

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 12th June 2018	
<b>Application ID:</b> LA04/2018/0824/F	
<b>Proposal:</b> Provision of 13 additional single bedrooms and 1 additional double bedroom studio on 15th floor of purpose built managed student accommodation and minor elevation amendments (retrospective)	<b>Location:</b> 1 McClintock Street Belfast BT2 7GL
<b>Referral Route:</b> Purpose built managed student accommodation	
<b>Recommendation:</b>	<b>Approval</b> (subject to the completion of an Agreement under Section 76 )
Applicant Name and Address: McAlear & Rushe 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Consarc Design Group Ltd The Gas Office 4 Cromac Quay Belfast BT7 2JD
<p><b>Executive Summary:</b> The application seeks retrospective planning permission for the provision of 13 additional single bedrooms and 1 additional double bedroom studio on 15th floor of purpose built managed student accommodation and minor elevation amendments, to previous planning approval LA04/2015/0420/F.</p> <p>LA04/2015/0420/F was approved on 05/07/16 for “Redevelopment of the former Belfast Metropolitan College Campus into a mixed use development. This is to erect a 476 bedroom managed student residential building with ground floor retail class A1 to the Southern aspect of the site. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park.”</p> <p>The proposed development if approved will result in a 490 bedroom managed student residential building with ground floor retail class A1 to the Southern aspect of the site. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- The acceptability of purpose built student accommodation and retail unit at this location;</li> <li>- The acceptability of proposed amendments;</li> <li>- Impact upon character and appearance of Linen Conservation Area;</li> <li>- Impact upon setting of adjacent listed buildings;</li> <li>- Contaminated Land</li> <li>- Noise Impact</li> <li>- Bin Storage</li> <li>- The impact on existing roads infrastructure;</li> <li>- Flooding</li> </ul>	

The key issues have already been examined through the assessment of LA04/2015/0420/F, and given this the principle of development has been established. These are reviewed however throughout this report.

The site is located within the Belfast City Centre as designated in the draft Belfast Metropolitan Area Plan. It is also within the Linen Conservation Area and Commercial District Character Area (Designation CC007). The site is not within a primarily residential area. The site is located on unzoned (white) land within close proximity to Great Victoria Street transport Hub and well located to serve both Queen's University and the new University of Ulster Campus.

The changes to which this application relates include internal reconfiguration and some elevational changes. The scale, form, massing and footprint remain unchanged from that already approved.

Roads Service, NIWater, and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

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

**Recommendation**

That the proposal should be approved subject to conditions set out below and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions.

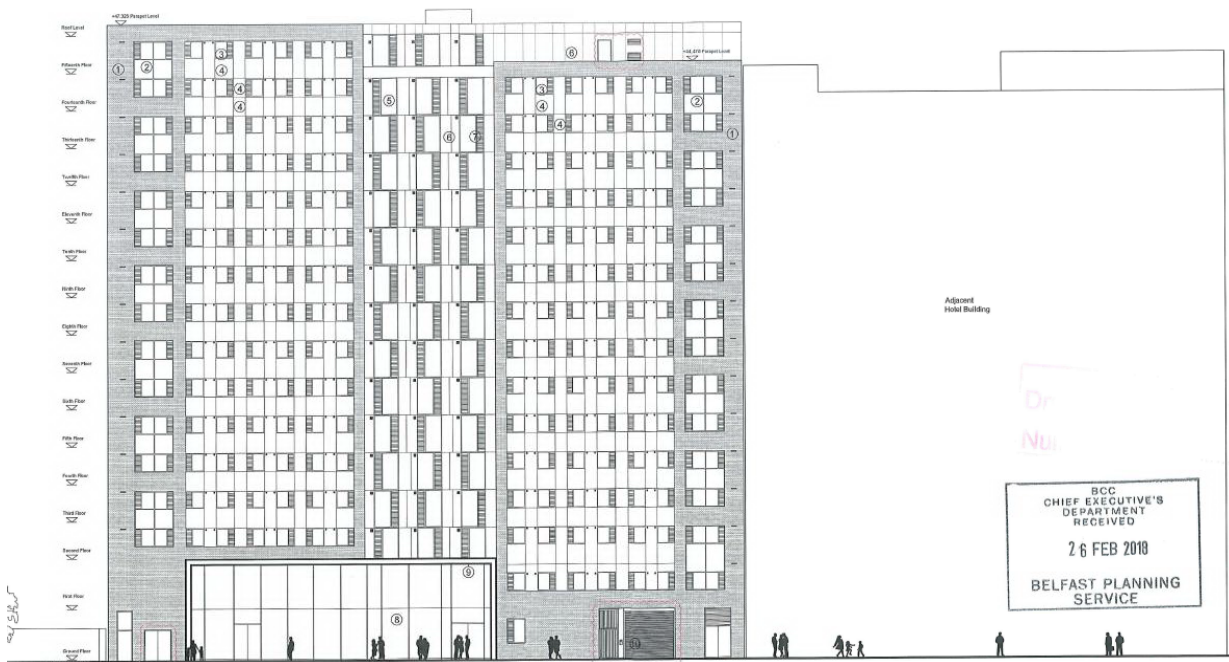
If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Place, on behalf of the Council in consultation with Legal Services, to enter into the Section 76 agreement.

# Case Officer Report

## Site Location Plan



4. Pre-coloured aluminium ribbed glass cladding panel  
10. 5mm mirror / glass / mirror



### 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 Description of Proposed Development**

Provision of 13 additional single bedrooms and 1 additional double bedroom studio on 15th floor of purpose built managed student accommodation and minor elevation amendments (retrospective)

#### **2.0 Description of Site**

The site is located on lands at 1 McClintock Street, Belfast. There is a 16 storey high building under construction at the moment on the site and is already substantially complete. This development was approved under application LA04/2015/0420/F on 5<sup>th</sup> July 2016. The site was previously the Belfast Metropolitan College Campus building. Part of corner site at junction of Brunswick Street and Franklin Street. The site is located within the development limits of Belfast on unzoned (white) land, the Commercial District and the Linen Conservation Area as designated in draft BMAP.

### **Planning Assessment of Policy and Other Material Considerations**

#### **3.0 Site History**

LA04/2015/0420/F – Redevelopment of the former Belfast Metropolitan College Campus into a mixed use development. This is to erect a 476 bedroom managed student residential building with ground floor retail class A1 to the Southern aspect of the site. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park. Approved July 2016.

Z/2011/0447/F - Redevelopment of Belfast Metropolitan College Campus comprising demolition of existing building and erection of a 17no. storey office building including commercial/retail uses (Class A1 & A2) at ground and first floor levels. (Change of application type from Reserved Matters to Full). Approved August 2012

Z/2005/0196/O- Replacement of Belfast Institute of Further and Higher Education (BIFHE) campus to provide new educational facility, including retail (class A1) and service (class A2) uses associated with college operations. Approved June 2006

Z/2005/0209/DCA - Demolition of existing Belfast Institute of Further and Higher Education (BIFHE) campus. Demolition granted June 2006

Z/2007/0891/O - Redevelopment of BIFHE Brunswick Street Campus as new office building, including commercial/retail uses at ground & first floor. Proposed new building to be up to 70 metres in height above ground level. Approval March 2008.

Z/2005/2567/F- 26 storey mixed use development (retail, gallery, offices), with basement car parking and completion of new civic square. Approved June 2007.

#### **4.0 Policy Framework**

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.2 Strategic Planning Policy Statement for Northern Ireland

4.3 Planning Policy Statement 3 - Access, Movement and Parking

- 4.4 Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage
- 4.5 Planning Policy Statement 7 – Quality Residential Environments
- 4.6 Revised Planning Policy Statement 15 – Planning and Flood Risk
- 4.7 HMO Subject Plan 2015
- 4.8 Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note
- 4.9 Belfast: A Framework for student housing and purpose built student accommodation

#### **5.0 Statutory Consultees Responses**

- 5.1 DFI Roads Service - No objection subject to conditions
- 5.2 NI Water – No objection

#### **6.0 Non Statutory Consultees Responses**

- 6.1 Belfast City Council (BCC) Environmental Health - No objection subject to conditions

#### **7.0 Representations**

- 7.1 The application has been neighbour notified and advertised in the local press. No comments have been received.

#### **8.0 Other Material Considerations**

- 8.1 None

#### **9.0 Assessment**

- 9.1 The key issues in the assessment of the proposed development include:
  - The acceptability of purpose built student accommodation and retail unit at this location;
  - The acceptability of proposed amendments;
  - Impact upon character and appearance of Linen Conservation Area;
  - Impact upon setting of adjacent listed buildings;
  - Contaminated Land
  - Noise Impact
  - Bin Storage
  - The impact on existing roads infrastructure;
  - Flooding

9.2 Following the recent Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. 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. The site is located inside the development limits of Belfast as shown in the draft Belfast Metropolitan Area Plan 2015.

#### **Principle of Development**

9.3 The key issues have already been examined through the assessment of LA04/2015/0420/F, and given this the principle of development has been established. As stated previously the building approved is currently under construction and is substantially complete. The proposal seeks retrospective approval for 13 additional single bedrooms and 1 additional double bedroom studio on the 15th floor with minor elevation amendments and some internal reconfiguration. The height, footprint, scale, materials and massing remain as approved. The design and access statement dated April 2018 states that during construction and design some floor space efficiencies were found to allow for the incorporation of the additional bedrooms.

9.4 The fifteenth floor as approved contained 3 double bedroom apartments and 10 single bedroom apartments (along with living and kitchen areas), as well as a common lobby area and cleaners store. Additionally there was a plant room to the side and to the rear. The development

to which this application relates shows an additional double bedroom as well as 13 single bedrooms situated within the previously approved plant room areas, with plant now located in a smaller area to the front of this floor.

9.5 With this internal reconfiguration there are a number of associated external amendments on the 15<sup>th</sup> floor. The front elevation (to McClintock Street) displays 4 windows relating to 3 of the bedrooms, the rear elevation displays 7 windows and the two side elevations each display 5 windows. The amendments will not adversely affect the neighbouring buildings by means of overlooking.

#### **Ground floor Retail Unit**

9.6 An additional door to the approved ground floor retail unit is proposed. Although outside the primary retail core, unrestricted retailing is appropriate within this City Centre location. The proposed amendment is minor and will have no greater visual impact than what is already approved.

#### **Use as Purpose Built Managed Student Accommodation (PBMSA)**

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

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

- Development of any complex consists of a minimum of 50 units or a minimum of 200 occupants. This will not preclude proposals for smaller incremental extensions or consolidations of existing halls of residence and phased development of larger schemes. The proposal is for 493 units and therefore meets this criteria.
- All units are self-contained (i.e. having a bathroom, w.c. and kitchen available for use by the occupiers) Kitchen and en-suite bathroom facilities within each unit.
- The location is not within a primarily residential area  
The site is located within the city centre and not within or nearby any established residential areas.
- Provision is made for management of all accommodation. This may require an Article 40 agreement with Planning Service (Section 76 under the Planning Act (Northern Ireland 2015))

A management plan, prepared by Fresh Student Living, was submitted in support of the previous application. There were a numerous procedures set out:

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

The supporting planning statement makes reference to the fact that Fresh Student Living is a nationally recognised provider and operator of purpose built student accommodation with a number of existing and proposed schemes. An Article 76 agreement outlining contributions towards public realm improvements was signed in relation to the approval. BCC Environmental Health responded to consultation on 23/04/18 with no concerns but suggested a condition to be attached that a robust student management plan should be submitted and agreed in writing with the Planning Authority prior to commencement of operation of the development.

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

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

9.9 The proposal has been assessed against Belfast City Council's ('the Council') document 'Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note' (Nov 2015). This document is the Council's first step as a planning authority to respond to the Strategic Planning Policy Statement's (SPPS) stated objective that the planning system should secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Whilst guidance and not planning policy it is still a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to. These have also been examined previously as part of the assessment for the previous approval and there has been no fundamental change to these with should the current application be approved.

#### Criteria (a)

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

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

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

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

#### Criterion (b)

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

The development site is outside the designated Primary Retail Core.

The site is located within the Linen Conservation area. A Conservation Area statement was submitted in support of the original planning application. The Conservation Statement concluded that the removal of the redundant Metropolitan College building which previously occupied the site and replacement with the approved building, would cause no harm to the character of the conservation area and could potentially enhance the area both by introducing a more appropriate architectural design and materials, and by bringing life back into the city centre with an active ground floor street frontage.

#### Criterion (c)

The approved building is 6 storeys higher than the building which previously occupied the site. However the building is approximately 10.5m higher than the building approved on this site under planning application Z/2011/0447/F (approved 28 August 2012 and still live). The building height

is compatible with the existing InvestNI building to the immediate east of the site and the adjacent approved hotel scheme (LA04/2015/0418/F).

In terms of the specified space standards, the proposal exceeds the required space standards as the approved rooms are 4 square metres above the recommended room area for one occupant bedrooms and 8 metres above what is recommended for two occupant bedrooms. This is the case for the current proposal also. Kitchen/living rooms have been provided within each of the accommodation clusters serving from 3 to 5 students and ranging in area from 20 to 32m<sup>2</sup> depending on occupancy.

A Travel Plan Framework, was prepared and submitted in support of the planning application. The proposal includes provision for 6 No car parking spaces including two disabled standard spaces, however, the Travel Plan will encourage the use of sustainable modes of transport including walking, cycling and the use of public transport services. Roads Service have offered no objections to the proposal. A total of 50 cycle spaces have been proposed at ground-floor level.

Criterion (d)

The criterion states that development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area.

There is currently no student housing provision in the vicinity of the development nor is the site located adjacent to an established residential area.

The development site is currently under construction and as stated previously the approved building, to which this application seeks retrospective approval for amendments, is substantial complete. The development will help in the regeneration of this part of the city centre and create an active ground floor frontage.

Criterion (e)

A Student Residential Management Plan was submitted in support of the previous planning application. The Management Plan set out detailed proposals for management measures to create a safe, clean, well run environment for its occupants which respects their need for privacy and study whilst ensuring that the accommodation and its occupants acknowledge and respect the rights of adjacent residents and businesses to a quiet life. Those measures included:

- Accommodation Management
- Accessibility management
- Maintenance – internal and external
- House-keeping and servicing
- Deliveries and collections
- Check-in and check-out
- Work
- Security and Safety

The Management Plan went on to set out:-

- Services to be provided to occupants
- What the residence expects of occupants
- Community liaison: responsibilities and procedures
- Complaints procedures
- Waste and re-cycling management

It is the view of BCC Environmental Health that previous comments and recommendations made still apply. Previously they noted that the development is not located within a typically residential area and had concerns regarding the management of potential noise and anti-social behaviour.



They suggested consideration be given to attaching a condition, should planning permission be granted, requiring a final management plan to be submitted and approved by the Council, which they have reiterated in their latest response. Within the Plan evidence must be submitted that this final Management Plan will be delivered by a competent PBSA operator with a proven track record in managing this type of accommodation and demonstrate compliance with a government approved accreditation scheme for purpose built student accommodation. The Management Plan should also address general management operations, site and landscape maintenance, servicing, security features, CCTV, lighting, intercoms, soundproofing, noise control and tenant behaviour as well as providing a travel plan for staff and students, and should include the proposed liaison arrangements with the relevant education institution, the Council and the PSNI in relation to tenant behaviour.

#### Criterion (f)

The 'Response to PBMSA Planning & Place Advice note' (November 2015) states that Queens University have a 100% occupancy rate within their existing accommodation and have an urgent need to address a high level of demand.

Queens University have acknowledged in May 2015 that "there is very limited scope for the development of student residential accommodation on Queen's- owned sites..."

At the time of the previous application McAleer & Rushe had responded to Queens University requirement and were at an advanced stage of the procurement process. The site location and overall characteristics including size, scale, design have been developed with input from Queens University.

#### **Listed Buildings, Historic Monuments and development within the Conservation Area**

9.10 The approved development was assessed previously against Policies BH11 and BH14 of Planning Policy Statement 6. The site is in close proximity to and impacts upon the listed building at 17 Bedford Street HB26/30/055 which is of special architectural and historic importance and is protected by Section 80 of the Planning Act (NI) 2011. Historic Building Unit considered the impacts of the proposal on 17 Bedford Street a B+ Listed building, and was content in principle with the previous development. Given the nature of development under consideration currently it was not necessary to consult HED.

9.11 Similarly the proposal was assessed fully against policies BH12 and BH14 of PPS6. The existing building made no material contribution to the character or appearance of the area. Conservation area consent for demolition was granted on the site in June 2006 under application Z/2005/0209/DCA. The building was subsequently demolished in association with the satisfactory redevelopment scheme granted under permission LA4/2015/0420/F. The approval did not result in harm to the character of this part of the conservation area, by the introduction of a new building with active frontage and contemporary design. The changes to the external appearance of the building in order to provide the additional rooms are so minor that it was not necessary to consult the BCC Conservation Officer.

#### **Quality Residential Development**

9.12 The development was assessed against QD 1 of PPS 7. The site is located within an established high rise mixed use area within Belfast City Centre with little in the way of residential context. The approved development was seen to result in a better quality scheme for the site which would sit comfortably within its high rise context of the traditional red bricked buildings and the more contemporary office buildings. BCC Environmental Health raised no objection in relation to impact on amenity. On further review of the F.R. Mark Noise Impact Assessment, they suggest consideration is given to attaching a condition to any approval, should permission be granted, to ensure the appropriate noise mitigation measures are carried out. This condition is detailed below.

**Contaminated Land**

9.13 Environmental Health are satisfied that comments made previously with respect to the previous approval still apply, however further information was submitted with regards to the proposed gas protection measures. They have requested consideration is given to attaching a condition, should approval be granted, in relation to the necessary gas protection measures.

**Noise Impact**

9.14 Environmental Health are satisfied that comments made previously, as well as further review of the F.R. Mark noise assessment, regarding LA04/2015/0420/F still apply. They have suggested two conditions for approval. The submitted F.R. Mark noise assessment advised that day time and background noise measurements were conducted outside the nearby Park Inn to characterise the typical noise levels in the City centre location which the report advised are influenced by transportation noise during the day and by noise from both local transport and patron noise associated with nearby bars during the night time. The potential for noise generated by the proposed retail unit at ground floor was also briefly discussed in the noise assessment and the report advised the separating structures between the retail unit and the units above would be subject to compliance with current building control regulations in relation to sound insulation. In addition, the layout indicates that there is no bedrooms located directly above the approved retail unit which acts as further re-assurance that there should be no negative noise impact on proposed bedrooms. The noise report also directed the applicant to advise the appointed Contractor to recommended mitigation measures which should be employed during the construction phase. On review of the F.R. Mark Noise Impact Assessment, Environmental Health suggested consideration is given to attaching 2 conditions to any approval, should permission be granted, to ensure the appropriate noise mitigation measures are carried out. This conditions are detailed below.

**Traffic and Parking**

9.15 The parking arrangements for the development remain unchanged from what was originally approved. The planning statement submitted in support of the proposal talks about the accessibility of the site and its proximity to the Europa bus and rail centre and bus stops (approx. 100m). The Travel Plan set out that the development will be 'car free' and the scheme has been designed to encourage alternative modes of transport. Roads Service has offered no objections to the proposal subject to a number of conditions which are detailed below.

**Flooding**

9.16 This site is affected by a watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to Rivers Agency as the Blackstaff River. The Flood Hazard Map (NI) indicates that the site does not lie within the 1 in 100 year fluvial flood plain. Having reviewed the Proposed Drainage Works report submitted previously, Rivers Agency have noted that the applicant had had pre application discussions with both Rivers Agency Area Office and NIWater regarding this development and received agreement in principle to the works and that the proposed design incorporates 16m<sup>3</sup> of attenuation to restrict flow. Hence Rivers Agency had no specific reason to object to the development.

**Developer Contributions**

9.17 A Section 76 Agreement was submitted and agreed as part of the approval of the previous application with regard to contributions towards public realm. It was 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. In this case it was considered that this would primarily take the form of public realm improvements to the streetscape around the building and enhance connectivity to the city centre. The sum of monies / works to be undertaken were agreed with the developer / landowner.

It is recommended that should planning permission be granted it should be subject to a similar agreement but with a pro-rata increase in the developer contribution given the additional units of accommodation.

### **Bin Storage**

9.18 With regard to bin storage the development remains as approved with two substantial bin storage areas at ground floor level. Building Control have stated this was sufficient to comply with the Building Regulations (NI) 2012 in respect to waste storage.

### **Summary of Recommendation: Approval**

9.19 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission should be approved.

Approval is therefore recommended subject to conditions and the completion of a Section 76 Agreement. Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of conditions and, on behalf of the Council in consultation with Legal Services, to enter into the Section 76 Agreement.

**Neighbour Notification Checked: Yes**

### **Conditions**

1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011.

Reason: This is a retrospective application.

2. The development hereby permitted shall not become operational until the vehicular access, including visibility splays of 2.0 m x 45 m, has been constructed in accordance with the approved layout Drawing No. layout Drawing No. 02 'L101 Rev. C, Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 26 February 2018. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

Reason: To ensure that adequate provision has been made for access.

3. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 02 'L101 Rev. C, Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 26 February 2018 to provide adequate facilities for 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.

Reason: To ensure that adequate provision has been made for parking and servicing.

4. A minimum of 50 No. cycle parking spaces and stands shall be provided and permanently retained close to the accesses to the proposed development for use by residents, staff and visitors to the development.

Reason: To encourage the use of alternative modes of transport for development users.

5. The development hereby permitted shall operate in accordance with the approved Service Management Plan bearing the Belfast City Council Planning Office date stamp 26 February 2018.

Reason: in the interests of road safety and the convenience of road users.

6. The development hereby permitted shall operate in accordance with the approved Travel Plan bearing the Belfast City Council Planning Office date stamp 26 February 2018. This includes provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

7. Prior to the occupation of the proposed development, the applicant shall provide to Belfast City Council, for approval, a Verification Report. This report must demonstrate that the remediation measures outlined in the RSK letter to Planning dated 19th August 2016, referenced: 601626 L2 and titled: 'Revision of Ground Gas Protection Measures at Land South of Franklin Street East of Brunswick Street and West of McClintock Street Belfast BT2 7GX (Ref:LA04/2015/0420/F)'.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (Residential). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:

- a. That gas protection measures in line with BS8484:2015 for building type B as per table 4 of the British Standard have been incorporated into all new buildings on site.

Reason: Protection of human health

8. Prior to commencement of operation of the development, the applicant must submit, to the Department, a Final Management Plan to be agreed and approved by the Council.

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 provide detailed arrangements to address the following matters:

- Noise Control and tenant behaviour;
- Measures for controlling hours of use and potential noise disturbance from the proposed gym and social space/games rooms;
- Proposed Liaison arrangements with the relevant education institutes, the Council and the PSNI in relation to tenant behaviour.

Reason: In the interest of amenity.

9. Within the first year of commencement of operation of the development the Applicant must submit to the Council evidence to demonstrate that the development has obtained accreditation under a government approved accreditation scheme for purpose built student accommodation such as the ANUK/UNIPOL National Code of standards or the Universities UK/HE Guild Management Code. Continued operation of the development thereafter will be subject to accreditation under a government approved accreditation scheme being maintained.

Reason: In the interest of amenity.

10. Prior to occupation of the proposed development, the applicant must submit, to the Council for approval, a Noise Verification Report (VR) which demonstrates evidence that:
- (a) The mitigation measures, recommended in the May 2015 F.R. Mark Noise Impact Assessment, by way of upgraded window units and acoustically attenuated means of alternative ventilation for the worst affected facades (overlooking Brunswick Street and McClintock Street) have been incorporated into the proposed building;
  - (b) The entire window system (including frames, seals etc) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:
    - 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 acoustic ventilation provided in accordance with current building control required;
    - Not exceed 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;
    - Not exceed 45 dB LAmax for any single sound event between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
  - (c) The rating level (dBLAr) of all combined building plant services does not exceed the background sound level (for both day time and night time) as outlined in the May 2015 F.R. Mark Noise Impact Assessment. The sound rating level shall be determined and all sound measurements shall be made in accordance with BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound.

Reason: In the interest of amenity.

11. Prior to development commencing, a Construction Noise Management Plan shall be developed and submitted for review and approval by Belfast City Council. This Plan should incorporate the recommended mitigation measures outlined in the F.R Mark Noise Impact Assessment dated May 2015 and outline the methods to be employed to minimise any noise and vibration impact of demolition and construction operations demonstrating 'best practicable means'. The Plan should pay due regard to BS 5228:2009 Noise and Vibration Control on Construction and Open Sites 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.

Reason: In the interest of amenity.

<b>ANNEX</b>	
<b>Date Valid</b>	11th April 2018
<b>Date First Advertised</b>	27th April 2018
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 2 Amelia Street,Belfast,Antrim,BT2 7GS, The Owner/Occupier, P P S,Linum Chambers,2 Bedford Square,Belfast,Antrim,BT2 7ES, The Owner/Occupier, Parity Solutions (Ireland) Ltd,Gd - 4th Floor,2 Amelia Street,Belfast,Antrim,BT2 7GS,	
<b>Date of Last Neighbour Notification</b>	16th April 2018
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: N/A Response of Department: N/A	