

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 th June 2018	
Application ID: LA04/2018/0831/F	
Proposal: Provision of 7 additional bedrooms to purpose built student accommodation and minor elevational amendments (retrospective)	Location: 8 College Avenue Belfast BT1 6DS
Referral Route: Purpose built student accommodation-Committee/Local	
Recommendation:	Approval (subject to the completion of a Section 76 Agreement)
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>Executive Summary: The site is located within the development limits of Belfast in the Belfast Urban Area Plan and draft Belfast Metropolitan Area Plan (dBMAP) and is identified as being within Belfast City Centre.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of the development at this location; • Impact on the Conservation Area and setting of listed buildings • Provision of additional rooms • Impact on amenity; and • Traffic Movement and Parking. <p>The principle of Purpose Built Student Accommodation (PBSA) has already been established at this location as the student accommodation approved under LA04/2015/0419/F has been constructed. The site is located on unzoned (white) land within close proximity to Great Victoria Street Transport Hub and ideally located to serve both Queen's University and the new University of Ulster Campus.</p> <p>The addition of 7 bedrooms and the minor elevational changes to the building will not result in harm to the character and appearance of the Conservation Area. The total number of rooms in the scheme will increase from 740 to 747.</p> <p>The application retrospectively seeks the provision of 7 additional bedrooms to purpose built student accommodation and minor elevational amendments as follows:</p> <ul style="list-style-type: none"> -9th Floor: The omission of 3 double bedroom studios, and addition of 4 single bedrooms. -10th Floor: Omission of 4 double bedroom studios, and addition of 6 single bedrooms. -11th Floor: Addition of 3 double bedroom studios, and addition of 1 single bedroom. 	

This space was additional space found on the 9th floor, 10th floor and 11th floor of the building through a combination of areas previously designated as plant space and reorganisation of the internal layout.

These additional bedrooms are contained within the scale and massing of the approved development except for a minimal increase on the 11th floor where a small portion of a bedroom projects further out from the approved building line. Overall there are inconsequential changes to the external appearance of the building.

In terms of prospective residents, each unit has adequate outlook to the public street and external amenity areas. There is sufficient internal separation distances between rooms to prevent overlooking/intervisibility. The accommodation proposed is in accordance / generally exceeds standards set out in NI Housing Executive HMO standards.

Following neighbour notification and advertising no representations were made.

Consultees received to date have offered no objections to the proposal, subject to conditions. HED have yet to respond, however, they had no objection to the original permission and there are only minor elevational changes.

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

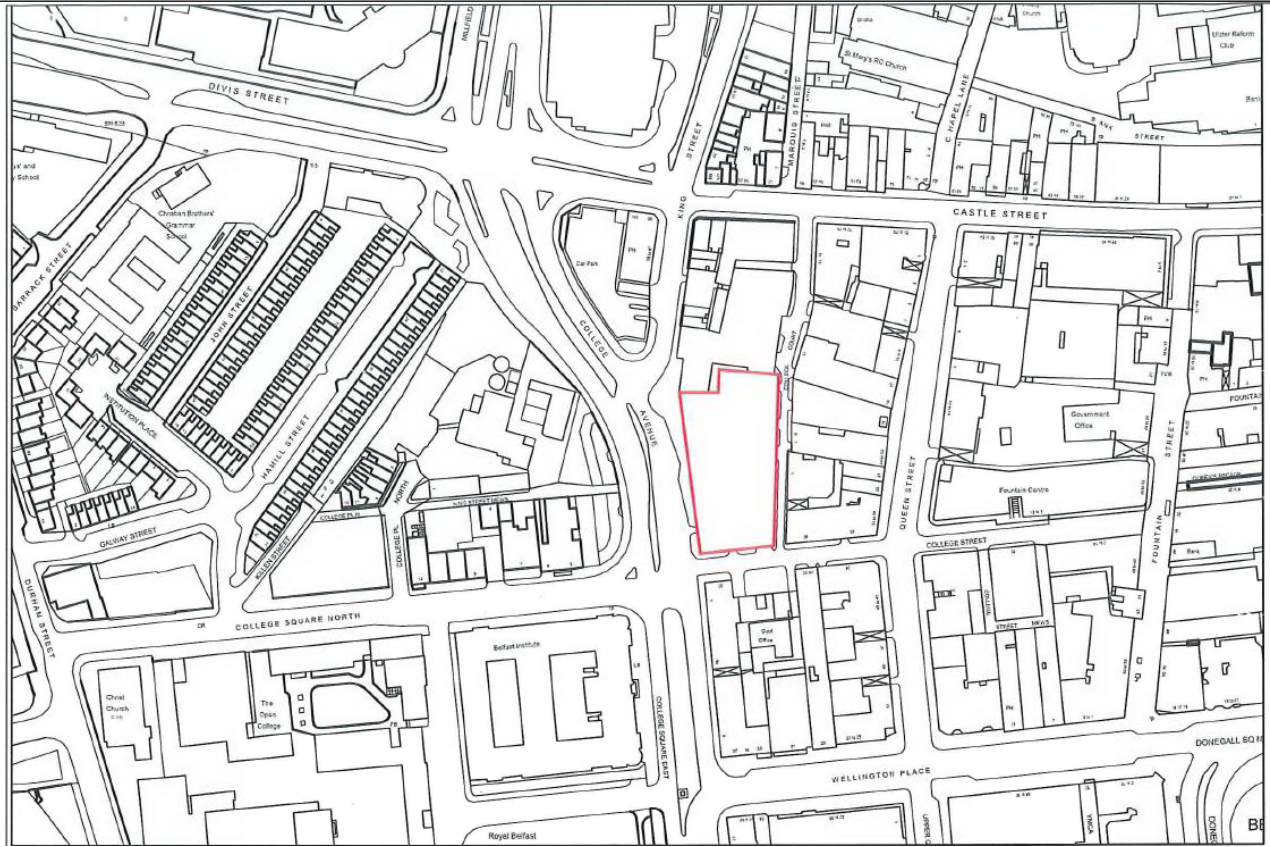
Recommendation

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



Consultations:

Consultation Type	Consultee	Response
Statutory	NI Water - Multi Units East - Planning Consultations	No objection
Non Statutory	Env Health Belfast City Council	No comment
Statutory	DFI Roads - Hydebank	No objection
Statutory	Historic Environment Division (HED)	
Non Statutory	Building Control Belfast City Council	Considered - No Comment Necessary

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

Neighbour Notification Checked: Yes

Summary of 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 (NI) 2015 in respect of developer contributions.

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.

Conditions:

<p>1.0</p>	<p>Description of Proposed Development</p> <p>The Purpose Built Managed Student Accommodation and ground floor retail units were originally approved under LA04/2015/0419/F on the 5th July 2017. This consisted of 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop (Use Class A1). The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park. The application retrospectively seeks the provision of 7 additional bedrooms to purpose built student accommodation and minor elevational amendments as follows:</p> <p>-9th Floor: The omission of 3 double bedroom studios, and addition of 4 single bedrooms. -10th Floor: Omission of 4 double bedroom studios, and addition of 6 single bedrooms. -11th Floor: Addition of 3 double bedroom studios, and addition of 1 single bedroom.</p> <p>This space was additional space found on the 9th floor, 10th floor and 11th floor of the building through a combination of areas previously designated as plant space and reorganisation of the internal layout.</p> <p>These additional bedrooms are contained within the scale and massing of the approved development except for a minimal increase on the 11th floor where a small portion of a bedroom projects further out from the approved building line. Overall there are inconsequential changes to the external appearance of the building.</p>
<p>2.0</p>	<p>Description of Site</p> <p>The site is occupied by the LA04/2015/0419/F planning approval for purpose built student accommodation. The site is bounded by College Street, College Court and College Avenue. The site is adjacent to a residential development along the northern boundary. The wider area consists of a hotel and commercial units. To the North is the College Court Central apartment that rises to 10 storeys with retail units at ground floor level. Nearby King Street has a relatively modern 10 storey apartment building; College Central and a hotel building.</p>
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0</p>	<p>Planning History</p> <p><u>On-site</u></p> <p>LA04/2015/0419/F- 78 College Avenue, Belfast, BT1 6BU- The erection of a mixed use development to include 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop use class A1. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park. Approved 5th July 2016.</p> <p>Z/2013/1063- Ten storey hotel comprising 250 bedrooms, meeting rooms with bar and restaurant to ground floor. Nine storey open plan office building with retail on ground floor within underground car parking. Approved 13th Feb 2015.</p> <p>Z/2005/0176/F- Erection of 10-storey hotel comprising 250no. Bedrooms, meeting rooms with bar and restaurant on ground floor. Nine-storey open plan office building with ground floor retail unit and underground car parking. Approved 16th October 2008.</p>

	<p>Z/2001/3246/F- New hotel development, ground and 9 upper storeys- withdrawn 27th October 2003.</p> <p><u>Surrounding Area</u></p> <p>Z/2007/0941/F- Mixed use development of 114 no. apartments, 1 no. ground floor bookmakers shop, 1 no. retail unit, 4 no. live/work commercial units and ground level car parking at 54-62, King Street and 14-20 College Court, Town Parks, Belfast. Approved 7th August 2007.</p> <p>LA04/2015/1252/F- Erection of purpose built managed student accommodation comprising 93 studios and 247 cluster rooms, retail unit (class A1), bar restaurant on ground floor of Queen Street and Wellington Place, common room, management suite, reception, laundry room, cycle store, plant room and bin storage area. Retention of existing facades of 41-49 Queen Street, 24 College Street and 29 Wellington Place and demolition of buildings behind. The proposed building is 5 storeys behind Wellington Place façade, 7 storeys behind Queen Street façade and there is 14 storey block setback from Queen Street frontage at 41-49 Queen Street, 24-30 College Street and 29 Wellington Place Belfast. Pending.</p> <p>Z/2014/1172/F- Conversion refurbishment and extension (one floor on the north, south and east elevation and two floors on the west elevation) of the former college building for managed student accommodation, comprising 292 no ensuite bedrooms with shared living rooms and kitchens and 121 studios, and other ancillary accommodation including a reception/management suite: communal areas: plant and storage areas: and cycle parking at 1A College Square East Belfast. Approved 29th January 2015.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2004 House in Multiple Occupancy Subject Plan 2015 HMO 7- Large Scale Purpose Built Student Accommodation
4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3: Access Movement and Parking Planning Policy Statement 6: Planning, Archaeology and the Built Environment Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 13:Transportation and Land Use
5.0	Statutory Consultee Responses
	Transport NI- No objections NI Water- No objections; HED-Response outstanding
6.0	Non Statutory Consultee Responses
	Belfast City Council EHO- No objections Belfast City Council Building Control-Content Conservation Officer- No objection
7.0	Representations
	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Other Material Considerations
8.1	Planning and Place Advice Note: Purpose Built Managed Student Accommodation
8.2	BELFAST: A LEARNING CITY A framework for student housing and purpose built student accommodation Belfast City Centre Conservation Area Guide

9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of the development at this location; • Impact on the Conservation Area and setting of listed buildings; • Provision of additional rooms • Impact on amenity; and • Traffic Movement and Parking.
9.2	<p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area. Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.</p>
9.3	<p>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 paras 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states PPS3 and PPS7 remain applicable under 'transitional arrangements'.</p>
9.4	<p>Due to the nature of the proposal, draft BMAP and the House of Multiple Occupation (HMO) subject plan are also significant policy considerations.</p>
9.5	<p><u>Principle of proposed development</u></p>
9.6	<p>The site is located within the development limits of Belfast in BUAP and draft BMAP and within the city centre. It is within walking distance to the Primary Retail Core and abuts an HMO node in the HMO Subject Plan ref: 04/15. The principle of the use has already been established as it was considered to be acceptable under the planning history LA04/2015/0419/F.</p>
9.7	<p><u>Draft BMAP</u></p>
9.8	<p>The site is within Zoning CC 032 Development Opportunity College Court/College Avenue and within the Character Area CC 012 Old City. The general Urban Design Criteria (UDC) under Designation CC 009 states that <i>'the density of development in the area shall be maintained and increased where appropriate, through high site coverage and high plot ratio and that development proposals shall take account of the height of adjoining buildings'</i>. In regards to the more specific street frontages the UDC states that <i>'the part of the development which fronts onto College Avenue shall be a minimum building height of 6 storeys, or 18 metres to shoulder height, and a maximum height of 7 storeys'</i>.</p>
9.9	<p>The issues surrounding the height, massing and scale of the building were fully assessed against the requirements of the development plan and planning policy under LA04/2015/0419/F and were considered to be acceptable. This proposal will not result in an increase in height to the building. It is therefore considered to be acceptable.</p>

9.10	<p><u>HMO Subject Plan 2015</u> 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. As per LA04/2015/0419/F all units are self-contained, the proposal is not located in a primarily residential area; provision is made for the management and there is ample landscaping and amenity space provided even with the addition of 7 new rooms. The proposal therefore complies with HMO 7.</p>
9.11	<p><u>Assessment against Planning & Place on PBMSA</u> 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 still a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to.</p>
9.12	<p>Criteria (a) In regards to the first criterion the development is within 600 metres of the new University of Ulster campus, 100 metres of the Belfast Metropolitan College and 700 metres of Queens University. A choice of Public Transport is located in close proximity to the site.</p>
9.13	<p>Criteria (b) Requires the need to assess the proposal in relation to policy designations specific to the City Centre. The proposal is located within the City Centre Conservation Area. The proposal will not fundamentally change the appearance of the existing building. As a result it will not have a negative impact on the setting of the Conservation Area as highlighted by the Council's Conservation Officer.</p>
9.14	<p>Although HED has not responded, the proposal includes only minor changes to the external appearance of the building. It is considered that the proposal complies with criterion (b).</p>
9.15	<p>Criteria (c) In regards to criterion (c) it is considered that the layout, design and facilities provided within the development are of high standards. The design is not fundamentally changing from the previous approval. The external elevational changes are minor in nature and the Conservation officer commented that he had no objections to the changes. The changes consist of repositioning a door and window on the ground floor College Avenue elevation, the addition of a window on the 9th floor, the addition of doors onto the roof of the 10th and 11th floor, minor changes on the roof space to accommodate a cleaning store.</p>
9.16	<p>The 7 new bedrooms have been created by the reconfiguration of bedroom and studio floor space. Outlook from the rooms are mainly onto public streets with the unit on the 11th floor out looking onto the car parking area.</p>
9.17	<p>In terms of open space provision, 'Creating Places- Achieving Quality in New Residential Developments' states that adequate provision would range from 10-30 sq metres, with inner urban areas tending towards the lower end figure. The existing outdoor landscape courtyards provide around 100 sq metres. 7 new rooms will create at least 7 additional students. This accounts for a marginal increase of just over 1% in the numbers of students. It is considered that the existing amenity provision would have the capacity to absorb this minimal increase. Under the assessment for LA04/2015//0419/F it was considered that a flexible approach should be applied when considering planning applications for PBMSA in the City Centre and that the common room / break out areas should be incorporated into</p>

	the overall open space provision. Taking this into account the combined level of provision (landscaped areas and commons room, quiet rooms) it is considered, on balance, acceptable.
9.18	The development proposes 12 car parking spaces which are considerably below the 1 to 1 amount required according to the DOE Parking Standards which accompany PPS3 parking standards. However with the proximity of the development to the new University of Ulster Campus and the lack of objection from Transport NI it is considered that the applicant has adequately addressed the shortfall in parking provision.
9.19	The accommodation proposed is in accordance / generally exceeds the standards set out in NI Housing Executive HMO standards – single rooms are approximately 10.0sqm (6.5sqm NIHE standard), studio apartments are approximately 18sqm (9sqm NIHE standard) with common room areas ranging in size but not less than 20 sqm for 6 occupants. Provision is therefore compliant with space standards.
9.20	Criteria (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 proposal will not conflict with adjacent properties or the general amenity of the surrounding area.
9.21	The PBMSA 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 located on 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 housing areas. The locality remains predominantly commercial in terms of uses since the previous approval. Given this designation it is considered that the additional 7 units will not cause unacceptable damage to the residential amenity of nearby dwellings.
9.22	Criteria (e) Requires that the development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impact from occupants. The management plan sets out the procedures to be put in place.
9.23	The management plan goes into considerable detail and addresses main points raised under criterion (e). The management plan includes the staffing and management of the development; allocation procedures; ingress and exit policy for students at commencement and end of tenancy period; student behaviour; fire strategy; and complaints strategy. It will be secured by a Section 76 Agreement and, as mentioned previously, it is comprehensive and robust enough to ensure that impacts to existing and prospective residents will be minimal.
9.24	Criteria (f) Planning applications should be accompanied by evidence supporting the need for the type and quantum of PBSMA proposed. The applicant previously submitted a statement of need for LA04/2015/0419/F where it identified the need for such a proposal. The position on this remains unchanged. The proposal therefore complies with criterion (f).
9.25	<u>Impact on the Conservation Area</u>
9.26	Policy BH 12 of Planning Policy Statement 6: Planning, Archaeology and the Built Environment is a material consideration. The site is located within the City Centre Conservation Area as designated in BMAP 2015. To prevent erosion of character from inappropriate development, new development should respect its context in terms of massing scale, elevational appearance, materials and quality. The general objective for

	any new development is that it should be sensitive to surrounding built heritage and characteristic built form. The addition of the 7 bedrooms will not significantly alter the appearance of the building as the creation of 14sqm of floor space on the 11 th floor is minimal and will be difficult to notice within the wider scope of the building.
9.27	The Conservation officer has no objection to the proposal highlighting the previous approval and the fact that there were minor elevational changes to the building. The proposal complies with the criteria set out under Policy BH 12 of PPS 6.
9.28	<u>PPS7 – Design, character and appearance of Area and amenity</u>
9.29	The proposal has also been assessed against QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas.
9.30	There are some minor elevational changes to the design of the building with the repositioning of a window and door on the ground floor, the introduction of a number of doors onto the roof level and some minor elevational changes on the upper floors. The minor alterations are sympathetic to the existing building and the changes are considered to be acceptable. The proposed design is therefore compliant with criteria [g] of PPS7. Accordingly it is not considered that the proposal would adversely impact on the character of the area, which is a wide mix of non-residential uses, building designs and finishes.
9.31	<u>Other Considerations</u>
9.32	<u>Bin Storage</u>
9.33	In regards to bin storage, the applicant has shown two defined areas within the ground floor layout. The seven additional units will not have a detrimental impact on the capacity of the bin storage units. Belfast City Council Building Control have no objections to the proposal and have stated that the applicant has sufficient development opportunity to comply with the technical requirements of solid waste in buildings, Building Regulations (NI) 2012.
9.34	<u>Traffic and Parking</u> The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. It is considered that the additional 7 units will not increase traffic/parking demands and not therefore prejudice road safety or inconvenience the flow of traffic and there is adequate car parking for this location/context. Transport NI have no objections subject to conditions.
9.35	<u>Environmental Health</u> Environmental Health advised that they had no comments to make regarding the above proposal. They commented that the conditions provided under LA04/2015/0491/F should still apply. The additional units will not result in unacceptable noise/contamination related issues.

<p>9.36</p> <p>9.37</p> <p>9.38</p> <p>9.39</p> <p>9.40</p> <p>9.41</p> <p>9.42</p> <p>9.43</p>	<p><u>Impact on Setting of Listed Buildings</u></p> <p>The proposal has been assessed against Policy BH11 of Planning Policy Statement 6. The application site is in close proximity to and impacts upon the listed building of Old RUC barracks in Queen Street (HB26/50/027) a Grade B1 listed building which is of special architectural and historic importance and is protected by Section 80 of the Planning Act (NI) 2011.</p> <p>Historic Environment Division (HED) was consulted but has not responded to date. HED considered the impacts of the original proposal on the setting of listed buildings and they were content in principle. The current application involves only minor elevational changes to the approved building. There is no significant change to its height scale and massing.</p> <p><u>Impact on Archaeology</u></p> <p>The proposal has been assessed against Policy BH4 of PPS6. NIEA Historic Monuments Unit has offered no objections to the proposal.</p> <p><u>Developer Contributions</u></p> <p>The previous permission, LA04/2015/0419/F, was subject to a Section 76 Agreement between the developer and Belfast City Council to provide certainty around the management of the accommodation and to provide contributions to local environmental improvements.</p> <p>It was considered that this should primarily take the form of public realm improvements to the streetscape around the building and in particular to landscaping to the front and street-lighting scheme to the rear of the site in College Court to ensure that the level of antisocial behaviour is reduced at this location. The area currently does not provide a quality environment and is poor in respect of hard and soft landscaping and management details.</p> <p>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.</p>
<p>10.0</p>	<p>Summary of Recommendation: Approval</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not cause demonstrable harm to the interests of acknowledged importance. 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.</p>
<p>11.0</p>	<p>Conditions</p> <ol style="list-style-type: none"> 1. This decision notice is issued under Section 55 of The Planning Act (Northern Ireland) 2011. <p>Reason: This is a retrospective application.</p> <ol style="list-style-type: none"> 2. 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 Remedial Strategy Report dated May 2015, report no: 601059-R2 (00) have been implemented.

The Verification Report shall include evidence of the remedial measures outlined in section 3 and 4 to demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential without home-grown produce). 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. gas protection measures in line with CIRIA's C665 Characteristic Situation 2 have been incorporated into all new buildings on the site which include:
 - A re-enforced concrete cast in-situ floor slab (suspended, non-suspended or raft) with at least 1200g DPM or a beam and block or a pre-cast concrete slab with a minimum 2000g DPM/reinforced gas membrane;
 - A proprietary gas resistant membrane installed and certified by a specialist contractor under CQA. All service entrance points, joints and penetrations must be identified and demonstrated to be sealed.
- b. the site has been encapsulated in hard-standing as per proposed development plan as presented in figure 4 of the RSK report titled: *'Environmental Site Assessment and Generic Quantitative Risk Assessment – 78 College Avenue, Belfast'* report no. 601059 R1 (01), dated May 2015;

Reason: Protection of human health.

3. Prior to occupation of the proposed development, the applicant must submit, to the Planning Authority 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 and illustrated in figure 3 of the F.R Mark report by way of upgraded window units and acoustically attenuated means of alternative ventilation for each facade have been incorporated 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, 16 hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;
 - Not exceed 30 dB 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 noise from all combined building plant services does not exceed the background sound level (for both daytime 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 interests of Environmental Health.

4. Deliveries and collections by commercial vehicles to and from the development shall only be made between the hours of 07.00 and 21.00hrs Monday to Saturday and on Sundays between the hours of 09.00 and 18.00hrs.

Reason: In the interests of Environmental Health.

5. The retail units shall not operate between the hours of 23:00hrs to 07:00hrs

Reason: To protect the residential amenity of neighbouring properties.

6. The development hereby permitted shall not become operational until the vehicular access has been constructed in accordance with the approved layout Drawing 02 date stamped 26th 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 there is a satisfactory means of access in the interests of road safety and the convenience of road users

7. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. 02 date stamped 26th 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.

8. Prior to occupation a minimum of 85 No. cycle parking spaces shall be provided and permanently retained within the development for use by residents, staff and visitors to the development.

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

9. The development hereby permitted shall operate in accordance with the approved framework Travel Plan bearing the Belfast City Council Planning Office date stamp 26 February 2018. This includes provision of the Translink TaxSmart Initiative and the Bike2Work Initiative and measures to encourage sustainable travel by student residents agreed with the permanent site operator by Transport NI.

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

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

	Reason: In the interests of road safety and the convenience of road users.
12.0	Notification to Department (if relevant) N/A
13.0	Representations from Elected Members - N/A

ANNEX	
Date Valid	16th April 2018
Date First Advertised	11th May 2018
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 College Avenue,Belfast,Antrim,BT1 6DS, The Owner/Occupier, 10 College Court,Belfast,Antrim,BT1 6BS, The Owner/Occupier,	

12 College Court,Belfast,Antrim,BT1 6BS,
The Owner/Occupier,
14 College Court,Belfast,Antrim,BT1 6BS,
The Owner/Occupier,
1st Floor,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
21 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
2nd Floor,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
33 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
33a ,Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
39 College Street,Belfast,Antrim,BT1 6BU,
The Owner/Occupier,
3rd Floor Office 3a,37 Queen Street,Belfast,Antrim,BT1 6EA,
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41 College Street,Belfast,Antrim,BT1 6BU,
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4th Floor Office 4.13,37 Queen Street,Belfast,Antrim,BT1 6EA,
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4th Floor Office 4.18,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.19,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.20,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.21,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.22,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.23,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.24,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.25,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,

4th Floor Office 4.26,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.27,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.4,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.5,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Office 4.7,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Offices 4.8-4.10,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
4th Floor Offices 4.9-4.11,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
54 King Street,Belfast,Antrim,BT1 6AD,
The Owner/Occupier,
58 King Street,Belfast,Antrim,BT1 6AD,
The Owner/Occupier,
8 College Avenue,Belfast,Antrim,BT1 6DS,
The Owner/Occupier,
Apartment 101-114,College Court Central,56 King Street,Belfast,Antrim,BT1 6BF,
The Owner/Occupier,
Apartment 201-214,College Court Central,56 King Street,Belfast,Antrim,BT1 6BF,
The Owner/Occupier,
Apartment 301-314,College Court Central,56 King Street,Belfast,Antrim,BT1 6BF,
Apartment 401-414,College Court Central,56 King Street,Belfast,Antrim,BT1 6BF,
The Owner/Occupier,
Apartment 501-514,College Court Central,56 King Street,Belfast,Antrim,BT1 6BF,
The Owner/Occupier,
Apartment 601-614,College Court Central,56 King Street,Belfast,Antrim,BT1 6BZ,
The Owner/Occupier,
Apartment 701-714,College Court Central,56 King Street,Belfast,Antrim,BT1 6BZ,
The Owner/Occupier,
Apartment 801-814,College Court Central,56 King Street,Belfast,Antrim,BT1 6BZ,
The Owner/Occupier,
The Owner/Occupier,
Apartment 901-914,College Court Central,56 King Street,Belfast,Antrim,BT1 6BZ,
The Owner/Occupier,
The Owner/Occupier,
Bass Division,31 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
Belfast Contract Cleaners Ltd,5 College Court,Belfast,Antrim,BT1 6BS,
The Owner/Occupier,
Cakes By James,2nd Floor,37 Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
Catalyst Arts Ltd,Gd Floor,5 College Court,Belfast,Antrim,BT1 6BS,
The Owner/Occupier,
Craft World Ltd,Shop,23-29 ,Queen Street,Belfast,Antrim,BT1 6EA,
The Owner/Occupier,
Department For Regional Development,34 College Street,Belfast,Antrim,BT1 6DR,

The Owner/Occupier,
 Ember Jewellery,37 Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Gym,35 College Street,Belfast,Antrim,BT1 6BU,
 The Owner/Occupier,
 Met Office,32 College Street,Belfast,Antrim,BT1 6BQ,
 The Owner/Occupier,
 N.I. Association Of Youth Clubs(The Rainbow Factory),3rd Floor,5 College
 Court,Belfast,Antrim,BT1 6BS,
 The Owner/Occupier,
 National Club,19 Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Onassis Amusements,17 Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Pani Asset Valuation,21-27 ,Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Platform Art Studio,1 Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Queen Street Studios,37-39 ,Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 R N I D,1st Floor,5-6 Wilton House,College Square North,Belfast,Antrim,BT1 6AR,
 The Owner/Occupier,
 Rooneys Gym,2nd Floor,37 Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Sean Graham,54-56 ,King Street,Belfast,Antrim,BT1 6AD,
 The Owner/Occupier,
 Sean Graham,54-56 ,King Street,Belfast,Antrim,BT1 6AD,
 The Owner/Occupier,
 Second Floor,35 College Street,Belfast,Antrim,BT1 6BU,
 The Owner/Occupier,
 The Picture Gallery,35 Queen Street,Belfast,Antrim,BT1 6EA,
 The Owner/Occupier,
 Ulster Institute For The Deaf,Office 2nd And 3rd Floor,5-6 Wilton House,College Square
 North,Belfast,Antrim,BT1 6AR,
 The Owner/Occupier,
 Unit 1,5 College Court,Belfast,Antrim,BT1 6BS,
 The Owner/Occupier,
 Youth For Truth,2nd Floor,31a ,Queen Street,Belfast,Antrim,BT1 6EA,

Date of Last Neighbour Notification	4th May 2018
Date of EIA Determination	
ES Requested	No

Planning History

Ref ID: Z/2013/1063/F

Proposal: Ten storey hotel comprising of 250 bedrooms, meeting rooms with bar and restaurant to ground floor. Nine storey open plan office building with retail on ground floor with underground car parking.

Address: 78 College Avenue, Belfast, BT1 6BU,

Decision: PG

Decision Date: 20.02.2015

Ref ID: LA04/2016/1425/DC

Proposal: Discharge of condition 13 on planning application LA04/2015/0419/F

Address: 78 College Avenue, Belfast, BT1 6BU,

Decision: AL

Decision Date:

Ref ID: LA04/2016/1567/DC

Proposal: Discharge of condition 4 on planning application LA04/2015/0419/F

Address: 78 College Avenue, Belfast, BT1 6BU,

Decision: AL

Decision Date:

Ref ID: Z/1990/2787

Proposal: Demolition of buildings and surfacing of site to form car park including the erection of a 3m high palisade fence

Address: 10/12 COLLEGE COURT BELFAST BT1

Decision:

Decision Date:

Ref ID: Z/2000/1235/F

Proposal: Mixed use office, shops, and residential development.

Address: 78 College Avenue and 37 College Street, Belfast BT1 6BU

Decision:

Decision Date: 21.02.2002

Ref ID: Z/2000/1302/DCA

Proposal: The existing vacant warehouse is to be demolished to facilitate the construction of a new mixed use development

Address: 78 College Avenue, Belfast, BT1 6BU

Decision:

Decision Date: 05.03.2002

Ref ID: Z/2005/0176/F

Proposal: Erection of 10-storey hotel comprising 250no. bedrooms, meeting rooms with bar and restaurant on ground floor. Nine-storey open plan office building with ground floor retail unit and underground car parking.

Address: 78 College Avenue, Belfast, BT1 6BU

Decision:

Decision Date: 16.10.2008

Ref ID: LA04/2018/0823/DC

Proposal: Discharge of condition 12 - LA04/2015/0419/F

Address: 78 College Avenue, Belfast, BT1 6BU,

Decision: AL

Decision Date:

Ref ID: Z/2001/3246/F

Proposal: New hotel development, ground and 9 upper storeys.

Address: 78 College Avenue Belfast BT1 6BU

Decision:

Decision Date: 27.10.2003

Ref ID: LA04/2015/0419/F

Proposal: The erection of a mixed use development to include 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop use class A1. The student development is comprised of welfare facilities, associated ancillary accommodation, external areas to include landscaped courtyards and an enclosed car park. (AMENDED SCHEME)

Address: 78 College Avenue, Belfast, BT1 6BU,

Decision: PG

Decision Date: 05.07.2016

Drawing Numbers and Title

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: