

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b>	<b>Item Number:</b>
<b>Application ID:</b> LA04/2015/0141/O	<b>Target Date:</b>
<b>Proposal:</b> Proposed 9 storey office building including ground floor car parking	<b>Location:</b> Site adjacent to 14 Little Patrick St. and opposite 23-33 Little York Street Belfast
<b>Referral Route:</b> Local - More than 200 sq metres	
<b>Recommendation:</b>	Approval Subject to Conditions
<b>Applicant Name and Address:</b> Orla McKernan c/o agent	<b>Agent Name and Address:</b> Coogan and Co Architects Ltd 144 Upper Lisburn Road Finaghy Belfast BT10 0BG
<p><b>Executive Summary:</b></p> <p>Outline planning permission is sought for a proposed 9 storey office building including ground floor car parking.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>• The principle of the development at this location;</li> <li>• Scale, Massing and Design;</li> <li>• Traffic Movement and Parking; and</li> <li>• Other issues</li> </ul> <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and is identified as being within Belfast City Centre. It is also located in Designation CC015- Laganside and Docks Character Area.</p> <p>The principle of development is considered to be acceptable as the statutory plan identifies Belfast City Centre as the primary location for new office development.</p> <p>The principle of the 9 storey height of the building (approximately 37 metres) is also considered to be acceptable given the site context and other buildings in the area.</p> <p>Details including the design and treatment of the elevations can be reserved by way of condition.</p> <p>In terms of amenity, there are no existing residential uses immediately adjacent to the application site.</p> <p>All consultees offered no objections to the proposal subject to conditions.</p> <p>No objections from third parties have been received.</p>	

Having regard BMAP, to the policy context and other material considerations, the proposal is considered acceptable and approval is recommended subject to conditions.

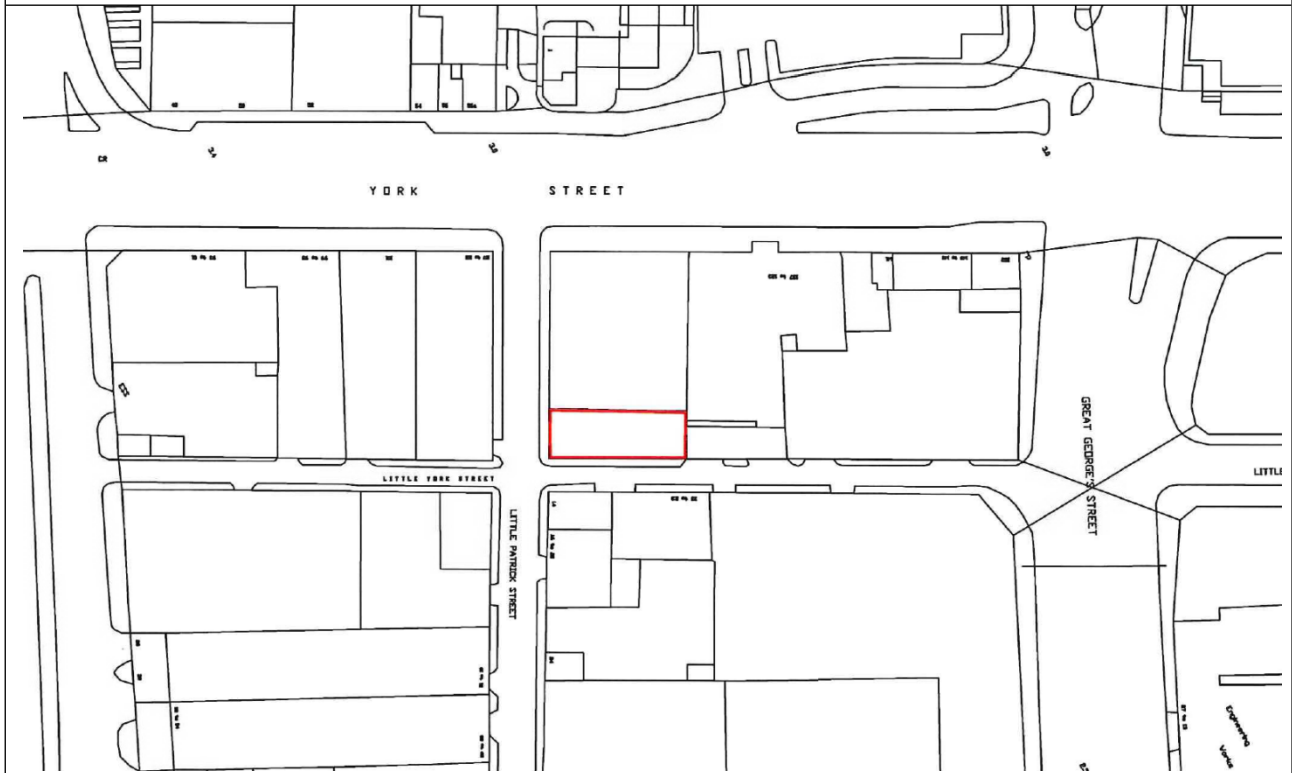
**Recommendation**

Approve

**Signature(s):**

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

#### 1.0 Description of Proposed Development

Outline planning permission is sought for a 9 storey office building including ground floor car parking. The gross floorspace of the proposal is approximately 1792 square metres.

#### 2.0 Description of Site

The site consists of surface level car park. Immediately to the west is an office block known as Philip House which is currently in use. To the south of the application site is a vacant office block.

### Planning Assessment of Policy and other Material Considerations

#### 3.0 Planning History

On-site - None

Adjacent to the site

Z/2015/0177/F

Proposal: Demolition of the existing building and erection of a 12 storey mixed use building with a ground floor retail unit, 407 managed student accommodation rooms (with communal living rooms, kitchens), associated reception/office facility, gym other ancillary accommodation above. the development also includes a landscaped courtyard, plant and storage areas, car parking, cycle provision and solar PV array

	<p>Address: 123-137 York Street, Belfast, BT15 1AB, Decision: Approved subject to Section 76 Legal agreement.</p> <p>Z/2015/0138/F- Demolition of existing buildings and erection of a building ranging in height from 11 to 14 No. storeys (37m X 43m) for managed student accommodation, comprising 590 No. ensuite double bedrooms with shared communal areas and kitchens and 92 studios; 2 No. retail units at ground floor level; two landscaped courtyards; other ancillary accommodation including a reception/management suite and communal areas; plant and storage areas, and car parking and cycle provision. Address: 81-107 York Street, Belfast Decision: Approved 20<sup>th</sup> May 2016</p> <p>Z/2014/1657/F -Erection of 11 storey building (34.5m high) comprising a retail unit at ground floor level, 475 managed student accommodation (with communal living rooms kitchen), associated reception/office facility, other ancillary accommodation including landscaped courtyard, plant and storage areas, car parking and cycle provision. Address: 28-30 Great Patrick Street, Belfast Decision: Approved 20<sup>th</sup> May 2016</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Metropolitan Area Plan 2015
4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3: Access Movement and Parking Planning Policy Statement 4: Planning and Economic Development Planning Policy Statement 13:Transportation and Land Use Planning Policy Statement 15: Planning and Flood Risk
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	Transport NI- No objections subject to conditions NIWater- No objections; Belfast City Airport- No objection subject to conditions NIEA- Waste Management- No objection subject to conditions; Rivers Agency-Awaiting formal comments but cleared verbally.
<b>6.0</b>	<b>Non Statutory Consultee Responses</b>
	Belfast City Council EPU- No objections subject to conditions
<b>7.0</b>	<b>Representations</b>
	The application has been neighbour notified on 7 <sup>th</sup> May 2015 and advertised in the local press on 13 <sup>th</sup> November 2015. No letters of objection have been received.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	Department of Environment Parking Standards Belfast City Council's City Centre Regeneration and Investment Strategy
<b>9.0</b>	<b>Assessment</b>
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>• The principle of the development at this location;</li> <li>• Scale, Massing and Design;</li> <li>• Traffic Movement and Parking; and</li> <li>• Other issues</li> </ul>
9.2	The Strategic Planning Policy Statement (SPPS) sets out five core planning principles of the planning system, including improving health and well being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of

creating shared space, whilst paras 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states PPS3 remain applicable under ‘transitional arrangements’.

Principle of proposed development

9.3 The site is located within the development limits of Belfast in BMAP and is identified as being within Belfast City Centre and Laganside and Docks Character Area (CC015). The principle of development is acceptable as the statutory plan identifies Belfast City Centre as the primary location for new office development (Policy OF 1).

Scale, Massing and Design

9.4 The site is located within Character Area CC 015 Laganside and Docks. The general Urban Design Criteria (UDC) under Designation CC 015 states that *‘the density of development in the area shall be maintained and increased where appropriate, including around transport node, through high site coverage and high plot ratio and that development proposal shall take account of the height of adjoining buildings’*. The UDCs further state that *“in the area bound by York Street, M3 bridge, Queens Square and Dunbar Link building heights shall be a minimum of 3 storeys and a maximum of 5 or 6 storeys with a setback upper floor.”*

9.5 The indicative drawings showing a building with a height of approximately 37 metres (9 storeys). The proposed development does not meet Designation CC 015 as the proposed building is of a higher scale. However, it is important to consider the wider context of the area in particular a number of recent applications / approvals in the vicinity. These include 3 developments for Purpose Built Managed Student Accommodation (PBMSA) - see Figure 1 below. Taking into account the height of the proposal in relation to the 3 schemes outlined below it is evident that the outline application is of comparable height. Given this, and factoring into account the need to regenerate a significantly underutilised site in an area, which historically has suffered from urban decay and decline it is reasonable to conclude that the proposed height of the proposal is considered to be appropriate at this location.

REF NO	ADDRESS	PROPOSAL	HEIGHT
Z/2015/0138/F	81-107 York Street Belfast	2 retail unit & 642 beds of Student Accommodations	42metres
Z/2015/0177/F	123-137 York Street Belfast	407 beds of student accommodation	37 metres
Z/2014/1657/F	Site at 28-30 Great Patrick Street Belfast	475 beds PBMSA and retail unit	34.5 metres

Figure 1

9.6 It is considered that details including the height, massing and design of the proposal will be reserved by way of planning condition to ensure the scheme respects the surrounding context.

9.7 PPS4: Planning and Economic Development sets out the planning policies for economic development uses. It recognises that the planning system has a key role to play in achieving a vibrant economy.

9.8 PED 1 of Planning Policy Statement 4: Planning and Economic Development is a material

	<p>consideration. This policy states that <i>a development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan) and in other locations that may be specified for such use in a development plan, such as a district or local centre.</i> As the site is situated within the city centre it fully complies with this policy.</p> <p><u>Traffic, Movement and Parking</u></p> <p>9.9 The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. The applicant has shown an area of the ground floor allocated to parking. Given the sites location within the city centre and on an arterial route with frequent public transport and no objection from Transport NI regarding access and the level of parking (6 spaces) shown on the indicative plan is considered acceptable</p> <p><u>Other issues</u></p> <p><u>Flooding</u></p> <p>9.10 FLD 1 of Planning Policy 15: Planning and Flood Risk states that ‘Development will not be permitted within the 1 in 100 year fluvial flood plain (AEP7 of 1%) or the 1 in 200 year coastal flood plain (AEP of 0.5%) unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Where the principle of development is accepted by the planning authority through meeting the ‘Exceptions Test’, as set out below under the Exceptions heading, the applicant is required to submit a Flood Risk Assessment for all proposals.</p> <p>9.11 The principle of development is considered acceptable as it meets the exceptions test. As the proposal falls under the exceptions test a Flood Risk Assessment (FRA) was requested and received. Rivers Agency was consulted in regards to the FRA and have verbally confirmed that the proposal is acceptable.</p> <p><u>Aviation</u></p> <p>9.12 The proposed development has been examined from an aerodrome safeguarding perspective and it is recommended that a condition is attached to any approval ensuring that no building or structure, including aerials, masts, plant, and cranes proposed as part of the development hereby permitted shall exceed 48.7m AOD.</p>
<p><b>10.0</b></p>	<p><b>Summary of Recommendation:</b> Approval</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not cause harm to the interests of acknowledged importance.</p>
<p><b>11.0</b></p>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. As required by Article 35 of the Planning (Northern Ireland) Order 1991, application for approval of the reserved matters shall be made to the Department within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-             <ol style="list-style-type: none"> <li>i. the expiration of 5 years from the date of this permission; or</li> <li>ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.</li> </ol> </li> </ol>

	<p>2. Except as expressly provided for by Conditions 3-8 below , the following reserved matters shall be as approved by the planning authority - the siting, layout, design and external appearance of the buildings, the means of access thereto and the landscaping of the site.</p> <p>Reason: To enable the Planning Authority to consider in detail the proposed development of the site.</p> <p>3. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 02A bearing the Planning Service Received date stamp 22 July 2015, prior to the operation of any or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>4. The redundant vehicular accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of TransportNI.</p> <p>Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.</p> <p>5. The development hereby permitted shall not become operational until parking has been provided and permanently retained in accordance with Drawing No 02A bearing Planning Service Received date stamp 22 July 2015.</p> <p>Reason: To ensure that adequate provision has been made for parking.</p> <p>6. A Private Streets Determination will be required for the widened footway along Little Patrick Street and Little York Street frontage of the development. Drawings necessary to enable a Private Streets Determination to be made shall be submitted to and approved by the Department at reserved matters stage.</p> <p>Reason: To ensure there is an adequate footway width along the development frontage in interests of road safety and the convenience of road users.</p> <p>7. The development hereby permitted shall not become operational until a detailed Travel Plan has been submitted to and approved by the Department at reserved matters stage.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>8. No building or structure, including aerials, masts, plant, and cranes proposed as part of the development hereby permitted shall exceed 48.7m AOD.</p> <p>Reason: Development exceeding this height would penetrate the Obstacle Limitation Surfaces (OLS) surrounding Belfast City Airport and could endanger aircraft movements and the safe operation of the aerodrome.</p>
<p><b>12.0</b></p>	<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>

<b>13.0</b>	<b>Representations from Elected members:</b>  N/A
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<p>The Owner/Occupier,  5 Lancaster Street, Town Parks, Belfast, Antrim, BT15 1EZ,  The Owner/Occupier,  56 York Street, Town Parks, Belfast, Antrim, BT15 1AS,  The Owner/Occupier,  56A York Street, Town Parks, Belfast, Antrim, BT15 1AS,  The Owner/Occupier,  Unit 2, 123-137 Philips House, York Street, Town Parks, Belfast, Antrim, BT15 1AB,  The Owner/Occupier,  Unit 2, 123-137 Philips House, York Street, Town Parks, Belfast, Antrim, BT15 1AB,  The Owner/Occupier,  Young Business Centre, 103 York Street, Town Parks, Belfast, Antrim, BT15 1AB,  The Owner/Occupier,  Young Business Centre, 103 York Street, Town Parks, Belfast, Antrim, BT15 1AB,  The Owner/Occupier,  Young Business Centre, 103 York Street, Town Parks, Belfast, Antrim, BT15 1AB,  The Owner/Occupier,</p>	
<b>Date of Last Neighbour Notification</b>	7 <sup>th</sup> May 2015
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
01, 02	