

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 17 September 2019	
Application ID: LA04/2019/1019/F and LA04/2019/0979/DCA	
Proposal: Demolition of the existing students union building and erection of a new student centre, student shopping & professional services, café/food outlets, bar and event spaces, offices, multi-purpose spaces (academic, social and development uses); flat roof-mounted solar panels, reconfiguration of on street parking, landscape/public realm enhancements and retention of existing service access arrangements.	Location: Queens University Students Union 77-79 University Road, Belfast, BT7 1NN.
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Queens University Belfast Estates Directorate University Road Belfast BT7 1NN	Agent Name and Address: RPS Elmwood House 74 Boucher Road Belfast BT12 6RZ
Executive Summary: This application seeks the demolition of the current Students Union (SU) and erection of a new student centre with student shopping & professional services, café/food outlets, bar and event spaces, offices, multi-purpose spaces (academic, social and development uses); flat roof-mounted solar panels, reconfiguration of on street parking, landscape/public realm enhancements and retention of existing service access arrangements. The building will be four storeys and the design is modern whilst cognisant of the conservation area and nearby listed buildings. The main issues to be considered in this case are; <ul style="list-style-type: none"> • The principle of demolition in the conservation area; • The principle of student union use at this location; • The impact on built heritage • The impact on traffic and parking • The impact on amenity • The consideration of site drainage • The impact on human health • The impact on the amenity of adjacent land users • The consideration of economic benefits • The consideration of developer contributions 	

The site is located within the Metropolitan Development Limit, Queen's Conservation Area, Area of Parking Restraint and Queen's Office Precinct.

The current building is a piecemeal combination of an original building from the 1960's together with an extension and modern redevelopment with recladding from 2007. The Conservation Officer notes that the existing building has insensitive relationships with adjoining buildings and that the form is unsympathetic and overbearing within the immediate streetscapes. It is considered that the existing building does not make a positive contribution to the character and appearance of the conservation area. On this basis, the demolition of the existing building is considered acceptable in principle and in compliance with PPS6 subject to an acceptable redevelopment scheme. The replacement scheme has evolved through a robust PAD process and relies on a strong vertical emphasis inspired by the Lanyon Building. It has been designed at a lower height onto University Road and has been set back to the original building line providing an area of quality public realm. The proposals represent an enhancement to the character and appearance of the conservation area.

Transport NI, EHO, NIEA, Rivers Agency, HED and NIW were all consulted in addition to the Urban Design Officer, Conservation Officer and Tree Officer within Belfast City Council. Their responses are detailed in the main body of the report.

Two representations were submitted to the proposal both welcoming the redevelopment and improvement in provision for students, but raising concern regarding noise and disturbance for residents of 16-26 Elmwood Avenue.

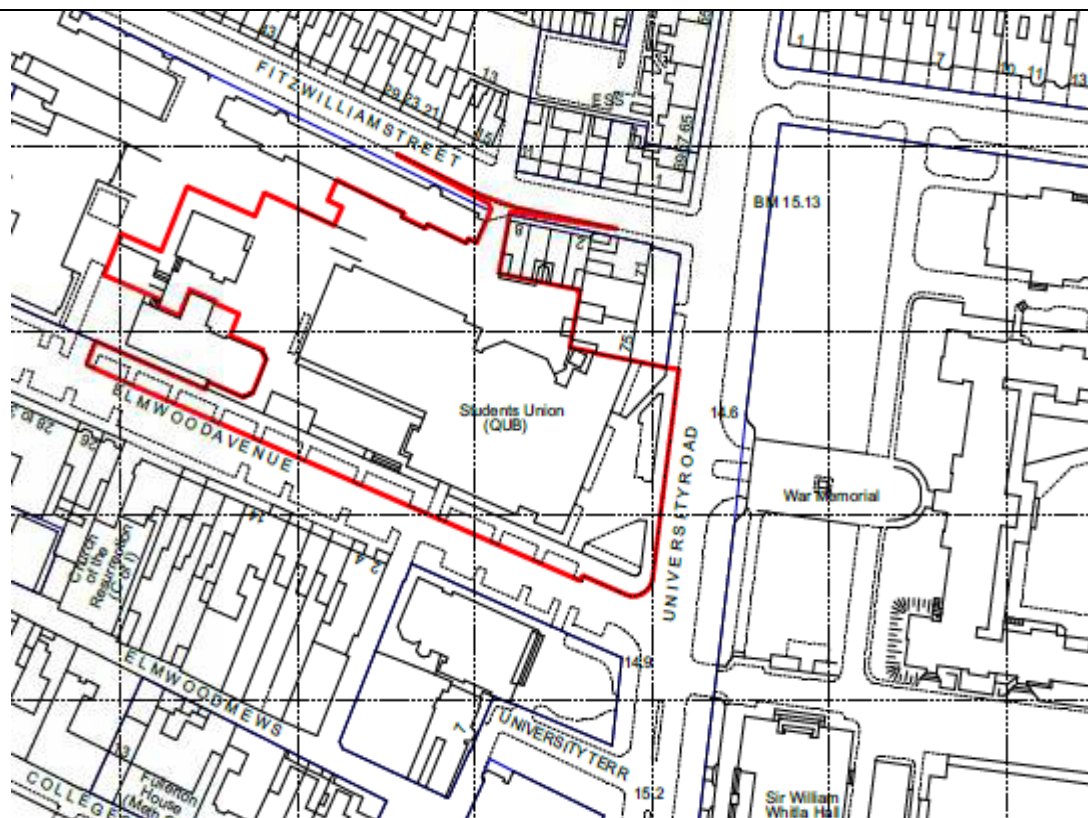
Having regard to all of the submitted information and reports, consultee responses and representations, it is considered that the current building and proposed replacement building meet the policy tests set out in the SPPS and PPS6 to permit demolition. The proposed scheme will contribute positively to the local environment by enhancing the character and appearance of the conservation area. The building will meet the needs of the large student population of Queen's University Belfast and will improve public realm.

Having regard to the Development Plan, and other material considerations, the proposed development is considered, on balance, acceptable.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission, subject to resolution of the Environmental Health final response and to finalise the wording of conditions.

Case Officer Report

Site Location Plan/Elevations



Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 This application seeks the demolition of the existing Student's Union (SU) and the erection of a new student centre.

1.2 The current scheme is four storeys plus plant comprising of a large and uniform volumetric form with vertical articulation provided along key elevations which comprise a primary grid, secondary grid and infill panels which the Urban Design Officer notes is reflective of that characteristic of surrounding heritage. Anodised fins (in a dark bronze finish) and aluminium fins with clear glazed curtain walling, feature bays and a glazed setback façade to double height are but some of the features of the design.

1.3 The building line has been pulled back in line with that of 71-75 University Road and Elmwood Hall. The enlarged area to the front of the new SU will be landscaped and will create public realm with planting and seating.

1.4 The new building includes student shopping & professional services, café/food outlets, bar and event spaces, offices, multi-purpose spaces (academic, social and development uses).

2.0 Description of Site and Area

2.1

2.2	<p>The site at present consists of a piecemeal combination of an original building from the 1960's together with an extension and modern redevelopment with recladding from 2007. It is located opposite the Queen's University Lanyon Building which is listed as well as being adjacent/proximate to several other listed building including Elmwood Hall Whitla Hall, the Department of Geology building and 71-75 University Road.</p> <p>The area is characterised by educational uses dominated by the University (and Methodist College is close by also). It contains a high concentration of Victorian buildings of which the Lanyon Building is arguably the centrepiece.</p>
Planning Assessment of Policy and other Material Considerations	
3.0 3.1	<p>Site History Ref ID: Z/2004/2092/F Proposal: Refurbishment & extensions of Students Union including recladding of University Road & Elmwood Avenue facades. Address: Queens Students Union, 77-87 University Road, Malone Lower, Belfast, Northern Ireland, BT07 1NF Decision: Permission Granted Decision Date: 05.12.2007</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004</p>
4.2	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 15 (Revised) - Planning and Flood Risk Queen's Conservation Area document</p>
5.0	<p>Statutory Consultees Transport NI – no objection subject to conditions and informatives Rivers Agency – no objection NIEA Historic Buildings Unit – no objection subject to conditions and informatives NIEA Historic Monuments Unit – no objection. NIEA Water Management Unit – issued standing guidance NIEA Land, Soil, and Air – no objection subject to conditions and informatives NIW – No objections.</p>
6.0	<p>Non-Statutory Consultees Environmental Health BCC – informal confirmation that the noise issues can be resolved subject to condition, awaiting formal response Conservation Officer BCC – considers that the existing building does not make a material contribution and that on balance the proposed rebuild will enhance the Conservation Area subject to resolution of the design/layout of the plant enclosure on the roof Urban Design Officer BCC – content that the redesign now addresses the appropriate cues in the immediate environment subject to resolution of the design/layout of the plant enclosure on the roof Tree Officer BCC – content that the landscaping proposals are appropriate subject to condition.</p>

<p>7.0</p> <p>7.1</p> <p>7.2</p> <p>7.3</p> <p>7.4</p>	<p>Representations</p> <p>2 representations were received, one from the Church of Ireland Methodist Chaplaincy (the occupant of 16-26 Elmwood Avenue) and the other from The Methodist Church in Ireland (the landlord of 16-26 Elmwood Avenue).</p> <p>Both representations welcome the redevelopment of the site however both reference concerns regarding noise and disturbance for residents. Points of concern and requests for clarification were made and in response, the agent for the scheme has provided both a formal response and additional noise information in an addendum to the Noise and Vibration Assessment for Environmental Health to consider.</p> <p>The issues can be summarised as follows:</p> <ul style="list-style-type: none"> a) The impact of the proposed locations for access and egress especially at night time b) An increase in the number of patrons compared to the existing facility c) Appropriateness of cycling as a means of transport late at night d) Noise from patrons late at night while attempting to get home e) Concern as to whether the new building will cater for larger numbers creating pressure for car parking f) Welcome the direction of deliveries and servicing to the rear yard off Fitzwilliam Street. g) The potential ineffectiveness of the Queens Travel Plan h) Concern that the design team were not aware of adjacent residents i) The lack of consideration for residents as adjacent residents j) Safety during large events k) Light pollution l) Robustness of the Noise Impact Assessment m) Potential for disturbance from outdoor terraced areas <p>The consideration of the issues can be summarised as follows:</p> <ul style="list-style-type: none"> a) The agent has provided a letter of clarification (dated 28th June 2019) which sets out the rationale for the chosen points of egress and access. In order to secure the rest of the building and its associated uses, the night-time pedestrian traffic is to be managed via the Elmwood Avenue entrance. The access to the smoking area however will be onto the Quad and not onto Elmwood Avenue. The agent states that a number of measures will be used to manage noise and disturbance including: <ul style="list-style-type: none"> - A detailed event plan for each event taking place - A robust and detailed complaints monitoring system - Clear signage in key positions to manage noise - A comprehensive patron noise management plan with appropriate staffing, management of queuing, inclusion of a 30 minute “drinking up” time incorporated into the alcohol license and assistance for patrons to taxis and the playing of background music during the wind down time to ensure patrons have time to lower voices following exposure to loud music. - Location of smoking area in the quad and supervision at all times after 21:00hrs as well as a limitation to small numbers, requirement to transfer drinks to plastic containers and clear signage in key positions to manage patron behaviour b) The agent confirms that only events which use the multi-purpose hall would increase the capacity to over 1000 persons
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7.6	<p>c) Cycling is not considered inappropriate late at night especially given the close proximity of large rafts of student housing. Full transport considerations are detailed later in this report.</p> <p>d) See consideration at (a)</p> <p>e) Dfi Roads Service were consulted and had no objections subject to conditions and informatives.</p> <p>f) Noted.</p> <p>g) See consideration at (e)</p> <p>h) The agent has confirmed that the design team are all aware of the residential neighbours. A meeting was held with the agent to discuss issues of noise and it was agreed that additional measures and information would be needed. This information was submitted and neighbours were re-notified as a result.</p> <p>i) See consideration at (h) above. The aforementioned letter from the agent also states that a meeting to discuss concerns was offered and not taken.</p> <p>j) The event management plan is designed to minimise the impact of events and the agent has pointed out that events have been held here for many years and that the University is a responsible operator.</p> <p>k) Environmental Health have been consulted and have no objections on the grounds of light pollution. They did however recommend an informative to ensure any artificial light is within the appropriate guidelines.</p> <p>l) The agent has submitted additional information regarding noise which is under consideration by the Environmental Health (EH) section of the Council. EH has indicated that the issues can be resolved and EH expects to be in a position to provide conditions and informatives in near future.</p> <p>m) See consideration at (a).</p> <p>As a result of additional information regarding noise received on 27th August 2019, neighbours were re-notified on 2nd September 2019. As of the date of this report, no new representations had been received.</p>
8.0	<p><u>ASSESSMENT</u></p>
8.1	<p><u>Development Plan</u></p>
8.1.1	<p>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.</p>
8.1.2	<p>Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement</p>

	for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
8.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.
8.1.4	The proposed development lies within the metropolitan development limit for Belfast City, within the Queens Conservation Area and within an Area of Parking Restraint.
8.1.5	The draft BMAP 2015 identifies for information the extent of the Queen's Conservation Area and notes that it was designated in March 1987 and comprises small and large scale buildings successfully integrated into the urban townscape by open spaces and tree lined streets. It notes Queen's University and Methodist College as architectural set pieces within the southern portion. The Plan further advises that development proposals within Conservation Areas are to be assessed in accordance with Planning Policy Statement 6 Planning, Archaeology and the Built Heritage. It also contains an additional design criterion for Queen's Conservation Area that new buildings shall be designed so that heights of eaves, cornices, ridge heights and storey heights confirm to adjoining buildings and that new buildings shall not exceed 3 storeys in height.
8.2	<u>The principle of a student union facility at this location</u>
8.2.1	The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
8.2.2	The existing use of the land is that of a student's union and the use is therefore well established. The site is in a prime location within the Queen's Conservation Area and there is an historic link between the site in question and other key buildings in ownership by the University.
8.3	<u>The impact of the proposal on the built heritage</u>
8.3.1	Section 104 of the Planning (NI) Act 2011 advises that where any area is for the time being designated as a conservation area, special regard must be had to the desirability of (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; or (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.
8.3.2	The Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) is a material consideration. It advises that until councils have adopted a new Plan Strategy any conflicts between the SPPS and existing specified retained Planning Policy Statements (including PPS6) are to be resolved in favour of the SPPS. The SPPS contains a policy direction reflecting Section 104 of the 2011 Act. Paragraph 6.18 of the SPPS advises that in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. It goes on to say that there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest.
8.3.3	This SPPS policy direction requires a broadly similar approach to that set out in Policy BH14

	<p>of PPS6 (Demolition in a Conservation Area) when read in the context of Section 104. Policy BH14 advises that demolition of an unlisted building in a conservation area should normally only be permitted where the building makes no material contribution to the character or appearance of the area. Paragraph 7.17 of PPS6 advises that in assessing such proposals regard will be had to the same broad criteria outlined for the demolition of listed buildings in PPS6's paragraph 6.5 and Policy BH10.</p>
8.4	<u>Demolition in the Conservation Area</u>
8.4.1	In assessing the contribution of the existing building to the character or appearance of the Conservation Area, regard is had to the conservation area guidance. The Queen's Conservation Area Guide was published in 1987 and makes reference to the significance of the area as the old route to Lisburn and Dublin that later developed into a University neighbourhood, characterised by graceful terraces and Georgian architecture.
8.4.2	Policy BH 14 states that where a building makes a positive contribution to the character or appearance of a conservation area there will be a presumption in favour of retaining it and in assessing the proposals the Council will have regard to the same broad criteria outlined for the demolition of a listed building under Para 6.5 of PPS 6 and Policy BH10.
8.4.3	The Conservation Officer states that it is clear that while the existing building as an institute has " <i>long founding historical roots within the area, this is not in any way captured through the physical fabric of the existing building</i> " and does " <i>not incorporate any redeeming features of architectural or historic interest that would be worthy of retention.</i> " The current building is not considered to make a positive contribution to the Conservation Area. Therefore in the circumstances, Policy BH14 applies however it is not necessary to consider Policy BH10 in order to achieve full policy compliance. The replacement proposals fall to be considered under Policy BH12 as detailed below.
8.5	<u>The impact of the proposed building on the Conservation Area</u>
8.5.1	The House of Lords in the <i>South Lakeland</i> case decided that the "statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved."
8.5.2	The proposed building should be considered having regard to the SPPS and Policy BH12 of PPS 6.
8.5.3	The Urban Design Officer describes the proposal as utilising the site " <i>more efficiently through the incorporation of a more uniform rectilinear footprint which while comparable to the existing building, enables stronger building lines along both primary elevations and ones which are devoid of inflexible and unusable recessed areas, which strengthens the relationship between the building and its surrounding streets</i> ".
8.5.4	The proposal has been assessed against Policy BH12 of PPS6. The site is located within the Queen's Conservation Area as designated in the BUAP and BMAP. As detailed previously, the site is not considered to make a positive material contribution to the conservation area.
8.5.5	Policy BH12 of Planning Policy Statement 6 (PPS6) details criteria for new development in the conservation area. This policy contains a number of criteria which are applied to proposals in the conservation area.
8.5.6	(a) the development preserves or enhances the character and appearance of the area;

	<p>The development draws upon strong vertical emphasis of the Lanyon Building. The Conservation Officer states that “<i>the main bulk and form of the proposed scheme from ground floor to fourth floor level is considered to be of suitable siting, scale, massing and finish to provide a positive enhancement to the character and appearance of the conservation area</i>”. The Conservation Area Officer does make reference to issues with roof plant which is considered in detail under criterion (c) below.</p> <p>The public realm enhancements to the front and side of the proposal including a larger area to the front of the main entrance at University Road is a welcome improvement to the Conservation Area.</p>
8.5.8	<p>(b) the development is in sympathy with the characteristic built form of the area; In terms of scale and massing, the existing piecemeal building is an intrusive feature on the streetscene and therefore the proposed development, while rectilinear and large in nature, seeks to create better relationships with its neighbouring buildings in terms of the building line and public realm.</p>
8.5.9	<p>(c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area; Façade articulation remained a key issue following the PAD process whereby the applicant was encouraged to explore the composition of the main elevations in order to reduce monotony and increase visual interest and quality. The Urban Design Officer summarises the design as comprising “<i>a hierarchy of articulation has been applied to the expression of the building facades which comprises a primary grid, secondary grid and infill panels <...> which picks up on the characteristics of surrounding heritage</i>”. He goes on to detail the design elements and use of anodised fins and metals as well as glazed setbacks which create visual interest.</p>
8.5.10	<p>A main issue which has been difficult to resolve is that of the roof plant. This was raised in the PAD and the final document created through the PAD process stated that this would be reduced and addressed. The full planning application however contained similar height and massing of roof plant and this was considered by officers to be damaging to the overall design and therefore impact on the conservation area and listed buildings.</p>
8.5.11	<p>The applicant and agent engaged in discussion and debate around this issue and the key viewpoints from Botanic Gardens, Lanyon Building and University Road were deemed to be the views most negatively impacted by the plant in its previous iteration. Numerous design proposals were put forward in order to resolve the matter and ultimately, an approach was agreed which raises the parapet of the top floor while the plant is reduced by a metre at the front of the building. In addition, the plant was articulated to provide some vertical emphasis while retaining the louvred finish. The amended proposals resolve the issue of plant for the most part on two of the key views (Botanic Gardens and Lanyon Building) however the University Road view has not achieved such an improvement. Both the Conservation Area Officer and Urban Design Officer have consistently raised the prominence and lack of design cohesion of the plant equipment. On balance however, the visual impact of these changes is considered to be sufficient to resolve the issue and protect the primary key views.</p>
8.5.12	<p>(d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area; Environmental Health have not raised any concerns subject to conditions regarding contamination and noise.</p>
8.5.13	<p>(e) important views within, into and out of the area are protected;</p>

8.5.14	<p>The proposal is visible from a number of key locations within the Conservation Area. Considerable weight has been attached to pursuing design amendments which would specifically protect views. The most important of these was judged to be the view from Botanic Gardens (junction of Stranmillis and Malone Roads) and the view from Lanyon Building, arguably the most iconic listed building within the Conservation Area.</p>
8.5.15	<p>(f) trees and other landscape features contributing to the character or appearance of the area are protected;</p> <p>The Tree Officer has assessed the proposals for planting and public realm and is content that the proposals are appropriate. There are only 4 small trees proposed for removal and the replanting is sufficient to offset this.</p>
8.5.16	<p>(g) the development conforms with the guidance set out in conservation area documents.</p> <p>See above paragraphs which demonstrate that the proposals are consistent with the guidance.</p>
8.6	<p>In conclusion, criteria (a) to (g) of Policy BH 12 have been assessed with input from the Conservation Officer and Urban Design Officer. The proposal is deemed to be acceptable in policy terms as the detailed height, massing and design of the building will create a new focal point within the Conservation Area and bring vitality back to what currently contains a vacant and unsympathetic building.</p>
8.6.1	<p>The impact of the proposal on nearby Listed Buildings</p>
8.6.2	<p>Policy BH11 of Planning Policy Statement 6 (PPS6) relates to development affecting the setting of a listed building. There are a number of listed buildings in the immediate vicinity that would be affected by the proposal. These are:</p> <ul style="list-style-type: none"> - HB26/27/005 Lanyon Building, Queens University, University Road A - HB26/27/011 War Memorial, Queens University, University Road B1 - HB26/27/067 Whitla Hall, Queens University, University Road B+ - HB26/28/002 Elmwood Hall, Elmwood Avenue A - HB26/28/012 A-C 71-75 University Road B2 x 3 - HB26/28/014 A-D 2-8 Fitzwilliam Street B1 x 4 - HB26/28/049 A-C 16-20 Elmwood Avenue B1 & B x 2 - HB26/28/050 22 Elmwood Avenue B - HB26/28/111 Dept.of Geology, Queens University, Elmwood Ave B2
8.6.3	<p>(a) The detailed design respects the listed building in terms of scale, height, massing and alignment;</p> <p>HED provides the following advice: <i>“HED Historic Buildings has reconsidered the impact on the listed buildings on the basis of additional information published 01/07/2019 and advises that subject to conditions, the proposal satisfies the requirements of paragraphs 6.12 & 6.13 of Strategic Policy Planning Statement for Northern Ireland; and policies BH 8 (Extension or Alteration of a Listed Building) & BH 11 (Development affecting the Setting of a Listed Building) of the Department’s Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.”</i></p>
8.6.4	<p>HED also note that <i>“the gap formed between the proposed new building and No. 71-75 University Road (HB26/28/012 A-C) is welcomed to create breathing space for the listed terrace. However, treatment of the exposed gable wall once the existing Student Union building is demolished requires further information. Requirements for this and works impacting directly on the fabric of other listed buildings are set out under PPS6, BH8”</i>. A Listed Building Consent application was subsequently submitted (LA04/2019/1582/LBC) to cover this matter.</p>

	<p>(b) The works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and</p> <p>The design of the proposed building is a heritage-led approach which prioritises the historical grain, proportions and materials found in the area. Officers recommend conditions to carefully control the materials in conjunction with HED to ensure the appropriateness and quality of the detailing proposed.</p>
8.6.5	<p>(c) The nature of the use proposed respects the character of the setting of the building</p> <p>The use of the site is remaining as that which has been historically established and is appropriate to the area.</p>
8.7 8.7.1	<p><u>Archaeology</u></p> <p>No comments were received by HED with regards to archaeology and the site is not within a designated area.</p>
8.8 8.8.1	<p><u>Traffic, Movement and Parking</u></p> <p>DFI Roads engaged in the PAD process and have no objections to the current proposals.</p>
8.9 8.9.1	<p><u>Ecology</u></p> <p>NIEA were consulted and had no objections</p>
8.10 8.10.1	<p><u>Contaminated Land</u></p> <p>The application is supported by a Phase 1 contaminated land report as well as a GQRA. The Environmental Health Service and NIEA Air, Land and Soil has reviewed these documents and provided negative conditions.</p>
8.11 8.11.1	<p><u>Noise</u></p> <p>The Environmental Health Service raised concern with some elements of the Noise Impact Assessment and there were two objections raising concern. As a result the agent provided a second document with clarification and further details. The Environmental Health Officer is content that these issues are capable of being resolved and delegated authority is sought for the Director of Planning and Building Control to resolve the final wording of conditions pertaining to same.</p>
8.12 8.12.1	<p><u>Site Drainage</u></p> <p>The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains Rivers Agency advises no objection to the proposed development. The proposal is therefore considered acceptable in terms of flood risk.</p>
8.13 8.13.1	<p><u>The impact on the amenity of adjacent land users</u></p> <p>It is considered that the proposal would not result in any unacceptable overlooking, loss of light, overshadowing, loss of outlook or other harmful impacts on adjacent land users. The Event Management Plan and Noise Impact Assessment detail provisions to ensure there is minimal disturbance to residents.</p>

8.14	<u>Pre-Community Consultation</u>
8.14.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.
8.14.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. LA04/2018/1391/PAN was submitted to the Council on 29 th May 2018 and was deemed to be acceptable on 12 th June 2018.
8.14.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of public meetings, stakeholder letters and the public advertisement. Some of the responses were specific to the internal layout of the building and would therefore be a matter for the applicant to consider in the context of its accountability to the student body. Responses were cited as being generally positive regarding redevelopment of the site and the proposed use.
8.14.4	It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
8.15	<u>Developer Contributions</u>
8.15.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals". The proposal includes enhancements to the public realm immediately abutting the site. This will enhance the setting of the building and improve connectivity. A condition is recommended which will require full details of the public realm to be agreed and implemented prior to completion.
8.16	<u>Economic Benefits</u>
8.16.1	Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. It further states that the environment is an asset for economic growth in its own right and planning authorities must balance the need to support job creation and economic growth with protecting and enhancing the quality of the natural and built heritage. In this specific case, the proposed building will contribute to the economic vitality of the area as did its predecessor.
8.17	<u>Statutory Consultation</u>
8.17.1	The proposal was advertised on 17 th May 2019 and neighbours/objectors notified on 13 th May 2019 and 2 nd September 2019.
8.17	2 no objections were received and are considered in detail under Section 7 of this report.
8.18	<u>Conclusion</u>
8.18	Para 6.18 of the SPSS states that the "guiding principle is to afford special regard to the desirability of enhancing" conservation areas.

	<p>When assessed in the round, it is considered that the scheme would achieve this. The proposal would result in the removal of a modern and piecemeal development whilst the new building would be a high quality landmark building on an important corner junction.</p> <p>HED, the Urban Design Officer and Conservation Officer concur that the height and massing of the proposed development is appropriate to the context of the conservation area.</p>
10.0	Summary of Recommendation:
10.1	It is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission and demolition consent, subject to notification to the Department for Infrastructure. (DFI) and clarification of the consultation response from Environmental Health and to finalise the wording of conditions.
11.0	Conditions
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. '14011-HBA-01-00-DR-A-08-0002, P01, Proposed Site Plan' published by the Belfast City Council Planning Office on 09 May 2019 and Drawing No. '14011-DCA-00-ZZ-DR-L-94-0101-P04, Landscape Layout GF' published by the Belfast City Council Planning Office on 09 May 2019 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.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p>
11.3	<p>The development hereby permitted shall not become operational until 2 No. disabled parking bays have been provided within 50 m of the entrances.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p>
11.4	<p>A minimum of 21 No. cycle parking spaces shall be provided and be permanently retained close to the accesses of the proposed development for use by students, staff and visitors to the development. This is above any provision made for Belfast Bikes or any successor scheme.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p>
11.5	<p>The development hereby permitted shall operate in accordance with the approved Service Management Plan published by the Belfast City Council Planning Office on 09 May 2019.</p> <p>Reason: in the interests of road safety and the convenience of road users.</p>
11.6	<p>The development hereby permitted shall operate in accordance with the approved Event Management Plan published by the Belfast City Council Planning Office on 09 May 2019.</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 the approved Travel Plan Framework published by the Belfast City Council Planning Office on 09 May 2019. This shall include provision of 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>All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution Prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions X and Y will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.9	<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>
11.10	<p>After completing the remediation works in accordance with Conditions 8 and 9; and prior to occupation of the development, a verification report must be submitted in writing and agreed by the Council. This report must 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, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.11	<p>All hard and soft landscaping works shall be carried out in accordance with the approved details on drawing no.s 31,32, 33 and 34 dated 26 April 2019 . The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.12	<p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity</p>
11.13	<p>Prior to any work commencing all protective barriers (fencing) and ground protection measures to be erected or installed as specified in British Standard 5837: 2012 (section</p>

<p>11.14</p>	<p>6.2) on any trees (including street trees) to be retained within the site and surrounding streetscape, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>If roots are accidentally damaged the Council must be notified and given the opportunity to inspect the damage before it is covered over.</p> <p>Reason: To avoid compaction within the RPA and to ensure the protection of and continuity of amenity afforded by existing trees/hedging.</p>
<p>11.15</p>	<p>Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawing Number 02A received on 25 February 2019 have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> 1. Surface materials; and 2. The design and provision of underground ducting. <p>The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the Conservation Area, the setting of the Listed Building, and to enhance connectivity to and from the development.</p>
<p>11.16</p>	<p>Notwithstanding the submitted details, no development shall commence on site unless full details of the public realm improvements to the footway bounding the site in the areas shown on Drawing Number 02A received on 25 February 2019 have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> 1. Surface materials; and 2. The design and provision of underground ducting. <p>The development shall not be occupied unless the public realm improvements have been carried out in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the Conservation Area, the setting of the Listed Building, and to enhance connectivity to and from the development.</p>
<p>11.17</p>	<p>Notwithstanding the submitted details, no construction works shall commence unless samples of all metal finishes to be used in the elevations of the building have been submitted to and agreed in writing by the Council. The works shall thereafter be carried out solely in accordance with the approved details. A sample of each material shall be retained on site until the project is complete.</p> <p>Reason: To ensure that the materials used are of appropriate quality in the interests of maintaining the character, appearance and setting of the Conservation Area and nearby Listed Buildings.</p>
<p>11.18</p>	<p>In the event that unexpected contamination or former fuel tank area is encountered during the approved development of this site, the development shall cease until a written report detailing the nature of this contamination and its management has been submitted to and agreed in writing by the Planning Service. The investigation, risk assessment and if</p>

	<p>necessary remediation work, must be undertaken and verified in accordance with current best practice.</p>
	<p>Reason: In the interests of human health.</p>
11.19	<p>Prior to the installation of the centralised combustion system serving the permitted development, an air quality report which includes full specification details, including emission rates and flue termination heights, of the proposed combustion system(s) for heating and hot water must be submitted to the City Council for review and approval in writing. The report must demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plants.</p>
	<p>Prior to the operation of the permitted development the approved centralised combustion system(s) shall be installed and the flue(s) associated with the centralised combustion system shall terminate a minimum of 1m above the fourth floor roof level.</p>
	<p>Reason: Protection of air quality and human health.</p>
11.20	<p>No demolition shall commence on site unless a Demolition Noise Vibration and Dust Management Plan has been submitted to and approved in writing by the Council. It must outline the methods to be employed to minimise any noise and vibration and dust impacts associated with the demolition and construction operations demonstrating the use of 'best practicable means'. The plan must pay due regard to BS 5228:2009+A1:2014 Code of practice for Noise and vibration on construction and open sites, and IAQM Guidance on the Assessment of dust from demolition and construction 2014 and section 5 of the RPS Noise and Vibration impact assessment dated April 2014 and the mitigation measures proposed within Chapter 1.4 and Appendix 3 of the Air Quality Impact Assessment, RPS (April 2019). All demolition works thereafter must be carried out in accordance with the approved management plan.</p>
	<p>Reason: Protection of the amenity of nearby premises</p>
11.21	<p>No construction works shall commence on site unless a Construction Noise Vibration and Dust Management Plan has been submitted to and approved in writing by the Council. It must outline the methods to be employed to minimise any noise and vibration and dust impacts associated with the construction operations demonstrating the use of 'best practicable means'. The plan must pay due regard to BS 5228:2009+A1:2014 Code of practice for Noise and vibration on construction and open sites, and section 5 of the RPS Noise and Vibration impact assessment dated April 2014 and the mitigation measures proposed within Chapter 1.4 and Appendix 3 of the Air Quality Impact Assessment, RPS (April 2019). All construction works thereafter must be carried out in accordance with the approved management plan.</p>
	<p>Reason: Protection of the amenity of nearby premises</p>
11.22	<p>Prior to commencement of operation of the commercial kitchens, proprietary odour abatement system(s) capable of providing a high level of odour control shall be installed in accordance with the RPS Odour Assessment dated 3rd April 2019 and in line with relevant industry guidance. The extractor flue(s) shall discharge at a minimum of 1m above the main eaves height as per the recommendations of the RPS Odour Assessment.</p>
	<p>The odour abatement system and flue shall be maintained in line with the manufacturer's instructions.</p>
	<p>Reason: Protection of amenity to neighbouring premises.</p>

12.0	Representations from Elected Representatives (if relevant) N/A
13.0	Referral to Dfl (if relevant) Referral to Dfl will be necessary due to the proposed demolition within the Conservation Area.

ANNEX	
Date Valid	26th April 2019
Date First Advertised	17th May 2019
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1 University Terrace,Belfast,Antrim,BT7 1NP</p> <p>The Owner/Occupier, 8 -38 Elmwood Avenue,Belfast,Antrim,BT9 6AY</p> <p>14-40 Guthrie House,Fitzwilliam Street,Belfast,Antrim,BT9 6AW</p> <p>71 - 75 University Road,Belfast,Antrim,BT7 1NF</p> <p>8 Fitzwilliam Street,Belfast,Antrim,BT9 6AW</p> <p>9, Lennoxvale, Belfast, Antrim, Northern Ireland, BT9 5BY</p> <p>Church Of Ireland Centre,20 Elmwood Avenue,Belfast,Antrim,BT9 6AY</p> <p>The Owner/Occupier, Church Of The Resurrection (C Of I),Elmwood Avenue,Belfast,Antrim,BT9 6AY Barry Forde</p> <p>Church of Ireland and Methodist Chaplaincy,22 Elmwood Ave,Belfast,BT9 6AY</p> <p>The Owner/Occupier, Elmwood Hall,91 University Road,Belfast,Antrim,BT7 1NF</p> <p>The Owner/Occupier, Methodist Church In Ireland,24 Elmwood Avenue,Belfast,Antrim,BT9 6AY</p> <p>The Owner/Occupier, Offices Gd & 1st Floor,7 University Terrace,Belfast,Antrim,BT7 1NP</p> <p>The Owner/Occupier, Offices Stores Gd 1st And 2nd,7 University Terrace,Belfast,Antrim,BT7 1NP</p> <p>The Owner/Occupier, Queen'S Student Union,University Road,Belfast,Antrim,BT7 1NF</p> <p>The Owner/Occupier, Restaurant,Queen'S Student Union,77 University Road,Belfast,Antrim,BT7 1NF</p> <p>The Owner/Occupier, Unit 3,Queen'S Student Union,77 University Road,Belfast,Antrim,BT7 1NF</p>	
Date of Last Neighbour Notification	2 nd September 2019
Date of EIA Determination	N/A
ES Requested	No

Planning History

Ref ID: LA04/2018/0417/F

Proposal: Part change of use of ground floor lecture theatre and break out learning space, to the QUB Students Union shop and bank (temporary relocation), with associated alterations and site works.

Address: QUB Elmwood Learning & Teaching Centre, (former School Of Geography/Geology), to the rear of the Students Union Building, Elmwood Avenue, Belfast,

Decision: Permission Granted

Decision Date: 20.04.2018

Ref ID: LA04/2018/1391/PAN

Proposal: Redevelopment of the Queens University Belfast Union (SU), to include demolition of the existing SU building and erection of a new student facility (approx. 11,000sqm). This will include support, advice, representational, development and commercial services provided by the University and the Students Union on the existing site. The new building will include similar facilities to the existing Su, including;

Student shop, small retail and commercial units;

Food outlets, including café/bar/event spaces;

University services-related offices, meeting, and interview rooms;

Multi-use spaces (academic, social, development uses);

Address: Queens University Belfast Students Union (QUBSU), 77-79 University Road, Belfast, BT7 1NN.

Decision: PAN Acceptable

Decision Date: 12.06.2018

Ref ID: Z/2012/0802/F

Proposal: Adoption of flat roof area to provide external terrace accessed from existing licensed premises.

Address: Queens Students Union, 77-87 University Road, Malone Lower, Belfast, BT7 1NF,

Decision: Permission Granted

Decision Date: 24.09.2012

Ref ID: Z/2004/2092/F

Proposal: Refurbishment & extensions of Students Union including recladding of University Road & Elmwood Avenue facades.

Address: Queens Students Union, 77-87 University Road, Malone Lower, Belfast, Northern Ireland, BT07 1NF

Decision: Permission Granted

Decision Date: 05.12.2007