

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 th January 2018	
Application ID: LA04/2017/2306/F	
Proposal: Development of purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision.	Location: 26-44 Little Patrick Street Belfast BT15
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Lacuna WJ Ltd 74A High Street Holywood BT18 9AZ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary:	
<p>The site is located within Belfast City Centre as defined within the Belfast Metropolitan Area Plan and is not subject to any zoning.</p> <p>The main issues to be considered in this proposal are:</p> <ul style="list-style-type: none"> • The principle of the development at this location; • Impact of the Scale, Massing and Design upon the character and appearance of the surrounding area; • The impact on Traffic Movement and Parking; and • Other matters including the impact on amenity. <p>The site is located on unzoned (white) land close to the new University of Ulster campus and is not located in or adjacent to a primarily residential area. There are therefore no in principle restrictions on the land use providing it does not conflict with relevant policy and other material considerations.</p> <p>The principle of purpose built student accommodation is considered acceptable at this location. The site has extant planning permission for an eleven storey purpose built student accommodation comprising of 354 beds under LA04/2015/0716/F.</p> <p>The proposed twelve storey building is adjacent to extant approvals for similar sized buildings, in this context the scale and massing is considered appropriate.</p> <p>In terms of impact on amenity, there are no existing residential uses immediately adjacent to the application site. However there are extant approvals for residential apartments immediately adjacent. This relationship is not considered inappropriate at this location given the context of approvals in the area. In terms of prospective residents, amendments were made to the initial design of the proposal and the amenity spaces now provided are considered to meet the relevant policy tests. The accommodation sizes proposed is in accordance / generally exceeds standards</p>	

set out in NI Housing Executive HMO standards.

Consultees are satisfied with the scheme subject to conditions.

No representations have been received.

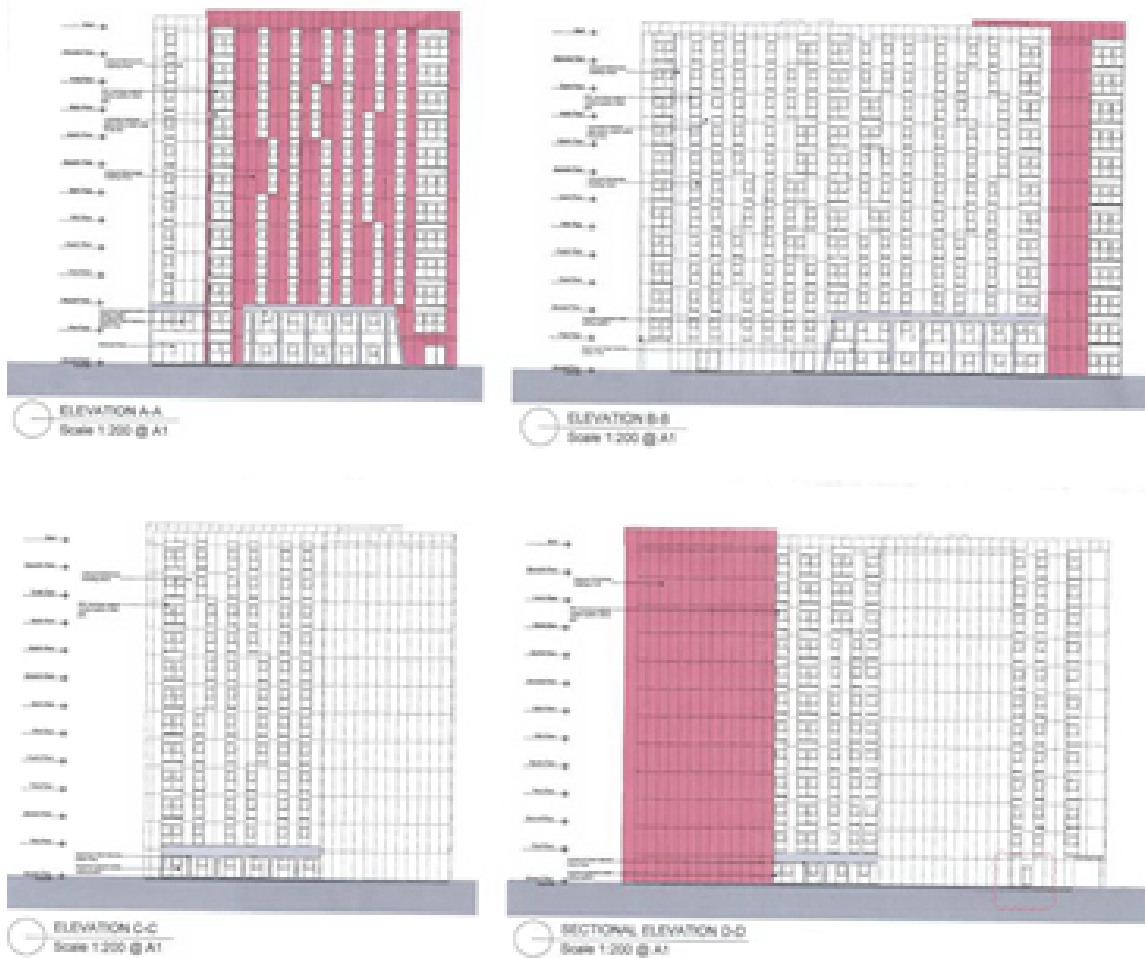
Recommendation

Having regard to the development plan, and other material considerations it is recommended that the application is approved subject to conditions and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions (see paragraph 9.8 below). If Committee is minded to agree with that recommendation, it is also requested that authority be delegated to the Director of Planning & Place, in consultation with the Town Solicitor, to negotiate and enter into the said Agreement on behalf of the Council.

Case Officer Report

Site Location Plan





Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Re-development of a vacant site with the erection of a 12 Storey building (35-36m) for managed student accommodation, comprising 430 beds with internal and external communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision.</p>
2.0	<p>Description of Site</p> <p>The site is a 0.16 hectares area of vacant land, run down in nature and surrounded by hoarding. It is located at the corner of Little Patrick Street and Nelson Street. The area generally is in a state of decline and is of poor environmental quality with many buildings unused. The site is bounded to the north by vacant land to the south of Great George Street which has consent for residential development; to the south by Little Patrick Street and Little York Street, by employment and vacant buildings/ land which is currently being developed for PBMSA; To the south (beyond Great Patrick Street) by Block B of the new</p>

University of Ulster Campus, which is currently under construction; and to the west by employment buildings and beyond by a PBMSA Scheme under construction.

Planning Assessment of Policy and other Material Considerations

3.0

Planning History

On-site –LA04/2015/0716/F- Erection of a 11 storey building for managed 354 student accommodation studios with shared communal areas; external courtyard; other ancillary accommodation including a reception/management suite and communal areas; plants and storage areas; cycle provision. Granted 17-10-16

LA04/2017/1473/PAD- Amendment to planning permission LA04/2015/0716/F to develop purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas, and cycle provision.

Surrounding Area -

LA04/2016/1252/F- Purpose built managed student accommodation (774 beds). Maximum height of 12 storeys-Little York street/Great George St/Nelson St-granted approval 24.01.2017 is adjacent to the site.

Z/2014/0479/O-48-52 York Street-student accommodation 200 bedrooms. Demolition of existing building and construction of new multi storey building with retail units at ground floor and purpose built student accommodation over- Granted 23.03.2015

Z/2015/0138/F- 81-107 York Street- 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. Granted. 20.05.2016

Z/2014/1657/F- Site at 28-30 Great Patrick Street- 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. (additional information & revised plans)- Granted 20.05.2016

Z/2015/0177/F- 123-137 York Street- 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.- Granted 04.07.2016

Z/2015/0118/F- 37-41 Little Patrick Street-opposite the site- Demolition of retail unit and construction of 11 storey mixed use development comprising 50 No. apartments, ground floor retail and parking, first floor retail and basement parking-The proposal is still subject to a S76 agreement which has yet to be finalised.

Comparing the two PBSMA schemes at 26-44 Little Patrick Street -

3.1	LA04/2015/0716/F Vs LA04/2017/2306/F																		
3.2	<p>The current proposal is for a purpose built managed student accommodation comprising up to 430 beds on the same site which has extant planning approval for 354 units on the same building footprint. Prior to setting out the planning assessment it is important to understand the key differences between the two schemes. The main change of note is the introduction of a much increased proportion of cluster beds accommodation (81%) which are smaller in size and take up less space within the building envelope than the previously approved studio apartments plus an additional floor. This has resulted in an increase in the number of beds that can be accommodated. The applicants have highlighted that the first PBMSA scheme in the city, which is located at John Bell House has experienced a higher demand for cluster bed accommodation as opposed to studio apartments. It is recognised from their experience that studio accommodation is more attractive to international and/or mature students, who form a smaller part of the student population.</p>																		
3.3	<p>The latest proposal has student accommodation on the ground floor which differs from the 2015 scheme. Aspects of this are considered under the assessment section of this report. There are a number of external design changes which include fenestration arrangements, changes to window proportions, changes to cladding panel colour, changes to the profile of the ground/first floor aluminium glazed curtain walling system and changes to the base of the building in terms of the glazing arrangement which now gives a more horizontal appearance as opposed to the previous iteration which incorporated additional glazing and had more of a vertical emphasis and some door have been repositioned. The building contains an additional floor but because of lower floor to ceiling heights the height of the building is slightly lower than previously approved. The following table provides a review of the differences between the two schemes in terms of numbers. The planning assessment section will examine each area in greater detail.</p>																		
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4.0	Policy Framework																		
4.1	<p>Belfast Urban Area Plan Draft Belfast Metropolitan Area Plan 2015 (Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker) Policy UE 1 - Urban design House in Multiple Occupancy Subject Plan 2015 HMO 7- Large Scale Purpose Built Student Accommodation</p>																		

4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3: Access Movement and Parking Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 13:Transportation and Land Use Planning Policy Statement 15: Planning and Flood Risk
5.0	Statutory Consultee Responses
	Transport NI- No objections NI Water- No objections; NIEA- No Objections Historic Environment Division- No Objections Rivers Agency- No Objections Belfast City Airport- No objections
6.0	Non Statutory Consultee Responses
	Belfast City Council Environmental Health-No objections subject to conditions Belfast City Council Building Control-No objections Urban Design Officer- No objection in principle.
7.0	Representations The application has been neighbour notified and advertised in the local press. No letters of objection have been received.
8.0	Other Material Considerations
8.1	DoE Living Places Document.
8.2	Planning and Place Advice Note: Purpose Built Managed Student Accommodation
8.3	Belfast: A LEARNING CITY A framework for student housing and purpose built student accommodation
9.0	Assessment
9.1	The Strategic Planning Policy Statement (SPPS) sets out five core planning principles of the planning system, including improving health and wellbeing, 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 paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported.
9.2	Article 6 (4) of the Planning (Northern Ireland) Act 2011 states that in making any determination under the said act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise. The site is located within the development limits of the Belfast Urban Area Plan and draft Belfast Metropolitan Area Plan (BMAP), within the city centre area of archaeological potential and within the Laganside North and Docks Character Area (CC015). Due to the nature of the proposal regard must also be had to the BMAP HMO Subject Plan and this is considered in greater detail at paragraph 9.3.1 below. The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> • The principle of the development at this location; • Impact of the Scale, Massing and Design upon the character and appearance of the surrounding area and on amenity; • The impact on Traffic Movement and Parking; and • Other matters; including impact on amenity.

9.3	<p><u>The Principle of the proposed development at this location</u></p> <p>The site is located within the development limits of the Belfast Urban Area Plan and within the city centre. It is within walking distance of both the Primary Retail Core and abuts an HMO node in the HMO Subject Plan ref: 04/18. The site is located on unzoned (white) land in the vicinity new University of Ulster campus and is not located in or adjacent to a primarily residential area.</p>
9.3.1	<p>HMO Subject Plan 2015</p> <p>The proposal has been assessed against Policy HMO 7 of the HMO Subject Plan. This policy sets out 5 criteria which must be met in order to be acceptable. All criteria are met. The scheme is in excess of 50 units. All units are self-contained, the proposal is not located in a primarily residential area; however provision has not been made for the management and there is insufficient landscaping and amenity space provided. The proposal therefore complies with HMO 7.</p>
9.3.2	<p>Assessment against Planning & Place Guidance Document on PBMSA</p> <p>Planning and Place's advice note document titled 'Purpose Built Managed Student Accommodation' is Belfast City Council's first step as a planning authority to respond to the SPSS 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 document sets out six criteria which all applications for PBMSA proposals should adhere to.</p>
9.3.3	<p>Criteria (a)</p> <p>In regards to the first criterion the development is within 100 metres of the new University of Ulster campus, 800 metres of the Belfast Metropolitan College and 1,200 metres of Queens University. Bus stops are located around 100 metres away from the development with buses operating every 10 metres during peak times and every 20 minutes off peak. As the proposal is likely to be for students that will attend the Ulster University it is suitably located and therefore complies with criterion (a).</p>
9.3.4	<p>Criteria (b)</p> <p>This criterion requires the proposal to be assessed in relation to policy designations specific to the City Centre. The proposal is located 100 metres away across Little Patrick Street and York Street from a Protected City Centre Housing Area known as Lancaster Street/ Terrace. Whilst PBSMA could be considered a form of residential accommodation the scale and impact of PBSMA is likely to be incompatible with existing residential communities. The proposed development is considered sufficiently removed from this area; York Street is a busy 4 lane road which in itself will act as a barrier between the two areas. Given the location of the proposed entrance way it is likely that Great Patrick Street would be used to approach any colleges.</p> <p>In regards to other policy designations in the city centre the site is not located within a conservation area or the Primary Retail Core. The nearest listed building is located in across Great Patrick Street on the corner of Academy Street. The development is adequately removed so as not to have an impact on its setting. The proposal complies with criterion (b).</p>
9.3.5	<p>Criteria (c)</p> <p>In regards to criterion (c) it is considered that the layout, design and facilities provided within the development are sufficient with breakout space on each level alongside the</p>

	<p>larger communal area on the ground floor. The entrance to the PBSMA is located on the corner of Little Patrick Street and Nelson Street which differs from the original approval. This leads into a reception and common area. Two landscaped courtyards are provided at ground floor level. The cluster beds and studios on the ground floor are one of the most significant changes to that of the previously approved scheme. The rooms on the ground floor have an outlook onto the courtyards with an area of planting along the windows which acts as a buffer from the courtyard amenity space area. The applicants were asked to alter access doors to the waste storage area in order to alleviate the impact on the amenity of residents located on the ground floor. This arrangement is considered to be acceptable.</p>
9.3.6	<p>In terms of open space provision, it is acknowledged that 'Creating Places- Achieving Quality in New Residential Developments' suggests that adequate provision would range from 10-30 sq metres, with inner urban areas tending towards the lower end figure. The outdoor landscaped courtyards provides around 375 sq metres which although not sufficient for the needs of 430 students, is a greater provision of open space than under the previous scheme. A flexible approach should be applied when considering planning applications for PBMSA in the City Centre and given the increased common room / break out areas provision (landscaped area and common rooms) within the reconfigured layout the amenity space is considered acceptable.</p>
9.3.7	<p>The development proposes no car parking spaces which is considerably below the 1 to 1 amount required according to the DOE Parking Standards which accompany PPS3. However the applicant has provided a detailed Transport Assessment seeking to justify a relaxation of the standard based on alternative transport arrangements and the proximity of the development to the new Ulster University Campus. Factoring this with the lack of objection from Transport NI on this issue it is considered that the applicant has adequately addressed the shortfall in parking provision.</p>
9.3.8	<p>The accommodation proposed is in accordance the standards set out in NI Housing Executive HMO standards –there are 430 beds proposed in the building (38 per floors 1-11, 12 on the ground floor) which range in size from 13-21sq metres per room (9sqm NIHE standard). The provision is therefore compliant with space standards the proposal is now on balance considered to comply with Criteria C.</p>
9.3.9	<p>Criteria (d) Criterion (d) 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 within an area that has witnessed a cluster of planning approvals for similar high density residential schemes which are predominantly PBSMA as well as apartment schemes. Due to the high density nature of the schemes and their city centre location it is considered that the land uses do not conflict with each other. Belfast City Council EHO were consulted on the application and are satisfied with the student management plan for the proposal subject to conditions.</p>
9.3.10	<p>The guidance document makes reference to the cumulative impact and how an overconcentration relative to the wider community can lead to an imbalance ultimately resulting in harm to residential amenity. However, the site is almost adjacent to a HMO Node which has specifically been identified in the HMO Subject Plan as an area that can accommodate higher density residential developments with a lower impact on traditional areas. Given this it is accepted that the proposal will not cause unacceptable damage to the residential amenity of nearby dwellings or to any future adjacent residential development.</p>

9.3.11	<p>Criteria (e) Requires that the development has appropriate management in place to create a positive and safe living environment or students whilst minimising any potential negative impact from occupants. As stated above an agreed management plan was submitted by the applicant and EHO have offered no objections to this.</p>
9.3.12	<p>Criteria (f) Planning applications should be accompanied by evidence supporting the need for the type and quantum of PBSMA proposed. The planning support statement submitted on 5th October 2017 by the applicant refers to relocation of the Ulster University into the city centre and the relocation of approximately 15000 students and staff into the city centre. At present the University of Ulster only provides accommodation at its Jordanstown campus and this is unlikely to meet the growing demand in the city centre. Limited quantitative information has been provided to demonstrate a need for this accommodation. Rather the agent has indicated that the proposal will satisfy a need created by the relocated University. The proposal is in keeping with the Belfast Agenda seeking an increase in the resident population within the city centre. It also is in line with the objective to grow the reputation of Belfast as a learning city, will provide greater choice of accommodation, and reduce pressure on HMO area within south Belfast. No university support appears to be provided or details of waiting lists for accommodation. Since the previous approval on this site (LA04/2015/0716/F) in October 2016, the applicants have highlighted that only two PBSMA are operational and four are still under construction. This proposal will create an additional 76 beds compared to the previous approval on the site. The increase in bed numbers hasn't resulted in an increase in the footprint or height of the building. It would therefore be difficult to argue that a need for the PBSMA and the additional 76 beds to bring the total to 430 beds at this location does not remain due to the sites location and the applicant's responsiveness to the changing market and demand for cluster bed accommodation.</p>
9.4	<p><u>Impact of the Scale, Massing and Design upon the character and appearance of the surrounding area and on amenity;</u></p>
9.4.1	<p>The site is located within Character Area CC 015 Laganside and Docks. The general urban design criteria under Designation CC 015 states that 'the density of development in the area shall be maintained and increased where appropriate, including around the transport node, through high site coverage and high plot ratio and that development proposal shall take account of the height of adjoining buildings.'</p>
9.4.2	<p>In regards to the more specific street frontages heights criteria the Urban Design Criteria does not specifically refer to development which fronts onto Little Patrick Street or Nelson Street; however the PAC in their report into the Nelson Street appeal recognised the greater scale set in the area, in the context of planning permissions, in 2008 and 2009 for 11-storey buildings.</p>
9.4.3	<p>The development should also be considered in its immediate and local context which includes extant planning permissions, some of which are under construction. The University of Ulster campus when complete will change the character of the location along Frederick Street and Great Patrick Street and will have completed a ridge height of 55 metres (17 storeys). Furthermore a 12 storey PBSMA (774 beds) under LA04/2016/1252/F was approved to the rear of the site and prior to this an 11 storey apartment development was also approved here under planning appeal Z/2012/0352/O and approval Z/2008/0824/F. This development therefore compliments the built form of the area, including the University of Ulster Campus, creating a strong sense of place. The underutilised site does have the potential to act as a driver for further regeneration of an area which has historically suffered from decline and dereliction.</p>

9.4.4	It is noted that the massing and scale of the scheme reflects that considered under the PAD and proposes a building which is slightly reduced in height from that approved under LA04/2015/0716/F. From a scale and massing point of view, the proposal is therefore considered appropriate to the immediate and surrounding context and will result in a building which complements the scale and massing of the emerging built form in the area.
9.4.5	The design amendments to the external appearance to the building which include fenestration arrangements, changes to window proportions, changes to cladding panel colour, changes to the profile of the ground/first floor aluminium glazed curtain walling system and changes to the base of the building in terms of the glazing arrangement give the building a more horizontal appearance. The Urban Design officer commented that the changes cumulatively reduce the cleaner, vertical emphasis of the previous design. However, on balance these are considered acceptable.
9.5	<p><u>PPS7 – Design, character and appearance of area and amenity</u></p> <p>The proposal has been further assessed against Policy 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 policy sets out nine criteria which all residential development proposals are expected to meet. Please see paragraph 9.4 for assessment in relation to height, scale and massing.</p>
9.5.1	The proposed design is consistent with the area, incorporating a similar, fenestration, and solid to void ratios. A palette of materials has been specified which include coloured rain screen cladding panels, PPC aluminium glazed window system (colour grey), aluminium glazed curtain walling system, laminated interlayer glass panel (colour white to sky blue).
9.5.2	The plans associated with the previous PAD scheme included annotation which referred to 'mahogany red terracotta cladding'. Within this full application this annotation has been amended to now read as 'coloured rainscreen cladding panel'. No samples have been provided to ensure acceptable materials. Given the extent of the coverage of these panels over the buildings elevations, in the event that permission is granted, it is recommended that specific RAL number(s)/colour(s) be provided and samples agreed prior to installation on site, by way of an appropriately worded condition. This would also apply to the annotated 'laminated interlayer glass panel (colour white to sky blue)' and the 'PPC aluminium glazed window system (colour grey)'. The proposed design is considered acceptable in principle and therefore compliant with criteria [g] of Policy QD1 of PPS7.
9.6.4	Accordingly it is considered that the proposal would not adversely impact on the character of the area, which is a wide mix of non-residential uses, building designs and finishes.
9.7	<p><u>Impact on Traffic and Parking</u></p> <p>The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. Transport NI are satisfied that the proposal will not prejudice road safety or inconvenience the flow of traffic and that the reduced car parking has been satisfied through the submission of a transport assessment form and travel plan subject to conditions. As such the proposal is considered to comply with PPS 3 and in particular AMP 1.</p>
9.8	<p><u>Other matters</u></p> <p>Paragraphs 4.11 and 4.12 of the SPPS states there are wide range of environmental and amenity considerations including noise and air quality, which should be taken into account</p>

	<p>by planning authorities when proposing policies or managing development.</p>
9.8.1	<p>Archaeology As the site is located within the Belfast Area of Archaeological Potential (AAP) as defined in BMAP, NIEA Historic Monuments Unit provided comment on the proposal; stating they are satisfied subject to conditions to allow for the identification and recording of archaeological remains.</p>
9.8.2	<p>Amenity BCC Environmental Health Office has offered no objections in relation to noise, air quality and contaminated land subject to the relevant conditions and informatives being added to any approval.</p>
9.8.3	<p>Bin Storage In regards to bin storage, the applicant has shown a dedicated bin storage area within the ground floor layout. Access arrangements from the bin store to the street are deemed acceptable. Building Control have raised no concerns with the information provided and as such it is considered that sufficient capacity exists within the proposed development for bin storage and management.</p>
9.8.4	<p>Contaminated Land An Environmental Site Assessment and Generic Quantitative Risk Assessment (GQRA) was submitted in support of the application and both NIEA Land, Soil and Air Team as well as BCC EHO had no objection to the findings of the report subject to conditions being attached to any approval.</p>
9.8.5	<p>Flood Risk 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>The principle of development is considered acceptable as it meets the exceptions test in that a building previously existed on the site. 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 no objections. There are no watercourses which are designated under the terms of the Drainage (NI) Order 1973 within this site</p>
9.8.6	<p>Site Drainage The existing building is already connected to the public water and sewerage networks. NIEA Drainage and Water and NIW have both been consulted and given that NIW are satisfied with the proposal NIEA's Drainage and Water team have no objection subject to conditions outlined below.</p>
9.8.7	<p>Developer Contributions 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 could primarily take the form of public realm improvements to the streetscape around the building and in particular to create a new safe pedestrian friendly crossing point to the university from the new student accommodation. The area currently does not provide a quality environment and is poor in respect of pedestrian linkages to the heart of the city. It is considered that collectively the new university complex and new accommodation with environmental improvements and safe crossing points will regenerate the area.</p> <p>The sum of monies / works to be undertaken are to be agreed with the developer / landowner and the applicant's agent has expressed a willingness and commitment to provide satisfactory contributions. This willingness was expressed in the Turley planning Statement submitted on October 5th; no further negotiations have taken place on this matter to date. Section 76 Details are under review by the Council's legal team.</p>
10.0	<p>Summary of Recommendation</p> <p>The proposal has been assessed against the development plan as well as Policy HMO 7 of HMO Subject Plan 2015, Strategic Planning Policy Statement for Northern Ireland, Planning Policy Statement 7: Residential Development, Planning Policy Statement 3: Access, Movement and Parking, Planning Policy Statement 12 Housing in Settlements, Planning Policy Statement 13 Transportation and Land Use, Policy Statement 15: Planning and Flood Risk and supplementary planning guidance. Local Government Waste Storage Guide for Northern Ireland, BCC Purpose Built Student Accommodation supplementary guidance, and BCC Belfast A learning City A Framework on student housing and purpose built student accommodation publications have also been taken into account.</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable.</p> <p>Accordingly approval of planning permission is recommended subject to the conditions with the final wording of conditions to be delegated to Officers and subject to the completion of an Agreement under Section 76 of the Planning Act (N. Ireland) 2015 in respect of developer contributions.</p>
11.0	<p>Conditions.</p> <p>11.1 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>11.2 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> <p>11.3 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>
11.4	<p>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. LITTTL-ATK-100-ZZ-DR-D-0001 Revision P01, 'Private Streets Determination bearing the Belfast City Council Planning Office date stamp 18 October 2017 and DfI Roads determination stamp of 30 November 2017. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).</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>
11.5	<p>A minimum of 100 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.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p>
11.6	<p>The development hereby permitted shall operate in accordance with the approved Management Plan published by Belfast City Council Planning Office 24 October 2017.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p>
11.7	<p>The development hereby permitted shall operate in accordance with a Travel Plan to be submitted but in accordance with the Travel Plan Framework published by Belfast City Council Planning Office 24 October 2017. The Site Operator will provide access to the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.8	<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> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.9	<p>After completing the remediation works under the previous condition; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). 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>

11.10	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>The applicant, on completion of the works and prior to the occupation of the proposed development, shall provide to the Belfast Planning Service, for approval, a Verification Report. This report must demonstrate that the remedial measures outlined in the Tier Environmental Ltd report titled “ A Remediation Method Statement for Little Patrick Street, Belfast” issue 1.0 report no TE100 1RMS dated 01st December 2017 have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end use. It must demonstrate that the identified contaminant-pathway-target linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular the Verification report must demonstrate that: A 600mm clean cover system has been installed in the soft landscaped/garden areas. This shall consist of 150mm of top soil underlain by 450mm of subsoil. The capping layer shall be demonstrably suitable for end use and shall be underlain by a hi -visibility geotextile membrane. All imported material shall be demonstrably suitable for end use. (Residential with no plant uptake)</p> <p>Reason: Protection of human health.</p>
11.11	<p>In the event that contamination not previously considered is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Planning Service for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.</p> <p>Reason: Protection of human health</p>
11.12	<p>Prior to occupation of the proposed development, the applicant must submit, to the Council for approval, a Noise Verification Report (VR) which demonstrates that:</p> <p>a) The glazing and ventilation requirements to the facades of the proposed building as specified in section 6 of the Philip Dunbavin Acoustics Ltd report titled “Proposed Student Residential Development, Little Patrick Street, Belfast Noise Impact Assessment dated 5th October 2017 report number PK/9893/2528/02 have been implemented, The façades of the ground floor residential units shall have the same glazing and ventilation requirements as specified for the first to third floor façade.(as per point 4 of the PDA Ltd email dated 4th December 2017)</p> <p>(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:</p> <ul style="list-style-type: none"> • Not exceed 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; • Not exceed 30 dB LAeq,8hr at any time between the hours of 23:00hrs and

11.13	<p>07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;</p> <ul style="list-style-type: none"> • Not exceed 45 dB LAmax for more than 15 sound events 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. <p>c) A 2m high close boarded fencing has been installed to the boundary façade as outlined in stamped drawing no 04a.</p> <p>d) The rating level of all combined building plant services does not exceed the background sound level at the nearest approved noise sensitive premises during the day or at night as assessed in accordance with BS4142:2014: Methods for rating and assessing industrial and commercial sound.</p> <p>Reason: Protection of residential amenity</p> <p>Prior to commencement of development, a construction dust, noise and vibration management plan shall be developed and submitted for review and approval by Belfast City Council. This plan should outline the methods to be employed to minimise any dust, noise and vibration impact of construction operations demonstrating ‘best practicable means. The plan should pay due regard to BS5228:2009 Noise and Vibration Control on Construction and open sites and the recommendations within section 5 of the Envest Air Quality Impact Report for 26-44 Little Patrick Street dated September 2017. It should include a detailed programme for the construction phase, the proposed dust noise and vibration monitoring and mitigation methods, and evidence of neighbour liaison.</p> <p>Reason: Protection of amenity</p>
11.14	<p>Prior to commencement of operation of the development, the applicant must submit, to the Planning Service, a <i>Final Management Plan</i> to be agreed and approved by Belfast City Council’s Environmental Protection Unit. 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. 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 should include detailed arrangements to address the following matters: noise control and tenant behaviour, Proposed Liaison arrangements with the relevant education institutes, the Council and the PSNI in relation to tenant behaviour, General Management Operations, security features and CCTV.</p> <p>Within the first year of commencement of operation of the development the Applicant must submit to the Belfast City 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> <p>Reason: Protection of residential amenity.</p>

ANNEX

Date Valid	5th October 2017
Date First Advertised	27th October 2017
Date Last Advertised	27 th October 2017
Details of Neighbour Notification (all addresses) The Owner/Occupier, 24 Little Patrick Street,Belfast,Antrim,BT15 1BA, The Owner/Occupier, 37 Little Patrick Street,Belfast,Antrim,BT15 1BA, The Owner/Occupier, 42-44 ,Little Patrick Street,Belfast,Antrim,BT15 1BA, The Owner/Occupier, Beggs And Partners Ltd,60-82 ,Great Patrick Street,Belfast,Antrim,BT1 2NX, The Owner/Occupier, Extern Organisation Ltd,Unit 5 & 6a,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH, The Owner/Occupier, Find Insurance,Unit 2 & 2a,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH, The Owner/Occupier, Flanagan Flooring,2a ,Nelson Street,Belfast,Antrim,BT15 1BH, The Owner/Occupier, Gamblers Anonymous,23-29 ,Little Patrick Street,Belfast,Antrim,BT15 1BA, The Owner/Occupier, Mashal Toy Agencies Ltd,Unit 3 & 3a,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH, The Owner/Occupier, Mike Wylie Autonumerologist,Unit 7,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,	

The Owner/Occupier,
 Office Interiors,Unit 1,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,
 The Owner/Occupier,
 Phone Direct,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,
 The Owner/Occupier,
 R.W Pierce & Co Printers,19-21 ,Little Patrick Street,Belfast,Antrim,BT15 1BA,
 The Owner/Occupier,
 Unit 4 & 4a,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,
 The Owner/Occupier,
 Unit 6,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,
 The Owner/Occupier,
 Unit 7a,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,
 The Owner/Occupier,
 Unit 8 & 8a,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,
 The Owner/Occupier,
 Unit 8,Nelson Trade Centre,Nelson Street,Belfast,Antrim,BT15 1BH,

Date of Last Neighbour Notification	27th October 2017
ES Requested	No

Planning History

Ref ID: LA04/2016/1252/F
 Proposal: Purpose built managed student accommodation (774 beds). Maximum height of 12 storeys
 Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,
 Decision: PG
 Decision Date: 24.01.2017

Ref ID: Z/1990/2338
 Proposal: Office development with ground floor reception and parking areas
 Address: 24/46 NELSON STREET AND 26/44 LITTLE PATRICK STREET BELFAST BT15
 Decision:
 Decision Date:

Ref ID: Z/1986/2331
 Proposal: Erection of petrol filling station
 Address: 24-46 NELSON STREET, BELFAST BT15 1BH
 Decision:
 Decision Date:

Ref ID: Z/2001/0664/Q
 Proposal: New showroom
 Address: Site at 42-44 Little Patrick Street, Belfast

Decision:
Decision Date:

Ref ID: Z/2003/0867/Q
Proposal: student housing scheme
Address: Site at Nelson Street/Little Patrick Street, Belfast
Decision:
Decision Date:

Ref ID: Z/1993/2384
Proposal: Erection of 2 storey premises for part office, light industrial and warehouse uses
Address: 26-44 LITTLE PATRICK STREET AND 24-46 NELSON STREET BELFAST BT15
Decision:
Decision Date:

Ref ID: Z/2004/0717/F
Proposal: Erection of new office building including a new access off Lord Nelson Street
Address: 26-44 Little Patrick Street, Belfast, BT15 1BA
Decision:
Decision Date: 12.10.2005

Ref ID: Z/1989/2973
Proposal: Construction of filling station.
Address: LAND AT 24/46 NELSON STREET BELFAST BT15
Decision:
Decision Date:

Ref ID: Z/1983/1412
Proposal: ERECTION OF 6 ADVERTISING HOARDINGS
Address: 2-52 NELSON STREET
Decision:
Decision Date:

Ref ID: Z/1988/2636
Proposal: Change of use from warehouse to car showroom and ancillary workshop, offices and stores with external alterations
Address: 50A-62 GREAT GEORGES STREET BELFAST BT15
Decision:
Decision Date:

Ref ID: Z/1975/0106

Proposal: ERECTION OF WAREHOUSE
Address: 26-36 LITTLE PATRICK STREET, BT15
Decision:
Decision Date:

Ref ID: Z/2011/0737/O
Proposal: Site for social housing development.
Address: Vacant site at Nelson Street, bounded by Great Georges Street to north, Little York Street to west, Nelson Street to east and other lands adjacent to Little Patrick Street to south.,
Decision: PR
Decision Date: 22.10.2014

Ref ID: Z/2008/0824/F
Proposal: Construction of 238 No. 1bed and 2 bed apartments with 200 No. parking spaces on ground and first floor levels with elevated landscaped central courtyard. (Amended Plans)
Address: Site bounded by Little York Street, Great George Street and Nelson Street, Belfast.
Decision: PG
Decision Date: 17.10.2014

Ref ID: Z/2004/0714/F
Proposal: Redevelopment of site to provide housing comprising of 48 apartments and 18 terraced houses.
Address: 42/46 Great George's Street and 22/46 Nelson Street, Belfast, BT15 1BP
Decision:
Decision Date: 26.01.2006

Ref ID: Z/2012/0352/O
Proposal: Apartment development of 217 units
Address: Site bounded by Little York Street, Great Georges Street and Nelson Street, Belfast,
Decision:
Decision Date:

Ref ID: Z/2008/1200/F
Proposal: Temporary surface level car park.
Address: Site bounded by Little York Street, Great George Street and Nelson Street, Belfast.
Decision:
Decision Date: 15.01.2009

Ref ID: Z/1989/2162
Proposal: Temporary car park

Address: VACANT LAND ADJACENT TO 50A GREAT GEORGES STREET AND NELSON STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2163

Proposal: Change of use from warehouse to car showroom,workshop etc(Modification of approved planning application)

Address: 50A-62 GT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1987/1478

Proposal: Change of use to retail warehouse with car-parking

Address: 50A -62 GREAT GEORGES STREET, BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1990/2276

Proposal: Refurbishment/conversion of vacant warehouse to form car showroom,workshop and parts department

Address: 50A-62 GREAT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1987/0736

Proposal: Change of use from warehouse to retail use with associated car parking.

Address: 50A-62 GREAT GEORGES STREET, BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1992/2587

Proposal: Change of use from car sales to builders equipment hire with alterations to include erection of offices within existing building shell

Address: 42-62 GT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/2014/0538/PREAPP

Proposal: Student housing scheme

Address: 26-44 Little Patrick Street, Belfast,

Decision: EOLI

Decision Date:

Ref ID: LA04/2015/0571/A

Proposal: 1no. temporary Lightbox advertising display board

Address: Car park Opposite, 18 -30 Dunbar Street, Belfast, BT1 2LH,

Decision: CR

Decision Date: 08.01.2016

Ref ID: LA04/2017/0783/DC

Proposal: Discharge of Conditions 10 and 11 of LA04/2016/1252/F

Address: 41-49 Queen Street, 24-30 College Street, 29 Wellington Place, Belfast.,

Decision: AL

Decision Date:

Ref ID: LA04/2017/1202/NMC

Proposal: Non material change to planning application LA04/2015/0716/F

Address: 26-44 Little Patrick Street, Belfast,

Decision: CG

Decision Date:

Ref ID: LA04/2017/2306/F

Proposal: Development of purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas.

Address: 26-44 Little Patrick Street, Belfast,

Decision:

Decision Date:

Ref ID: LA04/2017/1473/PAD

Proposal: Amendment to planning permission LA04/2015/0716/F to develop purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas, and cycle provision.

Address: 26-44 Little Patrick Street, Belfast, BT15,

Decision:

Decision Date:

Ref ID: LA04/2017/1472/PAN

Proposal: Amendment to planning permission LA04/2015/0716/F to develop purpose built managed student accommodation comprising up to 430 beds with internal and external shared communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision.

Address: 26-44 Little Patrick Street, Belfast, BT15,

Decision: PANACC

Decision Date:

Ref ID: LA04/2016/2522/DC

Proposal: Discharge of façade retention scheme as required by paragraph 2.3 of the section 76 of LA04/2015/1252/F

Address: 41-49 Queen Street, 24-30 College Street and 29 Wellington Place,

Decision: AL

Decision Date:

Ref ID: LA04/2017/0550/DC

Proposal: Discharge of condition 3 of LA04/2016/1252/F

Address: Site Bounded by Little York Street, Great George's Street and Nelson Street, Belfast.,

Decision:

Decision Date:

Ref ID: LA04/2017/1642/NMC

Proposal: Non Material Change to LA04/2016/1252/F

Address: Site bounded by, Little York Street, Great Georges Street, and Nelson Street, Belfast,

Decision: CR

Decision Date:

Ref ID: LA04/2017/2084/NMC

Proposal: NMC to LA04/2016/1252/F

Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,

Decision: CG

Decision Date:

Ref ID: LA04/2017/0858/NMC

Proposal: Non material change to LA04/2016/1252/F

Address: Site Bounded By, Little York Street, Great Georges Street, And Nelson Street, Belfast,,

Decision: CR

Decision Date:

Ref ID: LA04/2017/2218/DC

Proposal: Discharge of condition 3 LA04/2016/1252/F

Address: Site bounded by, Little York Street, Great Georges Street and, Nelson Street, Belfast.

Decision:

Decision Date:

Ref ID: LA04/2017/2112/F

Proposal: Variation of condition 7 (LA04/2016/1252/F) which refers to legislative procedures for the loading bay.

Address: Site bounded by Little York Street, Great George's Street and Nelson Street,

Belfast,

Decision:

Decision Date:

Ref ID: LA04/2016/0210/PAN

Proposal: Erection of 9 storey purpose built student accommodation to comprise circa 680 bedrooms with associated facilities and associated site and access works

Address: Vacant lands at 4 Nelson Street, Belfast, BT15 1BH,

Decision:

Decision Date:

Ref ID: LA04/2016/0209/PAD

Proposal: Erection of circa 9 storey purpose built student accommodation comprising circa 680 bedrooms with associated facilities and associated site and access works

Address: Lands at 4 Nelson Street, Belfast, BT15 1BH,

Decision:

Decision Date:

Ref ID: LA04/2015/0716/F

Proposal: Erection of a 11 storey building for managed 354 student accommodation studios with shared communal areas; external courtyard; other ancillary accommodation including a reception/management suite and communal areas; plants and storage areas; cycle provision (Amended Proposal)

Address: 26-44 Little Patrick Street, Belfast, BT15,

Decision: PG

Decision Date: 17.10.2016

Ref ID: LA04/2015/0218/PAD

Proposal: Erection of 11 storey building for managed 355 student accommodation rooms with shared communal areas; external courtyard; other ancillary accommodation including a reception/management suite and communal areas; plants & storage areas; cycle provision.

Address: 26-44 Little Patrick Street, Belfast, BT15,

Decision:

Decision Date:

Notification to Department (if relevant) - N/A

Representation from Elected Members - None