

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 Feb 2016	
Application ID: LA04/2015/0420/F	
Proposal: Redevelopment of the former Belfast Metropolitan College Campus into a mixed use development. This is to erect a 476 bedroom managed student residential building with ground floor retail class A1 to the Southern aspect of the site. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park.	Location: Land South of Franklin Street East of Brunswick Street and West of McClintock Street Belfast BT2 7GX
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: McAleer and Rushe 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Consarc Design Group Ltd The Gas Office 4 Cromac Quay Belfast BT7 2JD
Executive Summary: The application seeks full planning permission for the redevelopment of the former Belfast Metropolitan College Campus to provide a mixed use development. Proposal includes a 476 bedroom managed student residential building with ground floor retail class A1 to the Southern aspect of the site. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park. The main issues to be considered in this case are: <ul style="list-style-type: none"> • The acceptability of purpose built student accommodation at this location; and the acceptability of a retail unit at this location; • Impact upon the character and appearance of the Linen Conservation Area of demolition and re-development • Impact upon setting of adjacent listed buildings; • Environmental Impacts - Contaminated Land, Flooding / Drainage and Noise Impact • The impact on existing roads infrastructure; The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within the Linen Conservation Area and Commercial District Character Area (Designation CC0007). Demolition of the existing structure on the site has been previously granted in June 2006 (Planning	

application Ref: Z/2005/0209/DCA) as the building was considered to be of no particular architectural merit and did not contribute positively to the Conservation Area.

The principle of Purpose Built Student Accommodation (PBSA) is acceptable at this location. The site is not within a primarily residential area. The site is located on unzoned (white) land within close proximity to Great Victoria Street transport Hub and well located to serve both Queen's University and the new University of Ulster Campus.

The principle of the ground floor retail unit is also acceptable given the city centre location.

NIEA Historic Buildings Unit is content with the principle of the proposal given the existing context of the site and approvals in and around the listed buildings on Bedford Street.

The scale, design and massing are found to be acceptable. Given the current/ previous buildings on site and the cluster of high rise in the context within which the building is set the proposal will not result in harm to the character of the Linen Conservation Area.

Transport NI, NIWater, Waste Management Unit, NIEA Historic Buildings and Historic Monuments Units, Rivers Agency and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

The proposal has been assessed against the – Belfast Metropolitan Area Plan; and relevant planning Policies contained within the Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: Access Movement and Parking, Planning Policy Statement 6: Planning, Archaeology, Planning Policy Statement 7 – Quality Residential Environments' and Planning Policy Statement 15 (Revised) – Planning and Flood Risk. The proposed is considered to be in accordance with the Belfast Metropolitan Area Plan relevant planning policies, and other material considerations.

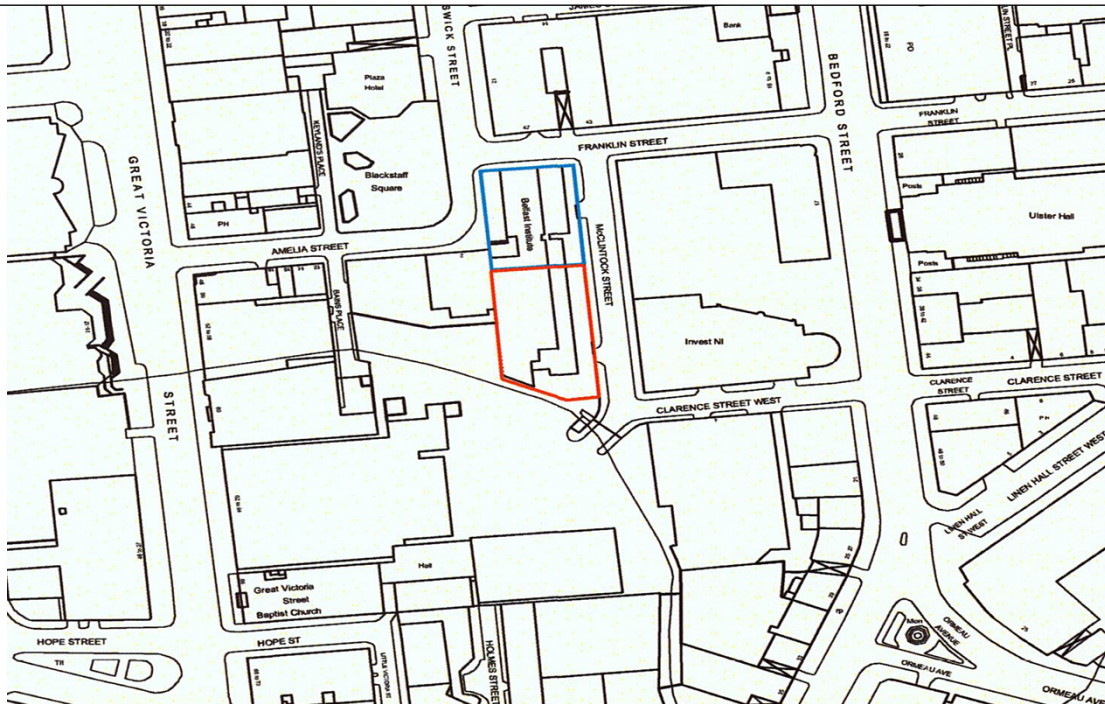
In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council both to provide certainty around the management of the accommodation and to provide contributions to local environmental improvements.

Recommendation

Approve subject to conditions set out in case officers report and pending completion of a Section 76 Agreement.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development

Redevelopment of the former Belfast Metropolitan College Campus into a mixed use development. This is to erect a 476 bedroom managed student residential building with ground floor retail class A1 to the Southern aspect of the site. The student development is comprised of

	<p>welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park.</p> <p>The building is 16 storeys high and has a maximum ridge height of 46.5m to the southern end of the site drooping to 43.5m towards the northern end of the site adjacent to current hotel proposal (granted planning permission subject to a Section 76 Agreement planning ref: LA04/2015/0418/F - Pending). The building is 48m wide (McClintock Street frontage) with a depth of 26m at its widest point towards the middle of the building dropping to 14m either side.</p> <p>The finishes proposed are a mix of buff facing brick intersected by vertical and horizontal aluminium cladding panels. Aluminium curtain walling is located between every other window with the middle part of the building entirely made up of full storey window units with aluminium cladding and ventilation panels providing a strong vertical emphasis in between windows.</p>
2.0	<p>Description of Site Brownfield site, existing building being demolished. Previously Belfast Metropolitan College Campus building. Part of corner site at junction of Brunswick Street and Franklin Street. A 10 storey flat roofed building occupies the site. This building is partly demolished.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	Z/2011/0447/F - Redevelopment of Belfast Metropolitan College Campus comprising demolition of existing building and erection of a 17no. storey office building including commercial/retail uses (Class A1 & A2) at ground and first floor levels. (Change of application type from Reserved Matters to Full). Approved August 2012
3.2	Z/2005/0196/O- Replacement of Belfast Institute of Further and Higher Education (BIFHE) campus to provide new educational facility, including retail (class A1) and service (class A2) uses associated with college operations. Approved June 2006
3.3	Z/2005/0209/DCA - Demolition of existing Belfast Institute of Further and Higher Education (BIFHE) campus. Demolition granted June 2006
3.4	Z/2007/0891/O - Redevelopment of BIFHE Brunswick Street Campus as new office building, including commercial/retail uses at ground & first floor. Proposed new building to be up to 70 metres in height above ground level. Approval March 2008.
3.5	Z/2005/2567/F- 26 storey mixed use development (retail, gallery, offices), with basement car parking and completion of new civic square. Approved June 2007.
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015 Policy TRAN 1 Parking Standards with Areas of Parking Restraint.
4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage Planning Policy Statement 7 – Quality Residential Environments Revised Planning Policy Statement 15 – Planning and Flood Risk HMO Subject Plan 2015 Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note Belfast: A Framework for student housing and purpose built student accommodation
5.0	Statutory Consultees Transport NI – No objection Rivers Agency – No objection

	NIEA Historic Buildings Unit – No objection NIEA Historic Monuments Unit – No objection NIEA Water Management Unit – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – No objection
7.0	Representations 1 letter of objection was received. Summary of Issues raised: - Style of the proposed building is out of keeping with character of the area.
8.0	Other Material Considerations N/A
9.0	Assessment The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - The acceptability of purpose built student accommodation at this location; - The acceptability of proposed retail unit at this location; - Impact upon character and appearance of Linen Conservation Area; - Demolition of existing building within the Linen Conservation Area; - Impact upon setting of adjacent listed buildings; - Contaminated Land - Noise Impact - Bin Storage - The impact on existing roads infrastructure; - Flooding
9.1	Principle of Redeveloping the Site & Height, Scale and Mass The site is located within the development limits of the Belfast Metropolitan Area Plan (BMAP) on unzoned (white) land. The presumption is therefore in favour of development subject to the planning considerations detailed below: The site is located within the commercial district (CC007) and within the Linen Conservation Area as designated in BMAP. The proposal is a 16 storey building, where the building on site currently being demolished is a 10 storey building. A significant material consideration in this instance is the planning history on the site, which includes a 17 storey office building, approved on 28/08/12, and is thus still a live permission. The site is located within the Commercial District as designated in the BMAP. This sets out a number of urban design criteria for the area. The criteria does not specify this area (Brunswick Street and McClintock Street), but relates to the Commercial District. The criteria requires new development to take account of the height of adjoining buildings and respecting the established building line. The proposal is 16 storeys high (46.5m) and is located beside an application site for a 14 storey high hotel with a ridge height of approximately 45m. Having said this there is a live approval on the site for a 17 storey office building at a total height of 72.2m. The proposal will therefore be much more sympathetic to the height of the adjoining buildings that previous approvals. The Invest NI building, has a similar number of storeys as the proposed building is approximately 5m higher standing at approximately 50m. It is considered, this proposal would result in a cluster of high rise buildings in this particular location, which if developed in a consistent manner with a pallet of compatible materials would result in a mixed use regeneration of the area.

In terms of the proposed building line the footprint will project further towards McClintock Street than the existing structure, however the previous approval, still live on the site, has a very similar footprint to that proposed.

Another of the more generic design criteria for the area is that the density of development in the area shall be maintained and increased, where appropriate, through high site coverage and high plot ratios. All other material considerations aside the proposal would appear to reflect this approach.

The proposal has been assessed against paragraphs 4.23-4.29 of the Strategic Planning Policy Statement (SPPS). The design is contemporary with the aluminium cladding helping to achieve a vertical emphasis, more in keeping with the traditional forms and proportions. The design and finishes have been amended

to address the relationship with the adjacent hotel scheme and provide a stronger and more traditional vertical emphasis with a buff finish tying in with the finish of the proposed hotel and the adjacent Invest NI building. The design provides a more aesthetically pleasing treatment than the previous planning approval on the site which is defined by rows of continuous glazing broken up with silver aluminium framed curtain walling.

Notwithstanding the above, it is considered that the materials should be conditioned on any approval to ensure that there is a quality of finish to the scheme which is compatible in the locality.

9.2 Acceptability of the Retail Unit

Retail policy considerations are set out in the SPPS and BMAP. The site is located within the city centre but outside the primary retail core. The retail unit is 146 sqm.

As the site is located within the City Centre boundary in BMAP and the retail unit is located on the ground floor there is no objection in principle to this use. Unrestricted retailing is appropriate within this City Centre location.

9.3 Proposed Use as Purpose Built Managed Student Accommodation (PBMSA)

The proposal has been assessed against Policy HMO 7 of the Subject Plan for Belfast City Council Area 2015. The site is located within the Dublin Road/ Great Victoria Street HMO Development Node HMO 4/14 as designated in BMAP.

Policy HMO 7 Large Scale Purpose Built Student Accommodation is the current planning policy which explicitly relates to the provision of PBMSA, stating: Planning permission will only be granted for large scale purpose built student accommodation where all of the following criteria are met:

- Development of any complex consists of a minimum of 50 units or a minimum of 200 occupants. This will not preclude proposals for smaller incremental extensions or consolidations of existing halls of residence and phased development of larger schemes. The proposal is for 476 units and therefore meets this criteria.

- All units are self-contained (i.e. having a bathroom, w.c. and kitchen available for use by the occupiers) Kitchen and en-suite bathroom facilities within each unit.

- The location is not within a primarily residential area

The site is located within the city centre and not within or nearby any established residential areas.

- Provision is made for management of all accommodation. This may require an Article 40 agreement with Planning Service (Section 76 under the Planning Act (Northern Ireland 2015))

A management plan, prepared by Fresh Student Living, has been submitted in support of the application. There are numerous procedures set out:

- An on-site management team to be put in place
- Operational restrictions to prevent impact on residents regarding deliveries, rubbish collection, tenancy agreements and codes of conduct.
- Thorough complaints procedure and accommodation manager

The supporting planning statement makes reference to the fact that Fresh Student Living is a nationally recognised provider and operator of purpose built student accommodation with a number of existing and proposed schemes.

A draft Article 76 agreement has also been submitted with the application with regard to contributions towards public realm improvements.

- Landscaping and amenity space is provided in accordance with a landscaping plan indicating all landscaping proposals for the scheme and, where relevant making provision for future maintenance.

An enclosed landscape courtyard has been provided to the rear of the building, of approx 105 square metres.

9.4 The proposal has been assessed against Belfast City Council's ('the Council') document 'Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note'(Nov 2015).

This document is the Council's first step as a planning authority to respond to the Strategic Planning Policy Statement's (SPPS) stated objective that the planning system should secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Whilst guidance and not planning policy it is still a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to.

9.4.1 Criteria (a)

The proposed site is located at McClintock Street and is within 1150m (15 minute walk) of the new University of Ulster campus on York Street and 1150m (15 minute walk) from the main Queens University Campus.

The supporting statement submitted in response to the criteria for Purpose Built Managed Student Accommodation set out in the Planning and Place Advice Note - October 2015, states that the site is convenient to various public transport services most notably the Translink Metro bus service from Belfast City centre to Malone. This service runs every 10 minutes during the day, from Donegall Square East (6 minute walk) with stops immediately in front of the main QUB Lanyon Building.

The site is also within a 3 minute walk of the Europa Bus and Rail Centre and the site of the proposed Belfast Transport Hub.

Given the sites central and highly accessible location in relation to both the University of Ulster and the main Queen's University Campus it is a suitable location for a PBMSA development in respect of this criterion.

9.4.2 Criterion (b)

Requires the need to assess the proposal in relation to policy designations specific to the city centre.

The development site is outside the designated Primary Retail Core.

	<p>The site is located within the Linen Conservation area. A Conservation Area statement was submitted in support of the planning application. The Conservation Statement concluded that the removal of the redundant Metropolitan College building which previously occupied the site and replacement with the proposed building, would cause no harm to the character of the conservation area and could potentially enhance the area both by introducing a more appropriate architectural design and materials, and by bringing life back into the city centre with an active ground floor street frontage.</p>
<p>9.4.3</p>	<p><u>Criterion (c)</u> The proposed building is 6 storeys higher than the building which currently occupies the site (partly demolished). However the building is approximately 10.5m higher than the building approved on this site under planning application Z/2011/0447/F (approved 28 August 2012 and still live). The building height is compatible with the existing InvestNI building to the immediate east of the site and the adjacent hotel proposal (current planning application LA04/2015/0418/F).</p>
	<p>In terms of the specified space standards, the proposal exceeds the required space standards the proposed rooms are 4 square metres above the recommended room area for one occupant bedrooms and 8 metres above what is recommended for two occupant bedrooms. Kitchen/living rooms have been provided within each of the accommodation clusters serving from 3 to 5 students and ranging in area from 20 to 32m² depending on occupancy.</p> <p>A Transport Statement and Travel Plan Framework, were prepared and submitted in support of the planning application. The proposal includes provision for 6No car parking spaces including two disabled standard spaces, however, the Travel Plan will encourage the use of sustainable modes of transport including walking, cycling and the use of public transport services. Transport NI have offered no objections to the proposal. A total of 50 cycle spaces have been proposed at ground-floor level.</p>
<p>9.4.4</p>	<p><u>Criterion (d)</u> The criterion states that development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area. There is currently no student housing provision in the vicinity of the proposed development nor is the site located adjacent to an established residential area.</p> <p>The proposed development site is currently vacant, the redundant former Belfast Metropolitan College building having been partly demolished. The proposal will help in the regeneration of this part of the city centre and create an active groundfloor frontage.</p>
<p>9.4.5</p>	<p><u>Criterion (e)</u> A Student Residential Management Plan was submitted in support of the planning application. The Management Plan set out detailed proposals for management measures to create a safe, clean, well run environment for its occupants which respects their need for privacy and study whilst ensuring that the accommodation and its occupants acknowledge and respect the rights of adjacent residents and businesses to a quiet life. Those measures included:</p> <ul style="list-style-type: none"> - Accommodation Management - Accessibility management - Maintenance – internal and external - House-keeping and servicing - Deliveries and collections - Check-in and check-out - Work - Security and Safety

	<p>The Management Plan goes on to set out:-</p> <ul style="list-style-type: none"> - Services to be provided to occupants - What the residence expects of occupants - Community liaison: responsibilities and procedures - Complaints procedures - Waste and re-cycling management <p>Whilst the Environmental Protection Unit (EPU) has noted that the proposal is not located within a typically residential area they have stated there are concerns regarding the management of potential noise and anti-social behaviour given that the proposal is for the multiple occupancy of up to 476 No. students.</p> <p>EPU acknowledges and welcomes the applicant's submission of a plan for the management of student behaviour. However in order to ensure <i>delivery</i> of a robust Student Management Plan, the EPU suggests consideration be given to attaching a condition, should planning permission be granted, requiring a final management plan to be submitted and approved by the Council. Within the Plan evidence must be submitted that this final Management Plan will be delivered by a competent PBSA operator with a proven track record in managing this type of accommodation and demonstrate compliance with a government approved accreditation scheme for purpose built student accommodation. The Management Plan should also address general management operations, site and landscape maintenance, servicing, security features, CCTV, lighting, intercoms, soundproofing, noise control and tenant behaviour as well as providing a travel plan for staff and students, and should include the proposed liaison arrangements with the relevant education institution, the Council and the PSNI in relation to tenant behaviour. A condition ensuring such a plan is delivered is detailed below and consideration will be given to incorporating that plan into the Section 76 agreement.</p> <p>9.4.6 <u>Criterion (f)</u> The 'Response to PBMSA Planning & Place Advice note' (November 2015) states that Queens University have a 100% occupancy rate within their existing accommodation and have an urgent need to address a high level of demand.</p> <p>Queens University have acknowledged in May 2015 that "there is very limited scope for the development of student residential accommodation on Queen's- owned sites..."</p> <p>McAleer & Rushe have responded to Queens University requirement and are at an advanced stage of the procurement process. The site location and overall characteristics including size, scale, design have been developed with input from Queens University.</p> <p>9.5 Listed Buildings and Historic Monuments The proposal has been assessed against Policy BH11 of Planning Policy Statement 6. The application site is in close proximity to and impacts upon the listed building at 17 Bedford Street HB26/30/055 which is of special architectural and historic importance and is protected by Section 80 of the Planning Act (NI) 2011.</p> <p>Historic Building Unit has considered the impacts of the proposal on 17 Bedford Street a B+ Listed building, and on the basis of the information provided is content in principle with the proposal. Given the existing context of the proposal site and previous approvals in an around the listed building of 17 Bedford Street DOE:HED have no grounds for non compliance of this proposal.</p> <p>The proposal has been assessed against Policy BH4 of PPS6. NIEA Historic Monuments Unit has offered no objections to the proposal.</p>
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9.6**Demolition and development within Linen Conservation Area**

The proposal has been assessed against Policy BH12 of PPS6 .The site is located within the Linen Conservation Area as designated in the Area Plan. There is an argument that the building as proposed, in terms of its height and massing, would be unsympathetic to the characteristic built form of the conservation area with a much lower streetscape being the norm. However a key consideration is the planning history on the site, with a live approval (granted under Z/2011/0447/F) still live on the site until August 2017. This building is of a much larger scale, approximately 25m higher than the proposed structure. For this reason it would not be reasonable to suggest that the proposal is inappropriate, and in terms design, should be seen as a marked improvement to the previous approval. Given this, and considering the lack of distinctive or noteworthy architectural style of the building on the site at the moment (albeit partly demolished), the proposal will not result in harm to the character of this part of the conservation area by introducing a new building with active frontage and a contemporary design at this particular location.

The proposal has been assessed against Policy BH14 of PPS6. The existing building makes no material contribution to the character or appearance of the area. Conservation area consent for demolition was granted on the site in June 2006 under application Z/2005/0209/DCA. There is no time limit on such a consent however demolition can not occur until such times as a satisfactory redevelopment scheme has been agreed for the site.

9.7**Quality Residential Development**

The proposal has also been assessed against QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas.

The site is located within an established high rise mixed use area within Belfast City Centre with little in the way of residential context. As stated above the planning history on the site is a material consideration and the proposal will result in a better quality scheme for the site which shall sit comfortably within a its high rise context of the traditional red bricked buildings and the more contemporary office buildings with .

EPU has raised no objection in relation to impact on amenity. On review of the F.R. Mark Noise Impact Assessment, the Environmental Protection Unit suggests consideration is given to attaching a condition to any approval, should permission be granted, to ensure the appropriate noise mitigation measures are carried out. This condition is detailed below.

9.8**Contaminated Land**

EPU is now satisfied that the updated contaminated land report adequately reflects the proposed site end use scenario and accepts the findings of the updated report that there are no exceedances for the contaminants tested for in soil and groundwater against residential GAC presented.

It is noted from the Mason Evans report that 6 rounds of ground gas monitoring shows a gas characteristic situation 2 for the site based on slightly elevated methane concentration. Subsequently, the Mason Evans report outlines the recommended remedial measures to be incorporated into on site buildings to ensure sufficient gas protection.

In view of the above, EPU has requested consideration is given to attaching a condition, should

approval be granted, in relation to the necessary gas protection measures.

NIEA have noted elevated concentrations of contaminants are evident at the site from the Geotechnical and Environmental Services report however these are not identified in the GQRA. The proven thickness of cohesive deposits underlying the site protect the underlying aquifer and there is no surface water receptor at risk therefore no unacceptable risks to environmental receptors are present at the site.

9.9 **Noise Impact**

The submitted F.R. Mark noise assessment advises that day time and background noise measurements were conducted outside the nearby Park Inn to characterise the typical noise levels in the City centre location which the report advises are influenced by transportation noise during the day and by noise from both local transport and patron noise associated with nearby bars during the night time.

Based on the findings of the noise measurement survey, the noise assessment examines the facade insulation required to ensure suitable internal noise levels for the proposed development and to recommend a permissible target rating level for proposed plant and equipment which will not impact on future residents of the proposed development.

The recommended attenuation to be achieved by proposed window units and acoustic ventilation will be crucial not only for mitigating against the existing noise climate associated with road traffic and patron noise but also for reducing the impact of a potential increase in patron noise associated with the proposed adjacent hotel development which will introduce an external smoking area, presumably in use until late at night and which will be situated in very close proximity to the proposed student development.

The potential for noise generated by the proposed retail unit at ground floor is also briefly discussed in the noise assessment and the report advises the separating structures between the retail unit and the units above will be subject to compliance with current building control regulations in relation to sound insulation. In addition, it is noted that the current design layout indicates that there will not be bedrooms located directly above the proposed retail unit which will act as further re-assurance that there should be no negative noise impact on proposed bedrooms.

The noise report also directs the applicant to advise the appointed Contractor to recommended mitigation measures to be employed during the construction phase.

On review of the F.R. Mark Noise Impact Assessment, the EPU suggests consideration is given to attaching a condition to any approval, should permission be granted, to ensure the appropriate noise mitigation measures are carried out. This condition is detailed below.

9.10 **Traffic and Parking**

The proposal has been assessed against PPS3, TRAN 1 and policy CC025 of BMAP and is considered acceptable. There is no parking proposed to facilitate the development.

The planning statement submitted in support of the proposal talks about the accessibility of the site and its proximity to the Europa bus and rail centre and bus stops (approx 100m). The Travel Plan sets out that the development will be 'car free' and the scheme has been designed to encourage alternative modes of transport.

Transport NI have offered no objections to the proposal subject to a number of conditions which are detailed below.

9.11 **Flooding**

	<p>This site is affected by a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to Rivers Agency as the Blackstaff River.</p> <p>The Flood Hazard Map (NI) indicates that the site does not lie within the 1 in 100 year fluvial flood plain.</p> <p>Having reviewed the Proposed Drainage Works report, Rivers Agency have noted that the applicant has had pre application discussions with both Rivers Agency Area Office and NIWater regarding this development and have received agreement in principle to the works and that the proposed design incorporates 16m³ of attenuation to restrict flow. Hence Rivers Agency would have no specific reason to object to the proposed development.</p>
<p>9.12</p>	<p>Developer Contributions</p> <p>A draft Section 76 Agreement has also been submitted with the application with regard to contributions towards public realm.</p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council both to provide certainty around the management of the accommodation and to provide contributions to local environmental improvements.</p> <p>In this case it is considered that this should primarily take the form of public realm improvements to the streetscape around the building and enhance connectivity to the city centre.</p> <p>The sum of monies / works to be undertaken are to be agreed with the developer / landowner and the developer has expressed a willingness and commitment to provide satisfactory contributions.</p>
<p>9.13</p>	<p>Bin Storage</p> <p>With regard to bin storage, the applicant has shown two substantial bin storage areas at groundfloor level. Building Control have stated that there is sufficient development opportunity to comply with the Building Regulations (NI) 2012 in respect to waste storage. This may require some tweaks to the ground floor layout however any changes should not be in any way significant.</p> <p>It is considered necessary to condition any approval to ensure an adequate waste management strategy is delivered for the collection and disposal of waste, such strategy to be agreed with the Council in writing.</p>
<p>9.14</p>	<p>Consideration of Objections</p> <p>The issue of the style/ design of the building is discussed in more detail above. A material consideration in this instance was the planning history on the site and the proposed design is more in keeping with the character of the area than that which was approved under planning application</p>

<p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p>	<p>Summary of Recommendation: Approval</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission should be approved for the following reasons.</p> <p>The proposal is not located within an established residential area and is appropriate in terms of its immediate context with a number of high buildings both existing and approved. Although 6 storeys higher than the building it will replace, the proposed structure will sit comfortably within this high rise area, and in light of the previous history on the site (for a building approx 25metres higher) on balance it will not have a detrimental impact on the character of the conservation area.</p> <p>The proposal meets the requirements of the HMO Subject Plan and is situated in an accessible site within Belfast City Centre. It is well located to serve both Queens University and the new University of Ulster campus, and within close proximity to the Great Victoria Street Transport Hub.</p>
<p>11.0</p> <p>11.1</p> <p>11.2</p> <p>11.3</p>	<p>Conditions</p> <p>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit.</p> <p>Prior to commencement of the development hereby approved, samples of materials and details of external finishes shall be agreed in writing with Belfast City Council.</p> <p>Reason: In the interests of visual amenity and to ensure a high quality of finish within the Linen Conservation Area.</p> <p>Prior to commencement of operation of the development, the applicant must submit, to the Department, a <i>Final Management Plan</i> to be agreed and approved by the Council's Planning Service.</p> <p>Evidence must be submitted that the Management Plan will be delivered by a competent PBSA operator with a proven track record in managing this type of accommodation.</p> <p>The Final Management Plan must demonstrate compliance with a government approved accreditation scheme for purpose built student accommodation such as ANUK/UNIPOL National Code of Standards or the Universities UK/HE Guild Management code and provide detailed arrangements to address the following matters:</p> <ul style="list-style-type: none"> • Noise Control and tenant behaviour; • Measures for controlling hours of use and potential noise disturbance from the proposed gym and social space/games rooms; • Proposed Liaison arrangements with the relevant education institutes, the Council and the PSNI in relation to tenant behaviour. <ul style="list-style-type: none"> • Travel Plan for staff and students; • General management operations to include waste disposal; • Site and landscape maintenance; • Servicing; security features; CCTV; Lighting; Intercoms; Soundproofing.

11.4	<p>Reason: In the interests of public amenity.</p> <p>Within the first year of commencement of operation of the development the Applicant must submit to the Council evidence to demonstrate that the development has obtained accreditation under a government approved accreditation scheme for purpose built student accommodation such as the ANUK/UNIPOL National Code of standards or the Universities UK/HE Guild Management Code. Continued operation of the development thereafter will be subject to accreditation under a government approved accreditation scheme being maintained.</p>
11.5	<p>Reason: In the interests of achieving a quality residential environment.</p> <p>Prior to occupation of the proposed development, the applicant must submit, a Noise Verification Report (VR) which must be agreed in writing by the Council, demonstrating that:</p> <ul style="list-style-type: none"> (a) The mitigation measures, recommended in the May 2015 F.R. Mark Noise Impact Assessment, by way of upgraded window units and acoustically attenuated means of alternative ventilation for the worst affected facades (overlooking Brunswick Street and McClintock Street) have been incorporated into the proposed building; (b) The entire window system (including frames, seals etc) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall: <ul style="list-style-type: none"> • Not exceed 35 dB $L_{Aeq,16hrs}$ at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • Not exceed 30 dB $L_{Aeq,8hr}$ at any time between the hours of 23:00hrs and 07:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • Not exceed 45 dB L_{Amax} for any single sound event between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; (c) The rating level (dBL_{Ar}) of all combined building plant services does not exceed the background sound level (for both day time and night time) as outlined in the May 2015 F.R. Mark Noise Impact Assessment. The sound rating level shall be determined and all sound measurements shall be made in accordance with <i>BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound</i>.
11.6	<p>Reason: In the interests of public amenity.</p> <p>Prior to development commencing, a Construction Noise Management Plan shall be developed and submitted for review and approval by the Council. This Plan should incorporate the recommended mitigation measures outlined in the F.R Mark Noise Impact Assessment dated May 2015 and outline the methods to be employed to minimise any noise and vibration impact of demolition and construction operations demonstrating 'best practicable means'. The Plan should pay due regard to <i>BS 5228:2009 Noise and Vibration Control on Construction and Open Sites</i> and include a detailed programme for the demolition/construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and evidence of neighbour</p>

	liaison.
	Reason: In the interest of public amenity.
11.7	<p>After completing any remediation works outlined in the Mason Evans Report titled: <i>'Proposed Development, McClintock Street, Belfast – Lands Quality Assessment (PRA & GQRA)'</i> (dated July 2015); and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Belfast city Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).</p> <p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p>
	Reason: In the interests of human health.
11.8	<p>All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Pollution Prevention Guidance (PPG2, PPG27) and the quality of surrounding soils and groundwater has been verified.</p>
	Reason: In the interests of public health and environmental protection.
11.9	<p>No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf.</p>
	Reason: In the interests of environmental protection.
11.10	<p>Prior to the occupation of the proposed development, the applicant shall provide to the Council, for approval, a Verification Report. This report must demonstrate that the remediation measures outlined in the Mason Evans report titled: <i>'Proposed Development, McClintock Street, Belfast – Lands Quality Assessment (PRA & GQRA)'</i> (dated July 2015).</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (Residential). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:</p> <ol style="list-style-type: none"> a. That gas protection measures in line with CIRIA's C665 Characteristic Situation 2 have been incorporated into all new buildings on site.
	Reason: Protection of human health
11.11	<p>The development hereby permitted shall not become operational until the vehicular access, including visibility splays of 2.0 m x 4.5 m, has been constructed in accordance with the approved layout Drawing No. 'L101, Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 29 May 2015. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</p>

	Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
11.12	A minimum of 50 No. cycle parking spaces shall be provided and permanently retained close to the accesses to the proposed development for use by residents, staff and visitors to the development.
	Reason: to encourage the use of alternative modes of transport for development users.
11.13	The development hereby permitted shall operate in accordance with the approved Travel Plan bearing the Belfast City Council Planning Office date stamp 29 May 2015. This includes provision of the Translink TaxSmart Initiative and the Bike2Work Initiative and measures to encourage sustainable travel by student residents agreed with the permanent site operator by TransportNI.
	Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.
11.14	The development hereby permitted shall operate in accordance with the approved Service Management Plan bearing the Belfast City Council Planning Office date stamp 29 May 2015.
	Reason: in the interests of road safety and the convenience of road users.
	<p>Informatives</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member - none
Neighbour Notification Checked Yes	

ANNEX

Date Valid	29th May 2015
Date First Advertised	26th June 2015
Date Last Advertised	29th January 2016

Details of Neighbour Notification (all addresses)

1 Bedford Square Town Parks Belfast
 10 Brunswick Street Town Parks Belfast
 12-16 Amelia Street Town Parks
 17 Brunswick Street Town Parks Belfast
 18 Amelia Street Town Parks Belfast
 2 Amelia Street Town Parks Belfast
 4 Clarence Street West Town Parks Belfast
 43 Franklin Street Town Parks Belfast
 9-11 Frances House Brunswick Street Town Parks
 9-15 Windsor House Bedford Street Town Parks
 David Flinn
 Belfast Civic Trust Ltd,c/o A and L Goodbody, 6th Floor,42-46 Fountain Street,Belfast,BT1 5EF
 Franklin House 12 Brunswick Street Town Parks
 Linum House 2 Bedford Square Town Parks

Date of Last Neighbour Notification	27th January 2016
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Date of EIA Determination	N/A
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ES Requested	No
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Drawing Numbers and Title**Notification to Department (if relevant)**

Date of Notification to Department:
 Response of Department: