Area. Treatment of the upper floor setback and facades has been amended to be sympathetic to its historic surroundings. *Architectural treatment:*
5.65	The proposed architectural treatment of the building is modern but with reference to historic design cues in terms of fenestration and bay treatment. The façade treatment includes vertical emphasis through the ordering of windows, vertical pilasters and horizontal bands to reflect that of the surrounding listed buildings and its historic context within the Conservation Area. Variations in the articulations of the façade aids to break up the massing such as variations in shadow gaps, horizontal bands and window head variations within the central block of Castle Street. Recessing the entrance into the Queen Street elevation and use of aluminium in this section provides a high quality, notable entrance to the building.
5.66	The proposed material treatment includes a palette of different tones of red brick for the majority of the scheme on Castle Street, Queen Street and Fountain Street. This is broken up with the central block of Castle Street which is a grey/beige brick similar to complement the tone of the Anderson McCauley Building and assists in breaking up the massing of the building. The upper floors are to be treated with red profiled aluminium panels. The brick tone is considered acceptable with regards to the location of the development and aids to break the scheme up to reflect that of the historic plot widths.
5.67	The proposal has been amended to provide subtle variations in detailing across the buildings and decrease the solid to void ratio which has aided in preventing the building from appearing heavy and monolithic in nature.
5.68	In summary, the proposed architectural treatments and materials compliment the scheme and are appropriate for the historic location.
5.69	A condition is recommended to require final approval of the external materials including a physical sample panel. *Active frontage:*
5.70	The proposal contains active frontage along Fountain Street, Castle Street and Queen Street. Two retail units are located on Fountain Street with one situated on the corner of Fountain Street and Castle Street. Four retail units are located on Castle Street. The ground floor amenity space occupies the frontage of Queen Street. The number of retail units is a reduction of the current number along Castle Street but the proposed floorspace will remain similar.

5.71	Due to the level of plant required to service the building, there is an inevitable level of inactive frontage proposed along both Queen Street and Fountain Street. On Queen Street, the inactive frontage is due to the location of an NIE HV and NI Water plant; this is in the location that is currently a car park and therefore no active frontage is currently in this location. The development of the car park with the remaining active frontages is considered an improvement to the street-scene.
5.72	On Fountain Street, two proposed NIE HVs will replace the entrance to Norwich Union House and a café (both now vacant). While a level of inactive frontage in this location is not ideal, consideration is given to the restrictions to where the plant must be located, the current vacant units and regenerative benefits of the scheme as a whole. A design solution to achieve a betterment of the current proposed plant has not yet been agreed and delegated authority is requested to deal with this matter.
	Wind Microclimate
5.73	Policy DES3 states that proposals should avoid the effects of wind turbulence and other adverse microclimatic impacts. The application includes the submission of a Wind Microclimate Assessment Report. The Report concludes that given the favourable orientation, configuration of the blocks and the shelter provided by nearby buildings, there is a low risk of raised winds on the ground. The level 6 amenity terrace is suitably sheltered such as to have a low risk of raised winds. It is not considered the proposal would cause any adverse microclimatic impacts.
	Public realm:
5.74	The proposed site contains a high quality public realm and therefore no improvements are considered necessary. The paving and street furniture is to be retained or replaced like for like as required.
	Masterplanning:
5.75	Policy DES2 contains a number of masterplanning principles for major development.
5.76	The proposal adopts a holistic approach, including the incorporation of Westgate House into the site and ensures a coherent block of form and scale. The proposal is mindful adjacent buildings by incorporating an appropriate shoulder height and avoiding prejudice by ensuring no windows are proposed on any gable walls. The proposal seeks to achieve BREEAM Excellent rating.
	Impact on the Conservation Area:
5.77	Internal conservation advice was sought regarding the proposed new building and a number of concerns were raised as detailed below: The conservation advice considers that the proposal at 9 stories in height is excessive and unsympathetic to the characteristic built form of Castle/Fountain/Queen Streets. The advice refers to the BMAP urban design guidance with a minimum 5 stories and a maximum of 7 storeys for Castle Street. The advice acknowledges that historically streetscapes increase in height at corners and that 8 stories may be considered acceptable at the corner or Castle Street and Queen Street but that 9 storeys represents an over-elaborate corner marker feature in terms of the hierarchical status of the node.

5.78	It is acknowledged that the proposal is taller than the dBMAP urban guidance, however, appropriate weight must be given to the opportunity to enhance the Conservation Area when the proposal is considered against the existing built form on the site. Due consideration is also given to the extant approval which along Castle Street is of a similar height to that proposed. The proposed building has been reduced from 10 to 9 storeys during the application process in order to sit more comfortably within the Conservation Area and surrounding Listed Buildings. Although the building at the corner of Castle Street and Queen Street will appear more prominent due to the upper stories not being set back the increase in height is marginal but ensures that the corner provides a focal point of the development. The perceived prominence of the building then lowers towards the Listed Buildings to ensure their setting is not impacted.
5.79	When considering the existing buildings and the extant approval the proposed height along with high quality design is considered acceptable within the context of the Conservation Area.
5.80	The conservation advice accepts that the new building re-establishes frontage, definition and enclosure to both Castle and Queen Streets promoting legibility. The advice states that there should be visual links to the courtyard but officers do not consider this would be necessary from the public realm given the Student Accommodation is not a publicly accessible building and the courtyards are considered amenity space.
5.81	In terms of massing, the conservation advice supports the approach of breaking up the building into three elements to achieve a finer grain development. The advice advocates a preference for this to be three separate buildings but given the proposed use of the building, officers are content this would not be practicable.
5.82	Conservation advice considers that further visual differentiation is required to achieve buildings of differing elevations and attic forms. The advice further states that the Castle Street elevation does not provide the colour of facing brick to the three elements and the middle block to Castle Street should be the same treatment throughout. The materials will be conditioned to be submitted prior to construction and it is considered that the middle block of Castle Street with the change in shoulder height and materials successfully differentiates this elevation into three distinct blocks, and helps to reduce perception of its overall massing.
5.83	The advice states that within the Conservation Area, middle sections of elevations were uniformed in terms of form/materials. It states that in relation to the lower Queen Street, block panels between windows should be masonry rather than PPC panels, terminating courses at the top of the elevation should provide a stronger visual stop and that the monolithic nature of the elevation should be broken up with façade modulations i.e. projecting terminating/central bays. Officers consider that the use of PPC panels reflects the modern design of the building while ensuring the proposal ties in with the Conservation Area. The elevation is considered to be broken up sufficiently with façade modulations such as the recessed entrance to the building.
5.84	The response states that the attic form is alien in context of area and the building appearing as separate boxes unrelated to the rest of the design. It states that attic floors should be articulated in a manner reflecting traditional character, lesser height than the floors below, pitched back at an angle with a sloping form with dormers faced in a contextually appropriate, roofscape material. The proposed upper floors have been amended to reduce the attic form to a uniform height, a consistent single material and to appear as a mansard roof design to appear contextually appropriate within the Conservation Area. It is considered that a more traditional design would jar with the

	overall contemporary design of the proposal and the setting of the listed buildings. Conservation advice also states that the roof forms should be differing to the three visually differentiated elements of the proposal. It is considered the elements of the proposal are sufficiently broken up through the differing materials and articulation of the facades, differing materials were for the attic form were assessed but considered too dominant. The approach to the attic design also ensures a consistency of design and overall legibility of the building as a single block.
5.85	It is considered that the proposal would enhance the Conservation Area by replacing contextually inappropriate buildings and a significant gap site with a contemporary building that acknowledges its historic setting, complies with Policy BH2 and relevant provisions of the SPPS, and satisfying the legislative provisions.
5.86	In summary, the proposal is considered acceptable having regard to Policies DES1, DES2, DES3 and BH2, and relevant provisions of the SPPS.
	Impact on the heritage assets
5.87	In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council must have special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest.
5.88	Policy BH1 of the Belfast Plan Strategy contains five criteria to be met when considering the impact of new development on the setting of Listed Buildings.
5.89	There are a number of listed buildings within close proximity to the site, these are listed below: • HB26/50/153 Bank Buildings Castle Place , Grade B1 • HB26/50/032 Anderson and McCauley, 1-9 Donegall Place, 2-16 Castle Street, Grade B1 • HB26/50/027 Former Children's Hospital (RUC Barracks) Queen Street, Grade B1 • HB26/50/109 St Mary's Roman Catholic Church Chapel Lane, Grade B1
5.90	The proposal is opposite the southern elevation of Bank Buildings and adjacent to the west of the Anderson McCauley building. St Mary's Church is located to the north west of the site while the former Children's Hospital on Queen Street is to the south west of the site and is currently subject to a planning application to restore the building with an associated 9 storey extension (LA04/2020/0568/F). The recommendation to approve was agreed by Planning Committee in November.
5.91	The Anderson McCauley and Bank Buildings, by reason of their proximity to the proposed site, form key views of the proposal along Castle Street and Fountain Street and are therefore of particular importance.
5.92	The proposed scale, design and massing of the proposal is considered to be sympathetic to the essential characteristics of the nearby listed buildings. The proposed shoulder height at the corner of Castle Street and Fountain Street is set lower than the adjacent Anderson McCauley to ensure the proposed building does not result in a loss of key views of the listed building or detract from its setting. Likewise, the proposed shoulder height along Castle Street is similar to Bank Buildings to ensure that the proposal does not dominate the setting of the listed building. The proposed design,

articulation of facades and materials compliment the surrounding listed buildings. The existing buildings on site contain no such architectural details or characteristics that reflect the listed buildings and therefore the proposal is considered to enhance the setting of the listed buildings.

5.93 DfC HED (Historic Buildings and Monuments) was involved in the design negotiations which led to improvements to the scheme. It offers no objection to the proposal in terms of potential impact on historic buildings and archaeology. HED considers that the planning application addresses concerns in relation to Policy BH1.

5.94 DfC HED (Historic Monuments Section) was consulted in regard to the submitted Archaeological Impact Assessment and is content subject to conditions for the agreement and implementation of a developer funded programme of archaeological works.

5.95 DfC HED welcomes an early archaeological investigation of the multi-storey carpark and advises that the archaeological programme of works should be updated to reference the excavation of part of the Belfast Ditch and bastion in Spring 2024 at 31-33 Queen Street.

5.96 The conditions recommended by DfC HED stipulate that no site works of any nature shall take place until a Programme of Archaeological Works (POW) has been submitted and approved. However, given the developer's tight development programme which requires them to commence demolition as soon as possible, DfC HED has that it would be content with a condition that allows demolition to ground level prior to the POW being submitted and approved. This is considered a reasonable approach.

5.97 Having regard to the advice from DfC HED and the further assessment by officers, it is considered that the setting of the Listed Buildings in the vicinity of the site, would be safeguarded. The proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS.

Impact on amenity

Space standards:

5.98 Criterion c. of Policy HOU12 requires PBMSA proposals to provide a quality residential environment for students in accordance with the space standards for HMOs set out in Appendix C of the Plan Strategy. The proposed bedrooms would exceed the relevant space standards as set out in the table below. Criterion c. is therefore satisfied.

Room type	Appendix C standard	Proposed
Standard bedroom	6.5 sqm	Min 10 sqm
Studio	13 sqm	13.5 sqm

Space standards for the proposed bedrooms

	Open space and amenity space:
5.99	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.
5.100	The proposal includes two ground floor courtyards and a rooftop amenity space measuring approximately 1,123sqm in size which will includes planting and seating areas. The amount of open space would be 21% of the site area, therefore, exceeding the 10% open space requirement. The requirements of Policy OS3 are met.
5.101	The external amenity areas would equate to an average of 1.4sqm per bedroom. *Creating Places*, published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm, however, this applies to apartment or flat developments, or 1 and 2-bedroom houses on small urban infill sites, and is not directly applicable to PBMSA development. In any event, Policy OS3 (open space) carries greater weight as part of the statutory Local Development Plan and is satisfied. In addition, the scheme would provide internal amenity areas such as lounges and a gym, which would support the residential living environment. The overall external and internal amenity space would be 3.5sqm per bedroom. This level of private amenity space provision is considered acceptable.
5.102	The proposal is considered compliant with Policy OS3.
	Daylight and sunlight to bedrooms:
5.100	A Daylight/Sunlight Assessment was carried out to ascertain whether the proposed development would offer acceptable daylight/sunlight amenity for prospective residents. In terms of daylight, 691 (84%) of student rooms would comply with the BRE guidelines with 91% meeting the criteria of 100lux. 72 bedrooms would achieve a median less than 100lux. In terms of sunlight, 47% of student bedrooms comply with the BRE guidelines with 49% of bedrooms receiving a minimum of 1.5hrs of sunlight on 21st March. There is a greater compliance in terms of common rooms with a 64% compliance. The rooms which are below target are generally located on the lower floors on the northern/eastern elevations or face the inner courtyards. The proposal is constrained by its location within the city centre and being surrounded by built form. The levels or daylight/sunlight are comparable to other approved PBMSA schemes in the City Centre and considered acceptable.
	Impact on neighbouring amenity:
5.101	There are no residential properties within close proximity of the site and therefore there are no concerns raised in terms of impacts to neighbouring amenity. There would be no conflict with adjacent commercial uses.
	Management plan:
5.102	A draft student management plan has been provided with the application and a final student management plan will be secured through the Section 76 planning agreement.

5.103	This will deal with, amongst other matters, anti-social behaviour, helping to mitigate potential impacts on neighbouring businesses, satisfying criterion d. of Policy HOU12.
5.104	In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.
5.105	**Climate change** *Proposed Demolition:*
5.106	To facilitate the proposed redevelopment, the following buildings are proposed to be demolished: • Norwich Union House – 6 storeys Westgate House – 4 storeys • No. 44 Castle Street – 3 storey building • No. 46 Castle Street – 2 storey building • No. 21 Fountain Street – 3 storey building • Multi Storey car park to the rear of Norwich House.
5.107	Policy ENV 2 states: *'Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible. Where demolition is proposed, measures should be included to minimise any waste through the reuse of as much building material as possible.*
5.108	A Demolition Justification Statement has been submitted and states the reuse of buildings is not appropriate as they do not conform to BREEAM standards as required for the scheme, nor would they be able to be retrofitted to current standards of building performance for conservation and sustainability. Furthermore, the buildings have been vacant for a number of years and showing signs of urban decay. The buildings were built for commercial purposes which makes them difficult to adapt to other uses resulting in an inefficient layout.
5.109	Having regard to these factors, the demolition of the existing buildings is considered acceptable.
5.110	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. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.111	The proposed building is targeting BREEAM Excellent rating, which is considered to satisfy both policies. Specific measures include energy efficient solutions such as air source heat pump, ecology and landscaping through the proposed rooftop amenity areas and reduced reliance on the private car and therefore reducing emissions associated with private car travel. A condition is recommended that requires the building to be constructed to BREEAM Excellent rating as required by Policy DES3 and to satisfy Policy ENV2.

5.112	The building would not be at risk of flooding and would be constructed to a high environmental standard, ensuring that it would be adaptable to climate change. In these regards, the proposal accords with Policy ENV3.
5.113	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 application proposes SuDS features such as the provision of a green roof. A condition is recommended to require implementation of the SuDS scheme and landscaping.
5.114	The proposal is considered to accord with Policy ENV5.
	Access and transport
5.115	The site is within a highly accessible location. The site is located within the City Centre boundary. It is located approximately 0.5 miles from Ulster University and 1.1 miles from Queens University with walking times of 11 and 26 minute respectively.
5.116	The site benefits from excellent access to public transport services due to its central City Centre location. There are nearby bus stops on Castle Street, Queen Street and Royal Avenue. The closest train station is Grand Central which is an 11 minute walk.
5.117	There is no parking proposed and given the highly accessible location within the City Centre and proximity to public car parks, this is considered acceptable.
5.118	The application is supported by a Travel Plan, which would further promote sustainable travel.
5.119	DfI Roads offers no objection to the proposal and it is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.
	Health impacts
5.120	Policy HC1 seeks to ensure that all new development maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.121	The site is highly accessible and provides excellent opportunity for active travel, including walking and cycling, through strong linkages within the City Centre, its shops, services and amenities, and the riverside. Active travel will be further encouraged through the proposed green travel measures.
5.122	Acceptable levels of open/amenity space are provided in the form of the courtyards and rooftop terrace. The proposal includes a gym, which would support the physical and mental wellbeing of occupants of the development.
5.123	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant living environment for students with good levels of amenity space, and well as enhancing the character and appearance of the area.

5.124	The proposal is considered to satisfy the requirements of Policy HC1.
	Environmental protection
5.125	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 contaminated land, air quality, lighting, odour and noise.
	Contaminated land
5.126	The contaminated land reports provided with the application identified lead, dibenzo(ah)anthracene and asbestos in soils but concluded a low risk to future occupants on the basis there was to be hardstanding across the site. The proposal accords with Policy ENV1.
	Air quality
5.127	The application is accompanied by an Air Quality Impact Assessment which concludes that the development is not predicted to have significant effects on the local air quality. Mitigation measures are proposed for the construction phase to ensure no significant adverse dust effects arising. Environmental Health has no objections subject to a condition.
	Noise
5.128	In relation to noise, a Noise Impact Assessment was submitted and notes it is necessary to install windows with a high sound reduction performance across octave bands. Environmental Health has no objections subject to conditions.
5.129	The proposal is considered to accord with Policy ENV1.
	Flood risk and drainage
5.130	DfI Rivers advises that the site is not with a present day or climate change flood plain, nor are there any watercourses within the site. DfI Rivers has reviewed the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions. Accordingly, it offers no objection to the proposal.
5.131	Having regard to the advice from DfI Rivers and submitted SuDS scheme, the proposal is considered compliant with Policy ENV5.
	Waste-water infrastructure
5.132	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted and objects to the proposal due to the downstream catchment being constrained by overloaded sewage infrastructure. 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 extant residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.

5.133	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.
	Natural heritage
5.134	Policy NH1 relates to the protection of natural heritage resources.
5.135	The site is not located within the boundary of any statutory or non-statutory designated sites or sites of national or local nature conservation. However, the site is immediately adjacent and hydrologically linked to designated sites within Belfast Lough.
5.135	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. Water quality of Belfast 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.
5.136	Following an Appropriate Assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to a condition requiring no development until the method of sewage disposal has been agreed in writing with NI Water. A condition requiring approval of the final details of foul and surface water is recommended.
5.137	DAERA has provided advice from its Natural Environment Division (NED) and has concerns with the proposal. The response raised concerns about the Preliminary Ecological Appraisal Report and that the categories used for Bat Roosting Potential are not valid categories resulting in the survey effort not being sufficient and that the emergence survey remains incomplete. An amended Preliminary Ecological Appraisal Report has been submitted following discussion with NED and NED has been re-consulted. The response remains outstanding and delegated authority is requested to resolve the consultation response, provided that the issues are not substantive.
5.138	The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
	Waste Management
5.139	The application is supported by a Waste Management Plan. This sets out provision for accommodating total waste generated from the building, associated retail units, how convenient and safe access for depositing waste and collecting waste will be facilitated via Queen Street. The Waste Management Plan is considered to comply with the SPG.
	Employability and Skills
5.140	The *Developer Contribution Framework* requires proposals for Major development to contribute towards Employability and Skills where necessary.

5.141	The Council's Economic Development Unit notes that the estimated construction cost of the development is £42 million. It is expected that approximately 280-300 jobs will be created during the design and construction stages. The Economic Development Unit advises that an Employability and Skills Developer Contribution is required for the construction period and this should be secured by a Section 76 planning agreement. This is recommended accordingly.
	Section 76 planning agreement
5.142	Should the application be approved, the following planning obligations are necessary to make the proposed development acceptable. These should be secured through a Section 76 planning agreement. • **Student management plan** – requirement for the submission, approval and implementation of a final student management plan; • **Employability and Skills** – to secure the submission and implementation of a Construction Employability and Skills Plan for the construction phase of the development; • **Demolition** – demolition not to commence until a valid contract is in place for the redevelopment.
5.143	A draft Section 76 planning agreement has been prepared without prejudice and will need to be finalised before planning permission is granted.
	Pre-Application Community Consultation
5.144	For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
5.145	Applicants are required to submit to the council a "Proposal of Application Notice" (PAN) in advance of making the application, which sets out their proposals for the pre-community consultation. A PAN was submitted in July 2024 (LA04/2024/0562/PAN) and confirmed by the Council to be acceptable.
5.146	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received.
5.147	In summary, a public event was held in May 2024 and dedicated community consultation website established. A total of 3 responses were received supporting the scheme from a regeneration perspective along with the wider benefits the development would bring.
5.148	The PACC report is considered compliant with the legislative requirements.
6.0	**Recommendation**
6.1	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.

6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and resolve the outstanding consultation from by DAERA NIEA in relation to the ecology report, and deal with any other issues that arise, provided that the issues are not substantive.
7.0	**DRAFT CONDITIONS** **LA04/2024/1138/F** 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No external brickwork, external cladding panels or external 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 brick materials and panelling. Reason: In the interests of the character and appearance of the Conservation Area. 3. No windows or external doors shall be installed unless in accordance with joinery details which shall have first been submitted to and approved in writing by the Council. The detail details shall include the final design of the windows and external doors, their detailed profile and materials. Reason: In the interests of the character and appearance of the Conservation Area. 4. No external rainwater goods shall be installed unless in accordance with details which shall have first been submitted to and approved in writing by the Council. The detail details shall include the final design of the rainwater goods, their detailed profile and materials. Reason: In the interests of the character and appearance of the Conservation Area. 5. Within one year of the occupation, evidence that the building has been constructed to at least Passivhaus “Classic” or BREEAM Excellent standard, or equivalent, shall be submitted in writing to the Council. Reason: To ensure that the development mitigates and adapts to climate change. 6. The development hereby approved shall not be occupied until the external terraces have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times.

Reason: To ensure that a quality residential environment is provided for occupants of the approved development.

7. The SuDS and other drainage measures shall be implemented as specified in the application and the building shall not be occupied until verification and evidence of such has been submitted to and approved in writing by the Council. The SuDS and other drainage measures shall be retained at all times.

   Reason: In order that the development provides sustainable drainage

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 sheltered cycle parking facilities have been provided in accordance with Drawing No.03A uploaded to the Planning Portal 24th October 2024.

   Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

10. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan uploaded to the portal on the 24th October.

    Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements.

11. The development hereby approved shall not be occupied or operated unless in accordance with the approved Service Management Plan uploaded to the Planning Portal on the 24th October 2024.

    Reason: In the interests of highway safety and free flow of traffic.

12. Notwithstanding the submitted details, 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 in the interests of safeguarding the environmentally protected Belfast Lough. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

13. The development hereby approved shall not be commenced until a final Construction Environmental Management Plan (CEMP) has been prepared and submitted to the Council. The CEMP shall clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises during the construction phases in line with BS 5228:2009 *Code of practice for noise and vibration control on construction and open sites*. All construction shall be carried out in accordance with the approved CEMP.

    Reason: In the interests of neighbour amenity.

14. Prior to installation of window units within the hereby permitted development, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades and floors shall be submitted to and approved in writing by the Council. The window specification for habitable rooms shall be capable of achieving, as a minimum, the internal noise standards presented in the Noise Impact Assessment uploaded to the planning portal on the 16th October 2024. The window units shall not be installed unless in accordance with the approved details.

    Reason: Protection of future occupants against adverse noise impact.

15. Prior to the occupation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the letter from RSK Ireland Ltd uploaded to the planning portal on the 25th November 2024.

    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 (residential without homegrown produce). 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. In particular, the Verification Report must demonstrate that:

    a) A minimum of 400mm of soils that are demonstrably suitable for a residential without homegrown produce end use have been emplaced in all ground floor landscaped areas.

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

16. If, during the carrying out of the development, new contamination is encountered that has not previously been identified, all related 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. 17. Should new contamination or risks be encountered during the construction phase which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be submitted to and approved in writing by the Council and subsequently implemented. After completing any required remediation works, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives. Reason: To protect the groundwater environment. 18. No site works of any nature or development shall take place (excluding demolition to ground level) until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 19. No site works of any nature or development shall take place (excluding demolition to ground level) other than in accordance with the programme of archaeological work approved under condition L15a. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 20. 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 condition L15a. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

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.

LA04/2024/1141/DCA

1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

   Reason: As required by Section 105 of the Planning Act (Northern Ireland) 2011.

2. This consent only relates to the buildings hatched in red on drawing no. 02A uploaded to the planning portal on the 17th October 2024 and to no other part of the buildings or structures within the site.

   Reason: For the avoidance of doubt as to the extent of this consent, to preserve or enhance the character or appearance of the Conservation Area.

DRAFT INFORMATIVES

NOT04 Section 76 planning agreement
This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which requires the submission, approval and implementation of a Construction Employability and Skills Plan, Final Student Management Plan and requirement for a contract to be in place for the redevelopment prior to demolition.

NOT02 Compliance with planning permission
Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

NOT03 Discharge of condition(s)
This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

NOT05 Non-planning requirements
The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer, consents or permissions under other legislation or protocols.