

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 17 January 2017	
<b>Application ID:</b> LA04/2016/1213/RM	
<b>Proposal:</b> Demolition of existing buildings and erection of 11 storey building comprising of 3 no. ground floor retail units, 307 studios for use as purpose built managed student accommodation with associated communal and amenity facilities, including gym and all associated site and access works.	<b>Location:</b> 48-52 York Street Belfast BT15 1AS
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b>	Approval subject to Section 76 Agreement
<b>Applicant Name and Address:</b> Student City Ltd 25 John Street Sunderland Tyne and Wear SR1 1JG	<b>Agent Name and Address:</b> TSA Planning Ltd 29 Linenhall Street Belfast BT2 8AB
<p><b>Executive Summary:</b> The application seeks reserved matters planning permission for Demolition of existing buildings and erection of 11 storey building comprising of 3 no. ground floor retail units, 307 studios for use as purpose built managed student accommodation with associated communal and amenity facilities, including gym and all associated site and access works.</p> <p>The principle of the use on the site was established through outline application granted in March 2015, the main issues to be considered in this case are:</p> <ul style="list-style-type: none"> <li>- Design, scale and massing</li> <li>- Impact on Built Heritage and Monuments</li> <li>- Impact on Character of Area and Residential Amenity</li> <li>- Contaminated Land</li> <li>- Noise Impact</li> <li>- Bin Storage</li> <li>- Traffic and Parking</li> <li>- Pre-application Community Consultation</li> </ul> <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within the Laganside and Docks Character Area (CC015). The principle of development is acceptable given the outline approval on the site for new multi storey building with retail units at ground floor and purpose built student accommodation over. NIEA Historic Environment Division was consulted and offered no objections in relation to the setting of the adjacent Lancaster Street School.</p> <p>NIWater, Waste Management Unit, Transport NI and Belfast City Councils Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.</p>	

No public objections were received.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved given the planning history on the site.

Committee is requested to delegate the consideration of the final wording of the conditions to the Director of Planning and Place.

The applicant carried out a voluntary Community Consultation exercise and Report demonstrated that consultation took place with the community in advance of submitting an application.

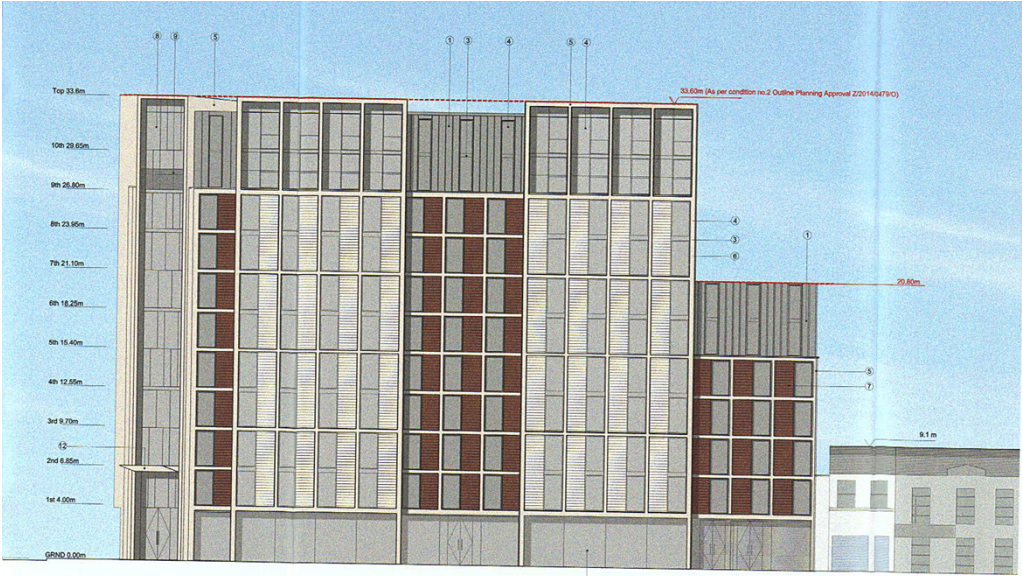
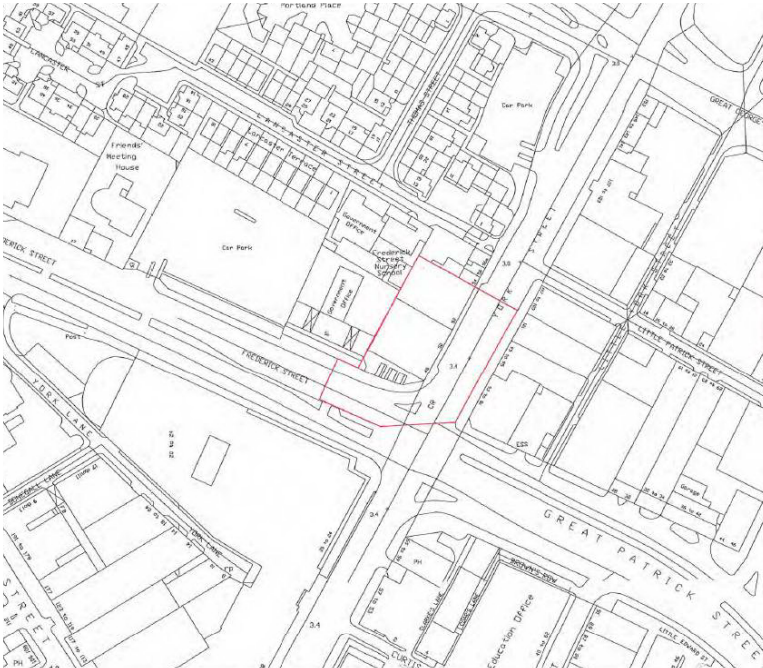
**Recommendation**

Approve subject to conditions set out in case officers report and pending satisfactory agreement under Section 76 of the Planning Act (NI) 2011.

If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Place, on behalf of the Council in consultation with Legal Services to enter into the Section 76 agreement to deal with the management of the facility.

Case Officer Report

Site Location Plan



Characteristics of the Site & Area

<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	Demolition of existing buildings and erection of 11 storey building comprising of 3 no. ground

	floor retail units, 307 studios for use as purpose built managed student accommodation with associated communal and amenity facilities, including gym and associated site and access works.
1.2	The entrance to the student accommodation is proposed on Frederick Street whilst the retail units at ground floor front onto York Street.
1.3	The building is C-shaped from first floor level, with a 'podium garden' providing an amenity space area of approximately 300 sq. metres.
1.4	The PBMSA complex provides accommodation over 10 floors. Each floor has a common area of 46 square metres located in the south eastern corner of the building.
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is located at a main junction on the edge of the inner city limits. A block of terraced buildings currently occupies the site and front onto York Street. These rise from two storey to four storey at the junction with Frederick Street. A car park is located to the rear of the four story building and is accessed off Frederick Street. There is a small area of enclosed open space in the north west corner of the site and this is fenced off from the rear of the existing houses on Lancaster Street. A high wall and railings define the western site boundary and separates the site from the adjacent school. A 3m high security fence defines the southern boundary onto Frederick Street.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Relevant Planning History</b> Z/2014/0479/O - Demolition of existing building and construction of new multi storey building with retail units at ground floor and purpose built student accommodation over. Approved 23 <sup>rd</sup> March 2015.
<b>4.0</b>	<b>Policy Framework</b>
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
<b>5.0</b>	<b>Statutory Consultees</b> Transport NI – No objection subject to conditions NI Water – No objection NIEA – No objection HED – No objection subject to conditions
6.0	<b>Non-Statutory Consultees</b> Environmental Health BCC – No objection subject to conditions
7.0	<b>Representations</b> Non received
8.0	<b>Other Material Considerations</b> N/A
<b>9.0</b>	<b>Assessment</b>
9.1	The key issues in the assessment of the proposed development include: - Acceptability of Retail Units and Purpose Built Managed Student Accommodation (PBMSA)

	<ul style="list-style-type: none"> <li>- Design, scale and massing</li> <li>- Impact on Built Heritage and Monuments</li> <li>- Impact on Character of Area and Residential Amenity</li> <li>- Contaminated Land</li> <li>- Noise Impact</li> <li>- Bin Storage</li> <li>- Traffic and Parking</li> <li>- Pre-application Community Consultation</li> </ul>
	<p><b><u>Acceptability of Retail Units and Purpose Built Managed Student Accommodation (PBMSA)</u></b></p>
9.2	<p>The principle of the development has already been established through the granting of outline approval Z/2014/0479/O. The proposal has been assessed against relevant parts of Policy HMO 7 of the Subject Plan for Belfast City Council Area 2015 that relate specifically to the detailed aspects of student accommodation. These are as follows:</p> <ul style="list-style-type: none"> <li>• <i>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.</i></li> </ul>
9.2.1	<p>The proposal is for 307 beds. Therefore this criteria is met.</p>
9.2.2	<ul style="list-style-type: none"> <li>• <i>All units are self-contained (i.e. having a bathroom, w.c. and kitchen available for use by the occupiers).</i></li> </ul> <p>All units are self-contained each with a kitchen area and bathroom.</p>
9.2.3	<ul style="list-style-type: none"> <li>• <i>The location is not within a primarily residential area</i></li> </ul> <p>The principle for student accommodation has already been established through the granting of the outline application.</p> <ul style="list-style-type: none"> <li>• <i>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))</i></li> </ul>
9.2.4	<p>A Student Management Plan has been submitted in support of the application. This includes the following:</p> <ul style="list-style-type: none"> <li>- Application of a National Code of Standards</li> <li>- An on-site management team to be put in place</li> <li>- A Complaints Procedure</li> <li>- A fire strategy</li> <li>- Appropriate day to day management</li> <li>- Commitment to a Student Resident's Charter and Management Plan</li> <li>- A Tenancy Agreement</li> </ul>
9.2.5	<p>A Section 76 Agreement will be required to ensure the delivery of this Management Plan.</p>
9.2.6	<p>Environmental Health have reviewed the management plan and note that it will be delivered and managed by Cathedral Management Ltd, an experienced operator.</p> <ul style="list-style-type: none"> <li>• <i>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.</i></li> </ul>
9.2.7	<p>An enclosed landscaped courtyard, of approx. 300 square metres is located at first floor level to the rear of the building. Common areas are also located on each floor, providing a total of 460 square metres of internal communal space.</p>

9.3	<p>The proposal has been also assessed against the Council's document 'Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note'. 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 a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to.</p>
9.4	<p>As in the case with Policy HMO7 some of the criteria address the principle of student accommodation on the site, and as stated that has already been accepted with the granting of outline planning permission (Z/2014/0479/O). The location is also easily accessible to existing and future university campuses.</p>
9.5	<p>The proposal is located within a mixed use area with residential properties located a short distance north of the site off Lancaster Street. However given the orientation of the dwellings, a communal garden located between the proposal and the properties and a separation distance of approximately 22m to the nearest dwelling there should be no significant impact on residential amenity. Appropriate management of the building in accordance with the submitted management plan should ensure that these properties should not suffer any loss of amenity.</p>
9.6	<p>The proposed building is similar in terms of scale, massing and design to the outline approval on the site.</p>
9.7	<p>In terms of the specified space standards the smallest units have dimensions of approximately 2.8m x 6.5m, which is well above the 9 square metres standard for combined kitchen/ dining room areas serving 1-2 people.</p>
9.8	<p>The guidance states that development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area. The development is located a short distance south of terraced housing located off Lancaster Street. Environmental Health have reviewed the submitted Noise report and based on the information provided Environmental Health have offered no objection to the proposal based on a number of conditions to ensure noise and disturbance is kept to a satisfactory level which are detailed below. There is also a separation distance of approximately 22m from the edge of the development to the nearest dwelling. There are no habitable windows in the northern elevation facing the existing housing with the only windows facing north being some 36 metres from the northern boundary, approximately 58 metres from the nearest dwelling.</p>
9.9	<p>To the west the habitable windows look onto the carpark of an office building with a separation distance of 27 metres from the proposed west facing building and the rear return of this office building. The C-shape of the proposed building will ensure that no significant built form abuts the western boundary. Similarly the shape of the building, with the podium garden at first floor level, will ensure a buffer is provided from the main bulk of the building to the School site located immediately to the north-west. The main block of the building also steps down to the north from 11 to 7 storeys with the section of the building in the north-western corner of the site dropping to two storey thus minimising any potential overbearing impact on the school and the adjacent two storey properties fronting onto York Street.</p>
9.10	<p>The guidance also requires that the development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impact from occupants. A management plan, prepared by Campus Living Villages, has been submitted in support of the planning application. This plan sets out a number of procedures to manage student behaviour and protect residential amenity. These include:</p> <ul style="list-style-type: none"> <li>- Application of a National Code of Standards</li> </ul>

9.11	<ul style="list-style-type: none"> <li>- An on-site management team to be put in place</li> <li>- Organisation of Travel and deliveries including the moving in and moving out processes</li> <li>- Safety and Security of Students</li> <li>- Appropriate day to day management</li> <li>-</li> </ul> <p>To ensure delivery of a robust student management plan the management will be tied into a Section 76 Legal Agreement.</p>
	<p><b><u>Design, Scale and Massing</u></b></p>
9.12	<p>The site is located within the development limits of the Belfast Metropolitan Area Plan (BMAP). The presumption is therefore in favour of development subject to the planning considerations detailed below.</p>
9.13	<p>The site is located within the Laganside and Docks Character Area (CC015). The design criteria for this Character Area includes two requirements that apply specifically to the application site. This states that development which fronts onto Frederick Street, Great Patrick Street or Dunbar Link shall be a maximum height of six storeys and shall be set back 1.5m from the footway to allow for a privacy zone for residential development. Although the proposal, at 11 storeys, with no setback from the footway, fails to meet any of these requirements the planning history on the site, as well as the provision of an internal first floor podium garden must be considered. The principle of an 11 storey building was accepted through the granting of outline permission (Z/2014/0479/O). The vertical emphasis on the fenestration reflects the character of the larger commercial/ office buildings in the area and indeed the recent planning approvals including the new University of Ulster complex a short distance south of the site. The mix of zinc cladding, red brick and wood effect fins help break up the façade treatment and prevent monotony in streetscape elevations.</p>
	<p><b><u>Impact on Built Heritage and Monuments</u></b></p>
9.14	<p>Although the principle of student accommodation has already been accepted through the granting of outline approval Z/2014/0479/O the potential impact of the detailed design on the adjacent listed Lancaster Street School must be considered. The proposal has been assessed against Policy BH11 of Planning Policy Statement 6. Historic Environment Division (HED) have offered no objections to the proposal in that the scale, height, massing and alignment are in general accordance with the outline approval.</p>
9.15	<p>The application site is within the Belfast Area of Archaeological Potential (AAP), designated in the Belfast Metropolitan Area Plan (BMAP) to protect the above-ground and below-ground archaeological remains associated with the early development of the settlement. It is also located in an area with a high number of Industrial Heritage sites, protected by PPS 6 Policy BH2, indicating the location's importance in the economic development of Belfast. The proposed development site has been undergoing urban development since the late 18th century and is located adjacent to the former site of a fever hospital on Frederick Street erected in 1817.</p>
9.16	<p>Historic Environment Division: Historic Monuments HED are content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH 4 of PPS 6. The conditions are detailed below.</p>
	<p><b><u>Impact on Character of Area and Residential Amenity</u></b></p>
9.17	<p>The proposal has been assessed against Policy QD1 of PPS7. The site is located within a transitional area between the city centre and the edge of city centre residential area around St. George's Street and Lancaster Street to the north. Given the higher buildings and approvals to</p>

	<p>the south and west, and the fact an 11 storey building was approved at outline stage, it is considered that the proposal will not harm the character of this edge of city centre area.</p>
9.18	<p>Environmental Health have offered no objections in terms of potential noise and/ or disturbance. Given the separation distances and orientation of the proposed accommodation and nearest dwelling to the north off Lancaster Street there will be no loss of light or dominance experienced.</p>
	<p><b><u>Contaminated Land</u></b></p>
9.19	<p>A Contaminated Land Risk Assessment report has been provided by MCL Consulting in support of this reserved matters application. Intrusive site investigations have been undertaken in support of the risk assessment. No unacceptable risks to environmental receptors have been identified.</p>
9.20	<p>The report concludes that an assessment of soil results against the relevant assessment criteria has indicated an exceedance for lead. Based on the redevelopment proposal for the site (all surface to be encapsulated) and the low sensitivity of the site environmental setting the report concludes that this lead exceedance poses a low risk to human health.</p>
9.21	<p>The report also concludes that the gas risk assessment has classified the site as Characteristic Situation 1 and as such no specific gas protection measures are considered necessary. Ground water results also indicated no risk with regards to volatile vapour.</p>
9.22	<p>Based on the report submitted and the redevelopment proposal for the site (all surface to be encapsulated) Environmental Health agree with the conclusions of the report.</p>
9.23	<p>NIEA Waste Management (Land and Groundwater Team) have no objections to the development. The Planning Decision Notice for the outline planning permission (Z/2014/0479/O dated 24th march 2015) includes the WM advised conditions (numbered 7, 8 and 9) for unforeseen contamination, decommissioning of fuel tanks and associated infrastructure and verification of remedial works. These conditions remain to be satisfied for the development.</p>
	<p><b><u>Noise Impact</u></b></p>
9.24	<p>The Noise report recommends that the minimum attenuation of 52dB Dw will be incorporated into the final building design and construction to ensure that appropriate internal targets can be met. Furthermore the consultant has proposed that on completion of the proposal the internal noise targets will be validated.</p>
9.25	<p>Environmental Health have noted that the proposal includes retail units to the ground floor, laundry, plant room, and common rooms/amenity. The report states that no noisy plant will be installed at the site and that any necessary substations will be electric driven and enclosed within safe housing emitting little if any noise, and that all internal environments are to be controlled using suitable building materials and in accordance with strict building regulations. The noise assessment does not make specific recommendations regarding noise mitigation for these areas to ensure no structure-borne noise transfer to residential units on the floors above. Environmental Health have stated that care in the design and construction will be required to ensure the integrity of the proposed floors and walls is not compromised such that noise from the ground floor, laundry and communal rooms impacts on the more sensitive residential units above. It is advised that the applicant seek further advice from the acoustic consultant regarding necessary additional construction measures required to ensure the insulation between intervening floors is not compromised.</p>
	<p>Based on the information submitted Environmental health have requested that consideration is</p>



9.26	given to attaching the condition detailed below.
	<p><b><u>Traffic and Parking</u></b></p>
9.27	<p>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. Approximately 84 cycle spaces are proposed.</p>
9.28	<p>Transport NI has offered no objections to the proposal and has approved the Private Streets layout subject to conditions. These conditions are detailed below.</p>
	<p><b><u>Bin Storage</u></b></p>
9.29	<p>A bin storage area of 86.5 sq. metres has been provided at ground floor level. The applicant has sufficient development opportunity to comply with the Building Regulations (NI) 2012.</p>
9.30	<p>In consultation with Belfast City Councils Waste Management Service it has been estimated that the residential aspect of this development will generate the following quantities of waste on a weekly basis.</p>
	<p>Recyclable waste – 12,894 litres (Weekly collection) Residual waste – 3499.8 litres (Fortnightly collection 6999.6litres) Organic waste – 2026.2 Litres (Weekly collection)</p>
9.31	<p>In addition city centre collection allows the use of the following containers for the storage of each fraction of waste.</p>
	<p>Recyclable waste – 55l boxes or a 10 box stand which includes a 240l wheeled bin for plastic bottles. Total capacity of each stand = 55l x10 +240 =790 litres Residual waste – 180l wheeled bins or 660l/1100l euro bins Organic – 140l wheeled bin</p>
9.32	<p>The waste statement states the estimated weekly risings calculated is assumed to be conservative &amp; the anticipated quantities of waste generated will be less.</p>
9.33	<p>A waste management strategy will be required detailing how the accumulated waste will be stored and presented for collection, including the specific details of the proposed collection regime. This will be the subject of an appropriate Service Management Plan, which would be tied into a Section 76 legal agreement.</p>
	<p><b><u>Pre-application Community Consultation</u></b></p>
9.34	<p>A voluntary community consultation exercise took place and a Pre Application Community Consultation Report (February – May 2016) has been submitted in support of this application. The Report has confirmed the following:</p>
9.35	<p>The Community Exhibition took place at The Mac, St. Anne’s Square on 7<sup>th</sup> and 8<sup>th</sup> April 2016. This event was advertised in the Irish News and North Belfast News. Invitations to the public exhibitions were communicated to community groups, the University of Ulster, approximately 160 houses and businesses in the area</p>
9.36	<p>Prior to the application being submitted the applicant wrote personal emails to a number of Councillors and MLAs, followed by invites to a one on one briefing. Approximately 200 flyers were distributed on 31<sup>st</sup> March to homes and local businesses in the immediate area surrounding the site. These flyers provided details about the scheme and an invite to the public exhibitions.</p>

<p>9.37</p> <p>9.38</p> <p>9.39</p>	<p>A total of twelve members of the public registered attendance at the event with a general view that the area was in need of regeneration.</p> <p>Comments were mostly positive with concerns dealt with thoroughly by the consultation team. 14 people attended the public exhibitions with around half representing community groups and residents.</p> <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p> <p>10.4</p>	<p><b>Summary of Recommendation: Approval</b></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. The proposed building reflects the form, scale and massing of the outline approval on the site and will not adversely harm the character of the area or impact upon residential amenity both existing and proposed.</p> <p>There are a number of number of high buildings approved within the vicinity of the site and an outline approval for an 11 storey student accommodation scheme on the site itself. Consultees have offered no objections and it is considered the robust management plan, submitted with the application, can satisfactorily mitigate any amenity concerns associated with the use.</p> <p>The proposal meets the requirements of the HMO Subject Plan and is well located to serve both Queens University and the new University of Ulster campus.</p> <p>Approval is recommended subject to Conditions and Section 76 Legal Agreement.</p>
<p>11.0</p> <p>11.1</p> <p>11.2</p>	<p><b>Conditions</b></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>The Private Streets (Northern Ireland) Order 1980. The Department hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing No. 11/B IBH0513/0002 Rev. C, 'Private Streets Determination' and bearing Belfast City Council Planning Office date stamp 04 November 2016 and Transport NI determination stamp of 14 November 2016.</p> <p>Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>The development hereby permitted shall not be occupied until the associated hard surfaced</p>

11.3	<p>area have been constructed in accordance with the approved layout Drawing No. 02A '1434 – P01, 'Proposed Ground Floor Plan Rev. A' and bearing Belfast City Council Planning Office date stamp 26 September 2016 to provide adequate facilities for cycle parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for parking.</p>
11.4	<p>The development hereby permitted shall operate in accordance with the approved Travel Plan &amp; Service Yard Management Plan bearing Belfast City Council Planning Office date stamp 02 June 2016. This includes provision of the Translink Corporate Commuter Initiative, the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by TransportNI.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and in the interests of road safety and the convenience of road users.</p>
11.5	<p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
11.6	<p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p>
11.7	<p>Prior to the occupation of the residential units of the proposal a verification report must be submitted to Belfast City Council. This report must demonstrate that the mitigations measures outlined in the MCL consulting Noise Impact Assessment titled Proposed Mixed retail/Residential Development, 48-52 York Street, Belfast" for Student City Ltd dated May 2016 report no P1118 as amended by MCL consulting titled "48-52 York Street" dated 9<sup>th</sup> November 2016 ref:P1118/2 have been implemented. The verification report must include a validation report to be carried out by a competent acoustic consultant as outlined in the MCL report no P1118/2 and must demonstrate that internal noise levels within any residential unit shall:</p> <ul style="list-style-type: none"> <li>• Not exceed 40 dB <math>L_{Aeq,16hrs}</math> 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;</li> <li>• Not exceed 35 dB <math>L_{Aeq,8hr}</math> 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;</li> </ul>

<p>11.8</p>	<ul style="list-style-type: none"> <li>• Not exceed 45 dB <math>L_{Amax}</math> more than 15 times 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;</li> </ul> <p>The roof top mechanical ventilation units shall be installed at roof top high points within heavily attenuated purpose built and manufacturer constructed enclosures, and will be fitted with manufacture constructed noise attenuated louvres on all intakes. The base of all units will also be fitted with anti-vibration plates.</p>
<p>11.9</p>	<p>Prior to development commencing, a Construction Noise Management Plan shall be developed and submitted for review and approval by Belfast City Council. The Plan should outline 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 liaison.</p>
<p>11.10</p>	<p>Prior to the occupation of the proposed development, the applicant shall provide to Planning Service, for approval, a Verification Report. This report must demonstrate that the mitigation measures outlined in the McLorinan Consulting Ltd letter dated 20<sup>th</sup> September 2016 Ref: P1118 have been incorporated into the development design and that it is now fit for end-use.</p> <p>In particular, this Verification Report must demonstrate that that following mitigation measures have been incorporated into the proposed development:</p> <ul style="list-style-type: none"> <li>• Windows on the York street facade must be secured shut to limit roadside exposure to background NO2 concentrations;</li> <li>• Mechanical ventilation or air exchanger units have been installed (in accordance with relevant Building Control Regulations) in residential units on the York street facade which may be affected by secured window systems outlined above;</li> <li>• Mechanical ventilation or Air exchange units have been drafted from roof top high points and vented towards the rear of the building.</li> </ul> <p>Reason: Protection of human health.</p> <p><b>Informatives</b></p> <p>If during the development works, new contamination and risks are encountered which has 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 to its satisfaction.</p> <p>The applicant should ensure that the management of all materials onto and off this site are suitably authorised through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.</p> <p>All internal plant must be resiliently isolated from the structure.</p> <p>The applicant is advised to ensure that all plant and equipment used in connection with the proposal is so situated, operated and maintained as to prevent the transmission of noise and odour to nearby commercial and residential premises.</p> <p>Dependant on the method of heating to be used on the premises it may be necessary to provide</p>

a chimney for a boiler, the height of which should be approved by Belfast City Council. Guidance on chimney height calculation is given in the third edition of the 1956 Clean Air Act Memorandum on Chimney Heights. Further advice may be sought from the Environmental Protection, Public Health & Housing Unit, Belfast City Council, 4-10 Linenhall Street, Belfast, BT2 8BP

Neighbour Notification Checked

Yes

### ANNEX

**Date Valid** 14th June 2016

**Date First Advertised** 24th June 2016

**Date Last Advertised** 1st July 2016

**Details of Neighbour Notification** (all addresses)

1,151 York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 101 York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 10A Lancaster Street,Town Parks,Belfast,Antrim,BT15 1EZ,  
 20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 26,20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 27,20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 3-5a Northland House,Frederick Street,Town Parks,Belfast,Antrim,BT1 2NR,  
 34,20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 4,20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 5,48D York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 56 York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 56A York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 6,20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 8,20-24 Interpoint,York Street,Town Parks,Belfast,Antrim,BT15 1AQ,  
 81-93 Magnet House,York Street,Town Parks,Belfast,Antrim,BT15 1AD,  
 95-99,York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 Orpheus Building,York Street,Town Parks,Belfast,Antrim,BT15 1AA,  
 Young Business Centre,103 York Street,Town Parks,Belfast,Antrim,BT15 1AB,

**Date of Last Neighbour Notification** 24th June 2016

**Date of EIA Determination** N/A

**ES Requested** No

**Drawing Numbers and Title**

**Notification to Department (if relevant)**

Date of Notification to Department:  
 Response of Department: