

**Development Management Officer Report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 17 <sup>th</sup> September 2019	
<b>Application ID:</b> LA04/2018/2602/F	
<b>Proposal:</b> Demolition of existing building at lands bound by Little Victoria Street, Bruce Street & Holmes Street and erection of new 15 No. storey purpose built student accommodation building.	<b>Location:</b> Lands bounded by Little Victoria Street, Bruce Street & Holmes Street, Belfast.
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b>	<b>Approval incl Section 76 planning agreement</b>
<b>Applicant Name and Address:</b> ES Little Victoria Street Ltd 17-19 Dungannon Road Cookstown BT80 8TL	<b>Agent Name and Address:</b> Todd Architects 2nd Floor Titanic House 6 Queens Road Belfast BT3 9DT
<p><b>Executive Summary:</b> The application seeks planning permission for demolition of existing building at lands bound by Little Victoria Street, Bruce Street &amp; Holmes Street and erection of new 15 No. storey purpose built student accommodation building (274 units).</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of redevelopment</li> <li>- Principle of Demolition</li> <li>- Principle of Student Accommodation</li> <li>- Principle of proposed retail use at ground floor</li> <li>- Scale, Massing and Design</li> <li>- Open Space Provision</li> <li>- Impact on setting of Linen Conservation Areas</li> <li>- Traffic and Parking</li> <li>- Impact on Amenity</li> <li>- Contamination</li> <li>- Impact on Air Quality</li> <li>- Noise</li> <li>- Drainage and Flooding</li> <li>- Pre-application Community Consultation</li> <li>- Developer Contributions</li> </ul> <p>This brownfield site lies within the southern part of the city centre, defined by a mix of smaller scaled traditional buildings, surface level car parks and more modern high rise particularly to the north and west of the site off Bedford Street and Great Victoria Street respectively.</p> <p>This purpose built student accommodation in a central location will cater for both Queens University and the University of Ulster, whilst the Ground floor retail unit will promote an active street frontage.</p> <p><u>Consultees &amp; Environmental Matters</u> Environmental Health – Response Outstanding</p>	

DAERA – Response Outstanding  
DFI Roads – Response Outstanding  
Rivers Agency – No objection  
Belfast city Airport – No objection  
Building Control – No objection

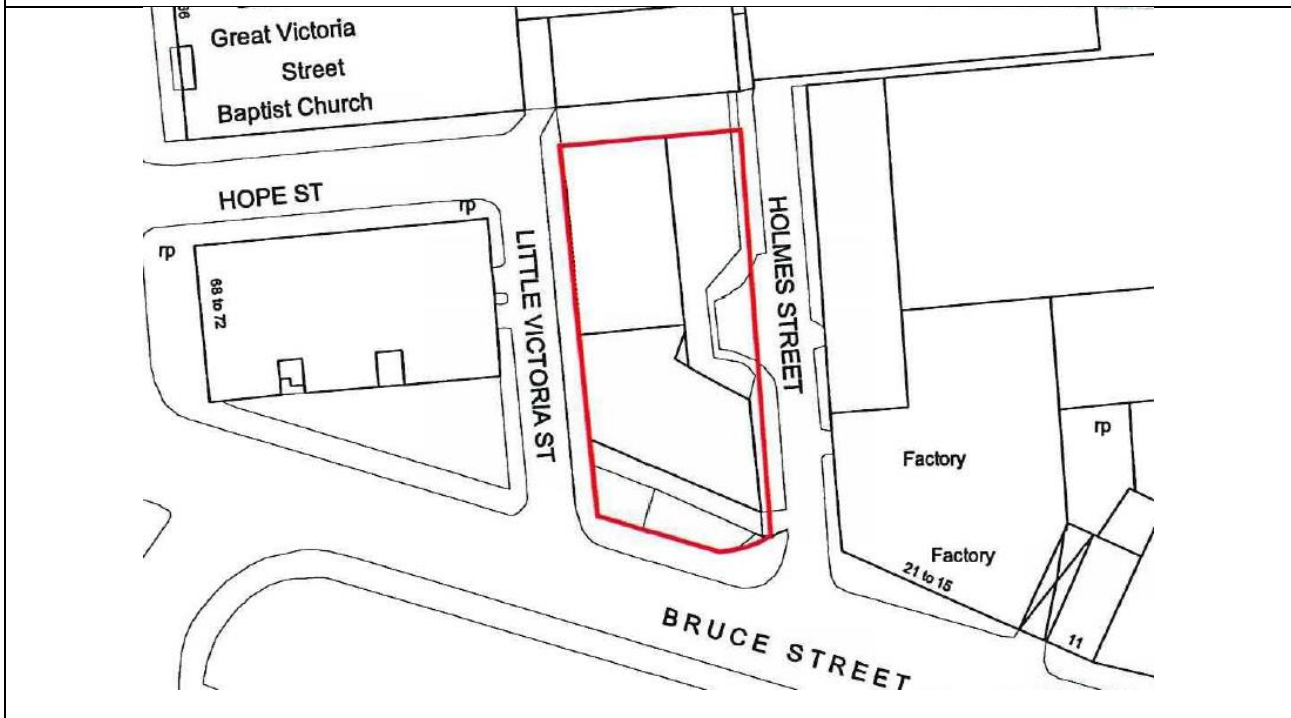
**Recommendation**

Having had regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered on balance acceptable.

If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Building Control in consultation with Legal Services, to enter into a Section 76 planning agreement, and to finalise the wording of conditions.

## Case Officer Report

## Site Location Plan



1.0	Description of Proposed Development
1.1	15 storey purpose built student accommodation. The building includes 274 units with ground floor retail units. The rooms range in sizes and are served by communal kitchen/recreation spaces. The building has a main shoulder height of 45m, 47m including plant.
1.2	The ground floor will include a commercial unit (247 sqm), reception, bin store, bicycle store (62 spaces), plant management and office space.
1.3	A disabled parking space is proposed within the turning head in the north-eastern corner of the site.
1.4	A landscaped ground floor terrace of approximately 150 sqm is proposed in front of the building onto Bruce Street. A rooftop terrace of approximately 120 sqm has also been proposed.
2.0	Description of Site
2.1	Brownfield site which until recently accommodated a two storey L-shaped building with a pitched roof and predominantly red bricked finish. A number of commercial units occupied the ground floor of the building.
2.2	The site is relative flat and has an area of approximately 0.1Ha.
2.3	The following zonings apply to the site: <ul style="list-style-type: none"> <li>- Belfast Urban Area Plan – unzoned whiteland</li> <li>- Draft Belfast Metropolitan Area Plan (2004) – Unzoned Whiteland/ main office area/ Commercial District Character Area</li> <li>- Draft Belfast Metropolitan Area Plan (2015) – Unzoned whiteland/ Commercial District Character Area</li> </ul>
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History

3.1	Z/2008/2205/F - Proposed office and retail development over 12 floors. Associated siteworks and roadworks. Address: 5, 6, 7 Little Victoria Street, BT2 7JH and 23-29 Bruce Street, BT2 7JD Decision: Approval Decision Date: 13 <sup>th</sup> October 2014
3.2	Z/2002/0347/O - Renewal of planning permission for the erection of 20 no. apartments with associated car parking (reference Z/98/2919) Address: 1 Holmes Street Decision: Approval Decision Date: 15 <sup>th</sup> August 2002
3.3	Z/2006/0162/O - Erection of 6-storey building comprising 20 No. apartments with associated car parking (renewal of permission Z/2002/0347/O). Address: 1 Holmes Street Decision: Approval Decision Date: 3 <sup>rd</sup> April 2006
3.4	Z/2011/1499/F - Demolition of Great Victoria Street Baptist Church, refurbishment of church facade and incorporating the construction of a small entrance porch with creation of temporary surface level private car park for church use. Address: 66 Great Victoria Street Decision: Approval Decision Date: 29 <sup>th</sup> August 2012
4.0	Policy Framework
4.1	Belfast Urban area Plan Draft Belfast Metropolitan Area Plan 2015 Draft Belfast Local Development Plan Strategy (Draft LDP) Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area'
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation Planning Policy Statement 12 – Housing in Settlements Planning Policy Statement 13 – Transportation and Land use Planning Policy Statement 15 – Planning and Flood Risk HMO Subject Plan 2015 Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note Belfast: A Framework for student housing and purpose built student accommodation Creating Places
5.0	Statutory Consultees DFI Roads – Await response DAERA – Approval subject to conditions Rivers Agency – No objections Belfast City Airport – No objections
6.0	Non-Statutory Consultees Environmental Health BCC – Approval subject to conditions Building Control – No objections
7.0	Representations 2 letters of objection have been received.

	<p>Both raise the following points:</p> <ul style="list-style-type: none"> <li>- Potential impact on amenity of zoned residential site on Holmes Street.</li> <li>- Third Party owns lands required to secure abandonment of public carriageway on Holmes Street.</li> </ul> <p>1 letter from applicant addressing land ownership issues.</p> <p>Consideration of Issues:</p> <ul style="list-style-type: none"> <li>- The impact on amenity shall be discussed in detail in the main body of the report below at 9.57 and 9.58. The built form is such that where it faces the area of the adjacent site zoned for residential use the impact will be lessened.</li> <li>- The land ownership issue is a legal matter. Permission does not infer title. The third party is aware of the proposal and has therefore not been prejudiced.</li> </ul>
8.0	<p>Other Material Considerations The Belfast Agenda</p>
9.0	<p>Assessment</p>
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- Principle of redevelopment</li> <li>- Principle of Demolition</li> <li>- Principle of Student Accommodation</li> <li>- Principle of proposed retail use at ground floor</li> <li>- Scale, Massing and Design</li> <li>- Open Space Provision</li> <li>- Impact on setting of Linen Conservation Areas</li> <li>- Traffic and Parking</li> <li>- Impact on Amenity</li> <li>- Contamination</li> <li>- Impact on Air Quality</li> <li>- Noise</li> <li>- Drainage and Flooding</li> <li>- Pre-application Community Consultation</li> <li>- Developer Contributions</li> </ul>
9.2	<p><b>Principle of Development</b></p> <p>Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p>
9.3	<p>Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan. However, given the stage at which the Draft Belfast Metropolitan Area Plan (Draft BMAP) had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The 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.</p>
9.4	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
9.5	<p>Belfast Urban Area Plan (BUAP) The site is located on unzoned whiteland within the development limits of Belfast.</p>

9.6	<p><i>Draft BMAP (2004 and 2014 versions) designations</i></p> <p>In the draft Belfast Metropolitan Area Plan (2015) the site lies within the Linen Conservation Area and Commercial District Character Area. In the 2004 version the site is also located within the Linen Conservation, Commercial District Character Area and Main Office Area.</p>
9.7	<p>The Draft BMAP sets out a number of design criteria for the Commercial District Character Area. Those which apply to the site are the following:</p> <ul style="list-style-type: none"> <li>- <i>The density of development in the area shall be maintained and increased where appropriate, through high site coverage and high plot ratio.</i></li> <li>- A high density is proposed on what is quite a small site, with 274 units proposed on a 0.1Ha</li> <li>- <i>Development proposals shall take account of the height of adjoining buildings.</i></li> <li>- This will be discussed further below under <i>Scale, Massing and Design</i>. The proposed podium onto Bruce Street ties in with the shoulder heights of the buildings on either side onto Bruce Street. The built form then steps up to what is a higher context to the buildings on Great Victoria Street and Bedford Street.</li> <li>- <i>That part of any development which fronts onto Great Victoria Street, Bruce Street or Bankmore Street Link shall be a minimum building height of 6 storeys, or 18m to building shoulder height, and a maximum height of 7 storeys.</i></li> <li>- Although the main part of the building is 15 storeys high the lower podium onto Bruce Street is 5 storeys, with a height of 16m. This is an architectural response to the above criteria and ensures that the built form respects the established and uniform building heights on this side of Bruce Street.</li> </ul>
9.8	<p><i>Draft Belfast Local Development Plan Strategy (Draft LDP)</i></p> <p>The recently published draft Belfast Local Development Plan Strategy includes strategic policies relevant to the proposal such as the Tall Buildings Policy, which will apply to buildings taller than 35m. It does not include site specific requirements and is currently subject to public consultation. Accordingly, little weight can be attributed to its policies, as they may be subject to revision following consultation and independent examination.</p>
9.9	<p><i>Prematurity to the emerging BMAP and Local Development Plan</i></p> <p>As a result of the aforementioned Judicial Review (para 9.2) the pre-adopted version of BMAP 2015 is an emerging plan. This has led to a scenario where Belfast now has two emerging Area Plans, the draft BMAP and the Draft Local Development Plan Strategy. In light of this any planning decision made at the moment has the potential to be premature to these two emerging plans.</p>
9.10	<p>For example such a course of action would be appropriate where development proposals, either individually or cumulatively:</p> <ul style="list-style-type: none"> <li>- would prejudice the ability of the emerging new or replacement development plan to achieve or retain general conformity with the RDS; or</li> <li>- would prejudice the outcome of the plan process by predetermining decisions that ought properly to be taken following full consideration of the relevant issues in the context of a public inquiry.</li> </ul>
9.11	<p>Where a plan is at the draft plan stage but no objections have been lodged to relevant proposals then considerable weight should be attached to those proposals because of the strong possibility that they will be adopted and replace those in the existing plan.</p>
9.12	<p>In terms of the emerging Local Development Plan the argument is more straight forward. Where an LDP is at the consultation stage with no early prospect of submission for examination, then refusal on prematurity grounds would be seldom justified.</p>

9.13	<p><b>Principle of Demolition</b> The building (now demolished) was not listed nor is the site within a Conservation Area or Area of Townscape Character. The two storey building on site was of little historic or architectural merit protected and the principle of demolition is therefore acceptable.</p>
9.14	<p><b>Principle of Student Accommodation</b> The proposal has been assessed against Policy HMO 7 of the Subject Plan for Belfast City Council Area 2015.</p>
9.15	<p>Policy HMO 7 Large Scale Purpose Built Student Accommodation is the current planning policy which explicitly relates to the provision of PBMSA, stating: Planning permission will only be granted for large scale purpose built student accommodation where all of the following criteria are met:</p>
9.16	<ul style="list-style-type: none"> <li>• <i>Development of any complex consists of a minimum of 50 units or a minimum of 200 occupants.</i></li> </ul> <p>The proposal is for 274 beds. Therefore this criteria is met.</p>
9.17	<ul style="list-style-type: none"> <li>• <i>All units are self-contained (i.e. having a bathroom, w.c and kitchen available for use by the occupiers).</i></li> </ul> <p>Not all units are self-contained with many rooms having no kitchen. However this is off set with the provision of communal kitchen and common room areas referred to as 'clusters, located evenly around each floor and within a short distance of any of the smaller single bed rooms.</p>
9.18	<ul style="list-style-type: none"> <li>• <i>The location is not within a primarily residential area uses.</i></li> </ul> <p>Whilst the site is not within a primarily residential area, when assessing the use as PBMSA located in proximity to a residential area, it is necessary to ensure there is no undue impact on amenity for existing residents. Environmental Health have no objections in terms of any potential impact on the nearest residential properties, approximately 120m east of the site.</p>
9.19	<ul style="list-style-type: none"> <li>• <i>Provision is made for management of all accommodation. This may require an Article 40 agreement with Belfast City Council (Section 76 under the Planning Act (Northern Ireland 2015))</i></li> </ul> <p>A Student Management Plan has been submitted in support of the application. There are numerous procedures set out to ensure:</p> <ul style="list-style-type: none"> <li>- Reception Services</li> <li>- An on-site management team to be put in place</li> <li>- Management of anti-social behaviour (4 tier escalation process)</li> <li>- Secured controlled access (fobs/ cards)</li> <li>- On-site maintenance</li> <li>- Complaints procedure</li> </ul>
9.20	<p>Environmental Health Service notes the submission of a Management Plan dated September 2018 by Fresh Property Group. With regard to managing potential anti-social student behaviour, the Plan advises that 'Fresh Student Living' will manage this element of the development and they will appoint directly employed site-based staff led by professional experienced telecommunications managers. The Plan advises that Fresh Student Living have a proven track record managing numerous other student accommodation sites throughout the UK and it is acknowledged that these include sites in Belfast.</p>

9.21	Environmental Health is satisfied with the information provided in the submitted Management Plan. The Management of the scheme will be secured via a Section 76 Agreement. An Agreement has been requested and will be submitted for approval prior the granting of planning permission. Management arrangements will be written into this agreement.
9.22	<p>• <i>Landscaping and amenity space is provided in accordance with a landscaping plan indicating all landscaping proposals for the scheme and, where relevant making provision for future maintenance.</i></p> <p>An enclosed landscaped ground floor terrace, of approx. 150 square metres is located to the front of the scheme on Bruce Street, with a number of benches and seats and proposed planting. A rooftop terrace is also proposed with an area of approximately 120 square metres. Although this may seem low for 274 rooms it should also be noted that a significant lounge/ common area is to be provided at ground floor level as well as a number of common rooms or 'cluster' rooms throughout the proposal. The rooms on the 8<sup>th</sup> floor also have small balconies which add some amenity value. Open Space provision is discussed in more detail below at 9.41-9.43.</p>
9.23	<p>The proposal has been assessed against the Council's document 'Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note'.</p> <p>This document is the Council's first step as a planning authority to respond to the Strategic Planning Policy Statement's (SPPS) stated objective that the planning system should secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Whilst guidance and not planning policy it is a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to:</p>
9.24	<p><i>A. The development should be at a location which is easily accessible to university/college campuses by sustainable transport modes;</i></p> <p><i>B. Policy designations specific to the City Centre;</i></p> <p><i>C. Layout, design and facilities provided within the development are of high standards;</i></p> <p><i>D. The development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area;</i></p> <p><i>E. The development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impacts from occupants; and</i></p> <p><i>F. The development meets and identified need for the type of accommodation proposed.</i></p>
9.25	<p><u>Criteria (a)</u></p> <p>In regards to the first criterion the site lies within 0.7 miles and 14mins walking distance to QUB, and 0.9 miles 18mins walking distance to Ulster University (as stated in the supporting information). The site is within 3 km of the Queens University Complex. The Europa Bus and Rail Centre is within 10 minutes walking distance west of the site. As the proposal is likely to be for students that will attend Queens University Belfast it is ideally located within the city centre and complies with criterion (a).</p>
9.26	<p>Criterion (b)</p> <p>Requires the need to assess the proposal in relation to policy designations specific to the city centre. The proposal is located on unzoned land in both the BUAP and Draft BMAP.</p>
9.27	<p>The proposal is located within an area characterised by a mix of commercial uses with no immediate residential properties. There is however a housing zoning adjacent to the site on the other side of Holmes Street which must be considered and should not be prejudiced as a result of the proposal. It is considered a robust management plan is essential to deal with noise, nuisance and general disturbance and to give assurances around potential for</p>



	anti-social behaviour and the conduct expected from a student population. This will be secured through an agreed Section 76 Legal Agreement as discussed above.
9.28	<p>Criterion (c)</p> <p>As stated above the proposal is in keeping with the existing built form in the area in terms of design and finishes, taking a cue from the more established buildings in the adjacent Linen Conservation Area. In terms of the specified space standards the smallest units have a floor area of 12.5 sqm with the larger 'studio rooms' having an area of 20 sqm, both above the 10 square metres standard for 1 person rooms.</p>
9.29	<p><u>Criterion (d)</u></p> <p>There are no residential properties in the immediate vicinity and Environmental Health have offered no objection in terms of the impact of the proposal on nearby properties.</p>
9.30	<p><u>Criterion (e)</u></p> <p>Requires that the development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impact from occupants. A management plan, prepared by Fresh Property Group, has been submitted in support of the planning application. This plan sets out a number of procedures to manage student behaviour and protect residential amenity. These include:</p> <ul style="list-style-type: none"> <li>- Reception Services</li> <li>- An on-site management team to be put in place</li> <li>- Management of anti-social behaviour (4 tier escalation process)</li> <li>- Secured controlled access (fobs/ cards)</li> <li>- On-site maintenance</li> <li>- Complaints procedure</li> </ul>
9.31	As stated above a Section 76 Agreement will also be agreed prior to the granting of planning permission. A management arrangement will be written into this agreement.
9.32	<p><u>Criterion (f)</u></p> <p>A 'Belfast Student Needs Study' has been submitted in support of the application. The report outlines the suitability of the site for student accommodation, the demand and supply and a review of HMO accommodation. The report points to 21,000 students in Belfast (Oct 2018) with a growth rate of approximately 500 students per year. In terms of international students, QUBs numbers are higher than ever (2,580), with the number of non-EU undergraduate students almost doubling since 2012.</p>
9.33	The number of students in the University of Ulster has grown from 1,060 to 1,500 in the last ten years. The report also states that the University of Ulster is expanding its campus in Belfast, migrating students from the Jordanstown Campus. When completed it is anticipated that the new campus will bring an additional 15,000 students and staff to the city.
9.34	The report goes on to look at the types of accommodation favoured by students and the high numbers (36.75%) relying on HMO type accommodation in 2016/17. This number rises to 42% for international students.
9.35	The report concludes that there are 5,877 operational bed spaces in Belfast for 2018/19 through 12 schemes operated by the Universities and 5 privately operated schemes, with 3,752 bed spaces in 9 approved schemes. 7 of these approved schemes are however clustered in the north of the city centre with little coming forward in terms of city centre accommodation.

9.36	Based on 2016/17 student data there is approximately 5,233 full-time students who potentially require, but are unable to access, purpose built student accommodation. Should all the pipeline approvals be built out this number would still sit at approximately 1,500.
9.37	Based on the evidence in the supporting documentation, and what would appear to be a dearth in both existing and forthcoming purpose built student accommodation, it is concluded that there is a strong site specific need for this building.
9.38	<p><b>Principle of proposed Retail Unit at Ground Floor</b></p> <p>The proposal has been assessed against the SPPS and Draft BMAP. The proposed retail unit will introduce a more vibrant ground floor use which creates a more active street frontage onto Bruce Street which has recently become characterised by ground floor vacancy. Although located outside the primary retail core the unit is modest in scale (247 sqm) and is on a site where there were a number of retail units in the previous building, now demolished. Given its floor area it will not threaten the primacy of the retail core.</p>
9.39	<p><b>Scale, Massing and Design</b></p> <p>The proposal has been assessed against the SPPS and Policy QD1 of PPS7. The area around the site is characterised by commercial and industrial buildings, both occupied and vacant, with a surface level car park facing the site. It is acknowledged that the character of this area has been subject to change over recent years and as such the scale, height and massing of buildings along both Bruce Street and neighbouring Great Victoria Street does vary. Bruce Street itself represents a key section of an arterial route which connects Great Victoria Street to the Ormeau Road. The range of land uses within this southern section of the city centre reflect this scale of development, comprising commercial, office and increasingly hotel accommodation.</p>
9.40	This section of Bruce Street does not have a uniform building line with the current building on site following that of buildings to the east ('Creations' building - 17-21 Bruce Street), while the building to the west (68-72 Great Victoria Street) incorporates a building line perpendicular to Great Victoria Street.
9.41	In design terms the building acts as a transition between these two differing planes; the building line of the lower podium element aligning with those buildings to the east, while the upper tower has been orientated to follow the same plane as the adjacent five storey red brick warehouse building to the west (albeit projecting forward by around 8m).
9.42	With a building of this nature one of the key issues is the overall scale and massing and how it relates to its context. In this case, although the building is much higher than the existing 3-4 storey context along Bruce Street, a 43.4m high 12 storey building was approved on the site on 19 <sup>th</sup> October 2014 (Z/2008/2205/F). This approval is extant until 19 <sup>th</sup> October 2019 and must be given significant weight in the assessment of the current proposal.
9.43	The proposal building has a total height of 47m including plant. The main body of the building is 45m high. Although essentially a 5m difference in height the overall massing of the proposed building differs more significantly. The previous approval had a significant setback of approximately 10m from a four storey (15m high) front element onto Bruce Street. In this instance the setback is less significant with the 5 storey front element approximately 16m high and 8m deep. This means the main body of the building has a greater massing than the previous approval. It is therefore essential that the design, finishes and overall quality are exemplary. In this instance the red bricked finish and white framing in the fenestration draws upon the traditional elements of the built form along Bruce Street and within the adjacent Linen Conservation Area. The vertical

	<p>emphasis and solid: void ratio provides a structure that is not overly imposing, and is reflective of traditional mill style buildings, albeit at a grander scale. The solid-to-void ratio within the upper three floors deliberately differs from the lower 12 floors through the use of narrower 'slot' window openings and an increased use of brick which again enhances the vertical emphasis and gives the building a proportionately scaled 'top/attic' which hints at the hierarchical window treatments and detailing of the Belfast warehouse vernacular. Subtle horizontal breaks have been incorporated as a protruding brick banding at 4<sup>th</sup> and 11<sup>th</sup> floors which helps to delineate the base, middle and attic treatment with a thin brick banding also replicated at the upper shoulder height. It is also noted that the architect has factored in the potential location of future signage across the building at both lower and upper floor levels, which would be subject to a separate advertisement consent application.</p>
9.44	<p>The five storey 'podium' along Bruce Street, in a similar way to the extant approval, ties in with the shoulder height of the adjacent buildings on either side and ensures the scheme reflects the lower streetscape. This was considered key to ensure that the scheme forged a consistent, human-scale relationship with the street by extending the shoulder height along Bruce Street and also given the fact that the orientation of the podium building line would continue that of the adjacent 'Creations' building. The stepping up of the building occurs to the north where there is a noticeable change in height to the larger buildings fronting onto Great Victoria Street and Bedford Street.</p>
9.45	<p>Large terrace openings that were previously proposed along the lower Bruce Street podium elevation have been removed and replaced with an appropriate rhythm of bays and fenestration. This rhythm has also been applied to the taller tower element and together place emphasis on the verticality of the building, with common brick pilasters between window openings extending down the tower and podium which help to confidently ground the building at street level along all three elevations.</p>
9.46	<p>In terms of finishes the mottled red brick with subtle tonal variations will provide a richness and depth to the facades and avoid a uniform engineered brick appearance. The window framing, panelling (with vertical fins) and spandrel panels will contrast with the red brick as has been applied to a number of adjacent buildings, particularly along Great Victoria Street. The vertical fins within the panelling will add further depth and visual interest to these sections of the facades.</p>
9.47	<p><b>Open Space Provision</b></p> <p>The proposal has been assessed against Policies QD1 of PPS and OS2 of PPS8 and 'Creating Places' guidance. Communal recreational space has been primarily provided in two external areas, a ground floor terrace on the Bruce Street frontage, and a roof terrace. The ground floor terrace offers a landscaped area with tables and seating in an enclosure of approximately 150 sqm. The rooftop terrace offers a similar arrangement, in an area of approximately 120 sqm, enclosed by a 1.8m high glazed balustrade. This equates to an external communal space provision of approximately 270 sqm.</p>
9.48	<p>Internally, communal space takes the form of a 'student social space' and a number of 'cluster rooms' serving adjacent bedrooms/ studios. The student social space (253 sqm) and one of the cluster rooms are located at first floor level, from 2<sup>nd</sup> to 12<sup>th</sup> floors there are 4 cluster rooms, and on 13<sup>th</sup> and 14<sup>th</sup> floors there are three cluster rooms. These rooms range between 25 sqm and 42 sqm. These cluster rooms and student social space equate to a total of 1,788 sqm.</p>
9.49	<p>The total communal space provision is therefore approximately 2,000 sqm. This equates to approximately 7 sqm of communal open space per unit. This is slightly less than the 10sqm per unit requirement in 'Creating Places' however given the sites inner city context</p>

	<p>this level of provision is acceptable and will enhance the quality of the residential environment.</p>
	<p><b>Impact on setting of Linen Conservation Area</b></p>
9.50	<p>The proposal has been assessed against policy BH 12 of PPS6 which states that development proposals for new buildings..... which impact on the setting of, a conservation area, will only be permitted where important views within, into and out of the area are protected.</p>
9.51	<p>Although not necessarily reflective of the scale of the buildings in the Linen Conservation Area immediately adjacent to the site (Creations and adjoining buildings), it is of a similar scale to the buildings on Bedford Street and Blackstaff Square (Amelia Street), which form a backdrop to the site when viewed from Great Victoria Street and Bruce Street to the south-west. Given the scale of the proposal the design and finishes become critical, as discussed above, and the buildings fenestration and use of red brick and white framing reflect that of the buildings on either side of the site on Bruce Street, one of which is the Creations Building located on the edge of the Linen Conservation Area. In fact the design, with the strong vertical emphasis and red brick/ white contrast, bares something of a resemblance to the traditional mill building, albeit of a larger scale. Given this, the proposed building, although slightly larger than the extant approval, is more in keeping with the character of the Linen Conservation Area, or certainly more in keeping with the more traditional character of the older buildings in the conservation area.</p>
9.52	<p>Similarly, in terms of views out of the conservation area, the red brick finish and podium along Bruce Street are vital. Arguably the main view out of the conservation area from a street level perspective is the movement from Bedford Street onto Bruce Street. The podium, as stated above, is respective of the scale along Bruce Street, and will be enhanced by the public realm improvements, whilst the use of red brick picks up on the predominant finish of the more established buildings in the conservation area.</p>
	<p><b>Traffic and Parking</b></p>
9.53	<p>The proposal does not include any proposed parking. A Travel Plan has been included in the Management Plan. The tenancy agreement will specify that the location is car free and that students are not to bring their own cars to the accommodation. The travel plan will be monitored annually.</p>
9.54	<p>Arrival dates and times will be organised through an online booking system to avoid congested arrival periods. People will be advised to park away from the site and will be given information on local car parking facilities.</p>
9.55	<p>A disabled parking space is proposed within the turning head in the north-eastern corner of the site. Existing layby parking spaces are located immediately adjacent to the site on Little Victoria Street.</p>
9.56	<p>DFI Roads comments are outstanding, however no objections have been raised to the principle of the proposed development.</p>
	<p><b>Impact on amenity</b></p>
9.57	<p>The proposal has been assessed against the SPPS and Policy QD1 of PPS7. The introduction of a substantial built form such as that proposed will inevitably have an impact on properties lying within the vicinity of the site. Although none of the existing adjacent properties have a residential use, there is a residential zoning on the site across from the development site on Holmes Street (CC04/01 in Draft BMAP 2015 and CC03/01 in DBMAP 2004).</p>

9.58	<p>Having said this the tallest part of the proposed building is not located directly across from the main part of this zoning off Holmes Street. There is a considerable step down in the built form from Little Victoria Street from 45.2m to 36m. This represents a built form approximately 7m lower onto Holmes Street than the extant approval on the site. Given this stepping down of the building and the fact an extant approval, if built, would arguably have a greater impact on the amenity of any future residential properties within the above zoning, on balance the proposal is acceptable.</p>
9.59	<p><b>Contamination</b></p> <p>Environmental Health Service has reviewed the RSK Preliminary Risk Assessment (PRA) and notes that further to detailed desk top study and site walkover RSK have identified six potential pollutant linkages associated with on and off site potential sources related to past industrial use and / or the possibility of infilled areas on and off site.</p>
9.60	<p>Consequently, the RSK PRA advised that a Generic Quantitative Risk Assessment (GQRA) involving an intrusive site investigation is necessary to quantify potential risks to human health and to identify any necessary remediation measures.</p>
9.61	<p>This GQRA has now been submitted, further to the demolition of the building on the site. Environmental Health is satisfied with the conclusions of the report and that it is considered that on site soils and groundwater do not pose an unacceptable risk to human health and no special gas protection measures are required based on the soil, groundwater and gas monitoring results presented from samples retrieved across 4 boreholes installed on the site.</p>
9.62	<p>None of the 4 boreholes were installed on the area of the site to the front along Bruce Street where the area of external terrace and landscaping is proposed; however, based on the proposed ground floor plan as illustrated on figure 3 of the above RSK report, this area is to be comprised predominantly of hardstanding with minimal trees and landscaping. It is assumed soil will be imported for any proposed landscaping.</p>
9.63	<p>Minor exceedences of the relevant groundwater screening values for Copper, Chromium, Nickel and PAH were observed by RSK; however it is concluded by RSK that the development does not pose unacceptable risk to environmental receptors. Based on the information provided the DAERA Land &amp; Groundwater Team have no objections to the development provided Conditions are attached to any approval, as set out below at 11.10 and 11.11.</p>
9.64	<p><b>Impact on Air Quality</b></p> <p>Further to review of the above RPS Air Quality Impact Assessment (AQIA) it is noted that the consultant has undertaken a simple air quality impact assessment for the proposed development to assess the existing air quality situation in the vicinity of the site and the impact of the proposed development on local air quality.</p>
9.65	<p>The AQIA has assessed the predicted impact of the proposed development on human health in terms of nitrogen dioxide (NO<sub>2</sub>) and particulate matters (PM<sub>10</sub>) using Defra's background pollutant levels.</p>
9.66	<p>RPS advise that there is no car parking associated within the proposed development and there are a range of sustainable transportation options available which are detailed within associated transport information submitted as part of the application. Consequently, the AQIA advises there should be no significant air quality impact of the additional traffic sources.</p>

9.67	<p>The AQIA has also considered the air quality impact of the potential combustion sources (gas boilers, CHP) for the proposed development.</p>
	<p>The proposed combustion systems are predicted not to be significant in terms of nitrogen dioxide emissions.</p>
9.68	<p>However, RPS have advised that details of the proposed heating systems are not defined in full at this stage. Accordingly, Environmental Health has recommended a condition requiring this information to be submitted prior to occupation. This condition is detailed below at 11.2.</p>
	<p><b>Noise</b></p>
9.69	<p>It is noted that the above F.R. Mark Noise Impact Assessment (NIA) uses CADNA noise modelling to predict the noise impact at the various facades and storey heights.</p>
9.70	<p>The NIA presents the worst case predicted daytime <math>dBL_{Aeq,16hr}</math> and the worst case night time <math>dBL_{Amax}</math>. In determining the necessary façade insulation (i.e. glazing and alternative means of ventilation specification) F.R. Mark refer to relevant recently published guidance.</p>
9.71	<p>F.R Mark refer to the ProPG guidance which advises that an Acoustic Design Statement (ADS) be produced for developments exposed to 'high' external noise levels. The ADS should outline the necessary noise mitigation measures to avoid adverse noise impacts. The NIA advises that sections of the site directly adjacent to roads are considered exposed to 'high' risk noise levels.</p>
9.72	<p>The NIA advises that in BS:8233: 2014 it advises that <i>'where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved'</i>.</p>
9.73	<p>The NIA goes on to quote another similar development site where this Environmental Health accepted proposed 'reasonable' internal standards. Nevertheless, Environmental Health would advise that, where possible, residential developments should strive to provide a 'good' internal noise standard for the health of the future users.</p>
9.74	<p>In view of the above comments, it is the view of Environmental Health that the NIA should be revised to present an ADS which presents mitigation measures that will achieve a 'good' internal noise standard. Subsequently a condition will be attached, should approval be forthcoming, which requires a revised Noise Impact Assessment to be submitted and agreed prior to commencement as outlined below at 11.8. Any mitigation works deemed necessary will be installed and verified prior to occupation, as per condition 11.9.</p>
	<p><b>Drainage and Flooding</b></p>
9.75	<p>The proposal has been assessed against Policies FLD1 and FLD3 of PPS15. The Flood Map (NI) indicates that the site lies outside the 1 in 100 year fluvial flood plain but the site is located within a predicted flooded area as indicated on the Surface Water Flood Map.</p>
9.76	<p>Dfl Rivers have reviewed the submitted Drainage Assessment (DA) by Ian Black Consulting Ltd dated 10/10/2018 and comment as follows:</p>
9.77	<p>Given the proposals that you refer to, Dfl Rivers would require that in order to fully assess this application that you provide us with further information that demonstrates the viability of your proposals by means of providing a letter from NI Water giving consent to discharge 5 l/s of storm water runoff from the site to the existing NI Water system located within Bruce Street (As indicated in the Drainage Assessment). Given the low level of risk</p>

	<p>on what is a previously developed site the above information can be requested via planning condition should approval be forthcoming. This condition is detailed below at 11.6.</p>
	<p><b>Pre-application Community Consultation</b></p>
9.78	<p>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 applicant for planning permission to consult the community in advance of submitting an application.</p>
9.79	<p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2018/1240/PAN) was submitted to the Council on 3<sup>rd</sup> May 2018.</p>
9.80	<p>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 to accompany the planning application.</p>
9.81	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p>
9.82	<p>A public exhibition was also held in the building previously on the site on 1<sup>st</sup> June 2018.</p>
9.83	<p>Events were advertised in the Belfast Telegraph on 25<sup>th</sup> May 2018.</p>
9.84	<p>Leaflets inviting people to the exhibition were distributed to properties in the vicinity of the site.</p>
9.85	<p>Direct invites were issued to a number of local Councillors.</p>
9.86	<p>12 people attended the event and one feedback form was submitted. In this form concerns were raised about the loss of natural light in a nearby property.</p>
9.87	<p>The provision of purpose built student accommodation in this city centre location was generally welcomed.</p>
9.88	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
	<p><b>Developer Contributions and Public Realm Provision</b></p>
9.89	<p>In this case it is considered that developer contributions should primarily take the form of public realm improvements to the streetscape within the locality of the site.</p>
9.90	<p>A plan has been provided to show the area in front of the site onto Bruce Street where a 'ground floor terrace' will be provided, including seating, tables, planters and decking. The public realm improvements also consist of stone raving to the front of the building on Bruce Street and Little Victoria Street. These improvements will be secured via condition, as detailed below at 11.7.</p>

<p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p> <p>10.4</p>	<p><b>Summary of Recommendation:</b></p> <p>The improvement in the physical environment with the introduction of a high quality purpose built student block, accompanied by a ground floor retail unit and public realm improvements within the vicinity of the site, is welcomed.</p> <p>The design, and in particularly the solid: void ratio and red bricked finish reflects the character of this part of the city centre and in particular the more established buildings in the Linen Conservation Area.</p> <p>While undoubtedly a tall building, it is considered that the proposed height takes into account existing context and approved schemes within this area. Careful consideration has also been given to the form of the building with the effective use of a lower scale podium which visually breaks up the massing and allows the taller tower element to be setback from the street.</p> <p>It is recommended that the application is approved subject to conditions and a Section 76 Planning Agreement. Delegated authority is requested to resolve the Roads and Noise issues, and for the Director of Planning and Building Control to enter into a S76 agreement and finalise the wording of conditions.</p>
<p>11.0</p> <p>11.1</p> <p>11.2</p> <p>11.3</p> <p>11.4</p> <p>11.5</p>	<p><b>Conditions</b></p> <p>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit.</p> <p>Prior to operation of the hereby approved development the applicant must submit, to the Council's Planning Service for review and approval in writing, details of the heating system and confirmation that any combustion appliances meet a minimum emission standard of &lt;40mgNOx/kWh.</p> <p>Reason: In the interests of amenity and air quality.</p> <p>Prior to commencement of demolition and/or construction of the hereby approved development the applicant must submit, to the Council for review and approval in writing, a Construction Environmental Management Plan to include an assessment of environmental impacts such as noise, vibration and dust.</p> <p>Reason: In the interests of amenity and the environment.</p> <p>The dust management mitigation measures recommended by RPS in the Air Quality Impact Assessment dated October 2018 document no. N12003_111018_AQ_V01 must be implemented throughout all phases of demolition and construction.</p> <p>Reason: In the interests of amenity and the environment.</p> <p>Within the first year of commencement of operation of the development the Applicant must submit, to the Belfast City Council, evidence to demonstrate that the development has obtained accreditation under a government approved accreditation scheme for purpose built student accommodation such as the ANUK/UNIPOL National Code of standards or the Universities UK/HE Guild Management Code. Continued operation of the development thereafter will be subject to annual accreditation under a government approved scheme being maintained.</p>



	Reason: To ensure the appropriate management of the building.
11.6	<p>Prior to the commencement of development the applicant must submit the following to Belfast City Council for approval:</p> <ul style="list-style-type: none"> <li>- A letter from NI Water giving consent to discharge 5 l/s of storm water runoff from the site to the existing NI Water system located within Bruce Street (As indicated in the Drainage Assessment).</li> </ul>
	Reason: To ensure the appropriate drainage standards are applied to the site.
11.7	<p>Prior to the occupation of the building hereby approved, the public realm works and planting shall be completed in accordance with Drawing No. 16 date stamped 11<sup>th</sup> October 2018.</p>
	Reason: In the interests of visual amenity and to ensure the provision of a quality residential environment.
11.8	<p>Prior to the commencement of the development hereby approved a revised Noise Impact Assessment should be submitted to, and approved by, Belfast City Council. This should include an Acoustic Design Statement which presents mitigation measures that will achieve a 'good' internal noise standard. Any agreed mitigation works will be carried out prior to the occupation of the development.</p>
	Reason: In the interests of residential amenity.
11.9	<p>Prior to the occupation of the development a verification report shall be submitted to an approved by Belfast City Council demonstrating that all mitigation measures outlined in the revised Noise Impact Assessment have been carried out.</p>
	Reason: In the interests of residential amenity.
11.10	<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) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. 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. This strategy should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable.</p>
	Reason: Protection of environmental receptors to ensure the site is suitable for use.
11.11	<p>After completing the remediation works under the above condition and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance, as applicable. The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p>
	Reason: Protection of environmental receptors to ensure the site is suitable for use.

	<p><b>Informatives</b></p> <p>Any cranes etc. which are to be used in the construction require the contractor to complete a BCA Crane Permit application form (BCA/F/020 – available from <a href="mailto:safeguarding@bca.aero">safeguarding@bca.aero</a>) a minimum of 6 weeks prior to commencement of works to allow time for assessment &amp; notification to pilots, etc. Depending on the height of crane, an IFP (Instrument Flight Procedures) assessment may be required (at a cost to the crane operator / developer) and can take up to 3 months to process.</p> <p>Other areas to consider in respect of aerodrome safeguarding include <b>Lighting</b> to minimise vertical light leakage thereby avoiding glare to aircraft; Limited use of <b>reflective surfaces</b> (glass, solar panels, etc.) to reduce glint &amp; glare to aircraft; etc.</p>
12.0	<p>Notification to Department (if relevant)</p> <p>No</p>
13.0	<p>Representations from elected members: None received</p>
Neighbour Notification Checked	
	Yes

<b>ANNEX</b>	
<b>Date Valid</b>	11th October 2018
<b>Date First Advertised</b>	9th November 2018
<b>Date Last Advertised</b>	5th July 2019
<p><b>Details of Neighbour Notification (all addresses)</b>            1st Floor Offices,2-4 ,Bruce Street,Belfast,Antrim,BT2 7JD,            23 Bruce Street,Belfast,Antrim,BT2 7JD            2nd Floor Office,68-72 ,Great Victoria Street,Belfast,Antrim,BT2 7BB,            2nd Floor Offices,2-4 ,Bruce Street,Belfast,Antrim,BT2 7JD,            30 – 38 Hope Street,Belfast,Antrim,BT12 5EE,            3rd Floor Offices,2-4 ,Bruce Street,Belfast,Antrim,BT2 7JD,            40-42 ,Little Victoria Street,Belfast,Antrim,BT2 7JH,            42 Hope Street,Belfast,Antrim,BT12 5EE,            58 Moneymore Road, Magherafelt, Londonderry, Northern Ireland, BT45 6HG            6 Glenholm Drive Breda Belfast            6 Hope Street,Belfast,Antrim,BT12 5EE,            66a Great Victoria Street Baptist Church,Great Victoria Street,Belfast,Antrim,BT2 7BB,            68-72 ,Great Victoria Street,Belfast,Antrim,BT2 7BB,            7-8 ,Hope Street,Belfast,Antrim,BT12 5EE,            Apartments 1 - 11,Millennium Court,4 Downshire Place,Malone Lower,Belfast,Antrim,BT2 7JQ,            Bocadillos,2 Little Victoria Street,Belfast,Antrim,BT2 7JH,            City Reptiles,5-6 ,Hope Street,Belfast,Antrim,BT12 5EE,            Community Places,2 Downshire Place,Malone Lower,Belfast,Antrim,BT2 7JQ,            Creations Interiors Ltd,17-21 ,Bruce Street,Belfast,Antrim,BT2 7JD,            4-5 ,Hope Street,Belfast,Antrim,BT12 5EE,            Gd Floor,4 Bruce Street,Belfast,Antrim,BT2 7JD,            Goodrich Engine Control Systems,2nd Floor,4 Bruce Street,Belfast,Antrim,BT2 7JD,            Great Victoria Street Baptist,1 Hope Street,Belfast,Antrim,BT12 5EE,            Ground Floor Offices,2-4 ,Bruce Street,Belfast,Antrim,BT2 7JD,            H B T K,1 Little Victoria Street,Belfast,Antrim,BT2 7JH,            Harbinson Mulholland,3rd Floor,4 Bruce Street,Belfast,Antrim,BT2 7JD,            Harbinson Mulholland,Gd Floor (Part),4 Bruce Street,Belfast,Antrim,BT2 7JD,            Ibm United Kingdom Ltd,1st Floor,4 Bruce Street,Belfast,Antrim,BT2 7JD,            Lyle Bailie International,4th Floor Offices,31 Bruce Street,Belfast,Antrim,BT2 7JD,            Mccann Erickson Belfast Ltd,3rd Floor Store,31 Bruce Street,Belfast,Antrim,BT2 7JD,            Nu Delhi,27 Bruce Street,Belfast,Antrim,BT2 7JD,            Sally Hair &amp; Beauty Supplies,5-6,Bruce House,Little Victoria Street,Belfast,Antrim,BT2 7            Sargent Cancer Care For Children,3rd Floor Offices,31 Bruce Street,Belfast,Antrim,BT2            Slums,25 Bruce Street,Belfast,Antrim,BT2 7JD,            The Chef Shop,Bruce House, 2 Little Victoria Street,Belfast,Antrim,BT2 7JH,            The Ulster Scots Agency,Ground &amp; First Floor,68-72 ,Great Victoria Street,Belfast,Antrim,BT2            7BB,            U T V Internet,3rd Floor Office,31 Bruce Street,Belfast,Antrim,BT2 7JD,            Unit 4,29 Bruce Street,Belfast,Antrim,BT2 7JD,            Unit 9,Bruce House,10 Little Victoria Street,Belfast,Antrim,BT2 7JH,</p>	
<b>Date of Last Neighbour Notification</b>	9th July 2019

<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	