

ADDENDUM REPORT

Committee Meeting Date: 14th May 2024

Application ID: LA04/2023/3635/RM

Target Date:

Proposal: Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works.

Location: Lands bound by Glenalpin Street, Wellwood Street and Norwood Street, Belfast

Referral Route: Major development

Recommendation:

Approval

Applicant Name and Address:
Artemis Development Ltd

Agent Name and Address:
Turley
Hamilton House
3 Joy Street
Belfast
BT2

Background:

This application was due to be considered at the April Planning Committee. However, the application was deferred for a Committee site visit.

The Committee site visit took place on 23rd April 2024.

Late items:

Four further objections have been received since publication of the original report to the April Committee, appended.

The first objection from Councillor Tracy Kelly raises the following concerns.

- The proposed 11-storey apartments would be too high next to two storey housing
- Noise impacts
- Loss of light
- Too many high rise and not enough smaller-scale housing in the area
- No social housing is included
- Insufficient parking
- Insufficient green space for residents and no safe space for children to play.

The second objection from a representative of Belfast South Community Resources raises the following issues.

- Concerns that adding more tall apartments facing Hope Street will only make acquiring homes there even more challenging.
- Sandy Row requires more social housing, not further high-rise apartments.

The third objection, from the owner of a neighbouring property, raises the following concerns:

- Overbearing, loss of light
- Overlooking
- Noise during construction and upon occupation

- Increased traffic and limited on street parking
- Safety implications for people on narrow, poorly lit streets
- Impact on value of property
- Waste Water Infrastructure Capacity

The fourth objection raises the following concerns.

- Need for social housing in the area. The objection mistakenly refers to a PBMSA application on the site (currently the subject of a non-determination appeal). An error that was acknowledged and corrected via a later representation from the same person.

In response to these objections, officers advise that the principle of development, including the scale parameters of the building, are established through the outline planning permission.

Noise, amenity impacts, traffic, parking, amenity and open space are considered in the original Committee report, appended. There is no evidence that the proposal would result in an unacceptable safety problem; in any event the principle of residential apartments on this site is established through the outline planning permission. Any impacts on property values is not a material consideration.

Social housing would have had to be secured at outline stage – there was no policy basis at the time of the granting of the outline planning permission in June 2019 for requiring social housing as the decision pre-dated adoption of the Plan Strategy and Policy HOU5. The Committee is unable to stipulate the requirement for social housing at the reserved matters stage.

NI Water offered no objections in terms of capacity of sewage system at outline stage.

The applicant points to an error in the original Committee report at paragraph 8.7. The applicant confirms that the largest units are 70sqm (not 85sqm as set out in the original report). Officers advise that this is equivalent to a 4 person 2 bedroom unit (not 6 person 3 bedroom unit). On balance, for the reasons set out in the original Committee report, the housing mix is considered to remain acceptable.

This addendum report should be read in conjunction with the original report to the April Planning Committee, appended.

Recommendation

Having regard to the development plan and other material considerations, the reserved matters are considered acceptable. It is therefore recommended that the reserved matters are approved.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to resolution of the outstanding issues raised by DfI Roads, and deal with any other matters that arise, provided that they are not substantive.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 th April 2024	
Application ID: LA04/2023/3635/RM	Target Date:
Proposal: Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works.	Location: Lands bound by Glenalpin Street, Wellwood Street and Norwood Street, Belfast
Referral Route: Major development	
Recommendation:	Approval
Applicant Name and Address: Artemis Development Ltd	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2
<p>Executive Summary:</p> <p>Outline planning permission for '<i>Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping</i>' was approved in June 2019 (LA04/2019/0127/O).</p> <p>The current application seeks approval of the Reserved Matters pursuant to the outline planning permission for an 11-storey residential development comprising 205 units, car parking, landscaping and all associated site works. All matters were reserved at the outline stage, namely:-</p> <ul style="list-style-type: none"> • Siting; • Design; • External appearance • Means of access; and • Landscaping <p>The Committee is reminder that this is not an application for planning permission but an application seeking approval of the details pursuant to the outline planning permission. The principle of development is established through the outline planning permission.</p> <p>The key issues for the assessment of the application solely relate to consideration of the reserved matters and include:</p> <ul style="list-style-type: none"> • Scale, layout and design • Amenity and open space provision • Climate change • Access and parking • Impact on amenity • Drainage and flood risk 	

The outline planning permission establishes the principle of an 11-storey residential building (circa 200 units) on the site. The scale and massing of the proposed building are consistent with indicative plans supporting the outline application. A condition required that the shoulder heights of the building, exclusive of rooftop plant, are no higher than the indicative levels shown on the approved indicative elevational drawings and this has been adhered to. The design, detailing and proportions of the proposed building are considered appropriate to the site and its surroundings.

DfI Roads has requested further technical information in relation to dimensions on layout plan
DfI Rivers has no objection.

A total of 6 objections have been received. These are set out and considered in the main report.

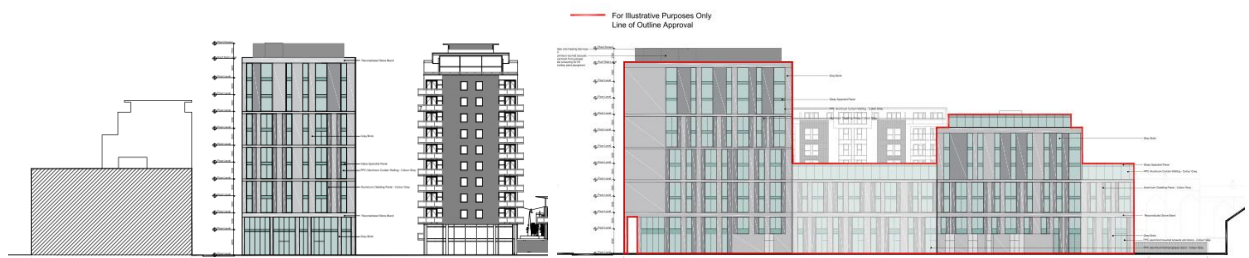
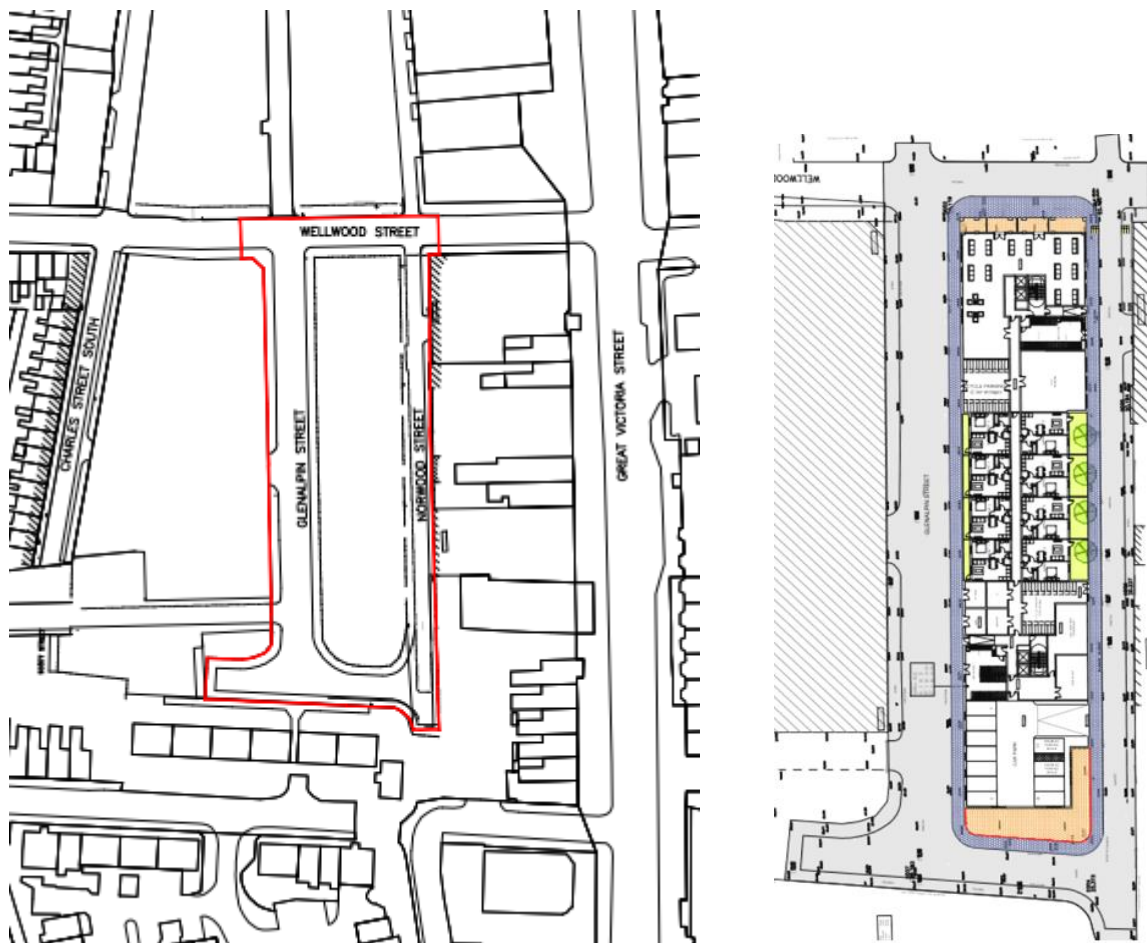
Recommendation

Having regard to the development plan and other material considerations, the reserved matters are considered acceptable. It is therefore recommended that the reserved matters are approved.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to resolution of the outstanding issues raised by DfI Roads, and deal with any other matters that arise, provided that they are not substantive.

Case Officer Report

Site Location Plan and layout



1.0 Description of Proposed Development

- 1.1 This application seeks approval of Reserved Matters for an 11-storey residential development comprising of 205 units, car parking, landscaping and all associated site works. The application is made pursuant to the outline planning permission for 'Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping', approved in June 2019 (LA04/2019/0127/O).
- 1.2 The Committee is reminder that this is not an application for planning permission but an application seeking approval of the details pursuant to the outline planning permission.

1.3	The proposed building is a single and elongated block with a maximum height of approximately 35.5m (11 storeys) facing onto Wellwood Street. This drops to 17m (5 storeys) before rising and dropping again to 25m (8 storeys) and 17m to the rear of the site backing onto the dwellings in St. Georges Gardens.
1.4	The proposed ground floor plan includes an area of internal recreation space to the front (northern end) of the building, including a narrow planted area along Norwood Street to the front of four ground floor apartments.
2.0	Description of Site
2.1	The application site is located within the City Centre and is bounded by existing streets on all four sides and currently serves as a surface level car park.
2.2	The surrounding area mostly consists of housing, including to the south and west with modern apartment blocks on either side. A vacant car park (owned by NIHE) is located immediately north of the site with the new Grand Central Station beyond this to the north west. To the south is low rise traditional housing.
3.0	Planning History of the application site
3.1	LA04/2019/0127/O – Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping. Approved 11 th June 2019.
3.2	LA04/2023/2922/F – Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping. The applicant has submitted an appeal for non-determination. At the December 2023 meeting, the Planning Committee agreed that the Council’s position at the appeal will be that planning permission should be refused and the appeal dismissed on grounds that the site is within a Residential Area, where PBMSA is unacceptable in principle, having regard to Policy HOU12 of the Plan Strategy.
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.

<p>4.4</p> <p>4.5</p> <p>4.6</p> <p>4.7</p> <p>4.8</p>	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • SP3 Improving health and wellbeing • SP5 Positive placemaking • SP6 Environmental resilience • SP7 Connectivity • HOU4 Density • HOU6 Housing mix • HOU7 Adaptable and accessible accommodation • RD1 New Residential Developments • DES1 Principles of Urban Design • DES3 Tall Buildings • BH1 Listed Buildings • TRAN 1 Active Travel • TRAN 2 Creating an Accessible Environment • TRAN 8 Car Parking and Servicing Arrangements • TRAN 9 Parking Standards within areas of parking restraint • ENV1 Environmental Quality • ENV2 Mitigating Environmental Change • ENV3 Adapting to Environmental Change • ENV5 Sustainable Drainage System • OS3 Ancillary Open Space <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>In the BUAP, the application site is located on un-zoned “whiteland” within the City Centre. In dBMAP (v2004), the site is also within the City Centre and defined as a Development Opportunity Site (CC060). In dBMAP (v2014), the site is un-zoned “whiteland” within the City Centre and Shaftsbury Square Character Area (CC013).</p> <p><u>Regional planning policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Creating Places</p> <p><u>Other Relevant Policies</u> Developer Contribution Framework</p>
<p>5.0</p>	<p>Statutory Consultees DFI Roads – further information requested (see main assessment) DFI Rivers – no objection</p>

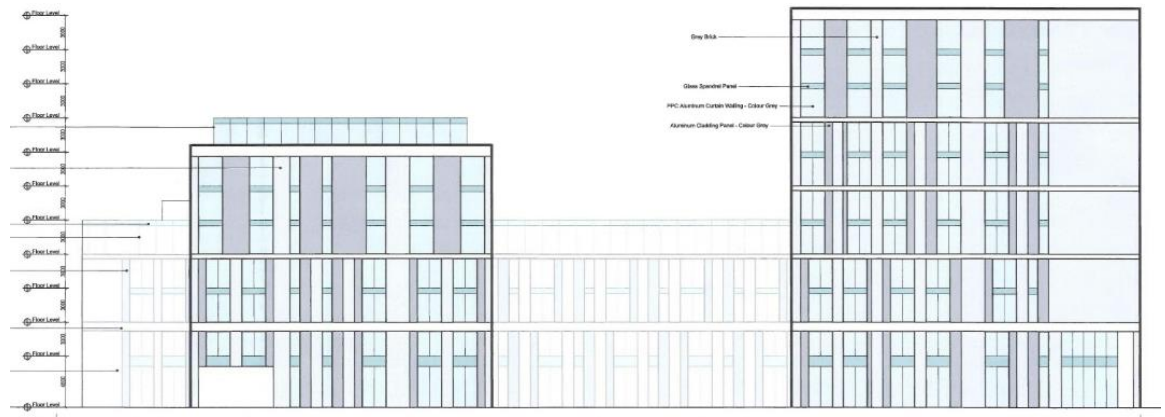
6.0	Non-Statutory Consultees N/A
7.0 7.1 7.2	Representations The application has been advertised and neighbour notified. Six objections have been received to date. The following concerns are raised. <ul style="list-style-type: none"> • Need for Social Housing <i>Officer response – the site is un-zoned and the Council must consider the application before it. There was no policy requirement for social/ affordable housing when the outline approval was granted. The application solely relates to consideration of the reserved matters; the provision of affordable housing would have been a matter for the outline planning application and cannot be considered retrospectively.</i> • Potential for Anti-Social Behaviour with Student Accommodation <i>Officer response – the proposal is not for student accommodation, but residential development.</i> • Loss of privacy/ loss of light <i>Officer response – Impact on amenity was assessed at outline stage in terms of the broad parameters for the scale, height and massing of the building. These are in keeping with the indicative elevations approved. It is inevitable that introducing a building of this scale will lead to some impact on amenity for residents in adjacent housing and apartment blocks. However, it is considered that any impact on amenity would not be considered significant in this high density inner city environment.</i> • Impact of balconies in PBMSA on neighbouring amenity <i>Officer Response – the proposal is not for PBMSA and no external balconies are proposed.</i> • Impact of Noise on Neighbouring residential units <i>Officer Response – the site is located within the city centre, where background noise levels are relatively high from various sources including the nearby Great Victoria Street. The addition of the glazed barrier around external amenity areas will reduce potential noise breakout from these communal areas. Environmental Health has also noted that The Irwin Carr Consulting letter of the 5th February 2024 recommends the glazed barriers to the fifth and eight floor external amenity areas and advises that with the barriers in place, noise levels in these areas are predicted to be below the WHO upper limit at which it is suggested there is potential for onset of serious annoyance. These barriers will be required to be constructed by planning condition.</i>
8.0 8.1	ASSESSMENT The key issues for the assessment of the application are: <ul style="list-style-type: none"> • Scale, layout and design • Amenity and open space provision • Climate change • Access and parking • Impact on amenity • Drainage and flood risk

8.2	<p>It should be noted that the principle of residential development has been established on site through the outline planning permission. This application only considers the acceptability of the proposed reserved matters, namely siting, design, external appearance, means of access and landscaping.</p> <p>Scale, layout and design</p> <p><i>Density:</i></p>
8.3	<p>The site is approximately 0.5 hectares (ha) in size. With 205 units proposed, the density is approximately 410 dwellings per ha. This density is in line with the density band for tall buildings within the City Centre as set out in Policy HOU4 of the Plan Strategy. It should also be noted that a notional 200 units was considered at the outline stage, granted approval prior to adoption of the Plan Strategy in May 2023.</p> <p><i>Housing mix:</i></p>
8.4	<p>Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities.
8.5	<p>The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.</p>
8.6	<p>The proposed housing mix comprises both one and two bedroom units of varying size. 150 x one bedroom and 55 x 2 bedroom units are proposed, including four studio apartments and 21 wheelchair accessible apartments. No larger units are proposed. The SPG suggests that more 3 and 4-bedroom apartments should be encouraged to meet the requirement for increased size, including family housing, whilst promoting choice and facilitating the creation of sustainable and balance neighbourhoods.</p>
8.7	<p>In assessing the housing mix, regard is had to the specific location and characteristics of the site and immediate environment, which is considered to lend itself to smaller units, as well as the Build To Rent model of the proposed scheme, which can be targeted at young professionals as well as downsizers, retirees and smaller families. There is also a good range in the size of the units from 45 sqm to 85 sqm with the larger units equivalent of 3 bedroom six-person units accordance to the standards in Appendix C of the Plan Strategy. On balance, taking these factors into account and in this particular case, the proposed housing mix is considered acceptable and compliant with Policy HOU6.</p> <p><i>Scale, height and massing:</i></p>
8.8	<p>The proposal has been assessed against the SPPS and Policies RD1, DES2 and DES3. The outline planning permission sets out the scale and massing parameters for the scheme, with indicative elevations provided at outline stage. A condition was imposed that requires that the shoulder heights of the building, exclusive of rooftop plant, are no higher than the indicative levels shown on the approved indicative elevational drawings. The proposal satisfies the requirements of this condition, as shown in the comparative elevational drawings below. Subsequently, scale and massing are acceptable and it is</p>

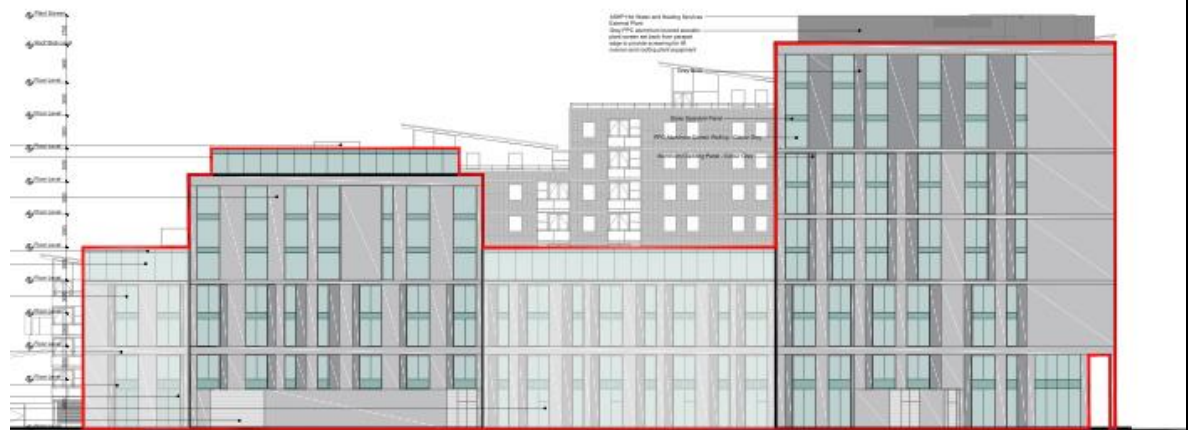
the architectural treatment which mainly need to be assessed under this reserved matters application.

8.9 For comparison, the approved and proposed long elevations are shown below.

Approved Elevation:



Proposed Elevation: (red line indicates the extent of outline approval)



8.10 The proposed building would have a maximum height of approximately 34.9m (11 storeys), 37.6m including rooftop plant, facing onto Wellwood Street. This drops to 16.5m (5 storeys), before rising and dropping again to 25.5m (8 storeys) and 16.5m to the rear of the site backing onto the dwellings in St. Georges Gardens.

8.11 As the building height exceeds 35m, it is considered a 'tall building' for the purposes of Policy DES 3. However as set out above, the general scale, height and massing of the current proposal has been established through the outline approval as illustrated in the comparative elevations above.

Architectural treatment:

8.12 In terms of architectural treatment, the fenestration is vertically emphasised, with an appropriate solid to void ratio for a building of its scale and represents a contemporary style in keeping with the city centre location and the more contemporary apartment block to the west.

8.13	The 'stepping in' of the structure along the long elevations on Glenalpin Street and Norwood Street will assist in breaking up the overall massing and adding to the overall materiality of these long façades.
8.14	<p>Regarding materials, the proposed palette, which is predominantly grey brick, is considered contextually appropriate. The combination of rustic grey brick and aluminium grey panels provide an aesthetically pleasing mix of traditional and modern finish and help compliment the contemporary solid to void ratio and strong vertical emphasis. A condition is recommended to require approval of sample external materials.</p> <p><i>Adaptable and accessible accommodation:</i></p>
8.15	Policy HOU7 states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life.
8.16	Level access and internal arrangement – the main entrance to the development is sheltered and all accommodation in the development is provided with level and lift access for all upper floor residential units. Pathways, entrances, doorways, and halls are wide enough to accommodate a wheelchair and entrances, kitchen, living, dining, bathroom, and bedroom areas have been arranged to ensure that a turning of a wheelchair can be accommodated, as required.
8.17	All units have permanent living space off the kitchen and a bathroom, which can be adapted to provide an accessible shower room if necessary. Adequate built in storage for a wheelchair, and a second wheelchair, have also been accommodated within each unit.
8.18	The applicant has confirmed that the building will be constructed to meet all other regulatory and statutory requirements in terms of accessibility and will meet all DDA requirements.
8.19	Accessibility – the site is located within the city centre, close to the bus/ train station and Transport Hub (currently under construction) and is well served by all forms of public transport. The site is in close proximity to 12 bus stops within a 400m walking distance, and c.550m from the College Square East Glider Halt. Botanic train station is also within walking distance of the site.
8.20	Car Parking – the proposal includes a car park at ground floor level, accommodating 11 parking spaces (inclusive of 2 disabled car parking spaces as indicated on site layout plan/ ground floor plan). This area is accessed via a gently sloping surface, ensuring ease of access.
8.21	Wheelchair Accessible Units – the proposed mix of units has been amended during the application process to provide 10% wheelchair accessible units. The floorspace associated with these units exceeds the requirements of Appendix C of the Plan Strategy.
8.22	In conclusion, it is considered that the design and external appearance of the proposal is acceptable having regard to Policies RD1, DES1, DES2, DES3, HOU6 and HOU7 of the Plan Strategy.
	Amenity and Open Space Provision
8.23	The proposal has been assessed against Policies OS3 and RD1 (d) of the Plan Strategy, and regional guidance, <i>Creating Places</i> . Amenity space provision is focused at ground floor level, and fifth and eighth floors. An external landscaped area is located along the

	<p>Norwood Street frontage at apartments Nos. 5-8 totalling approximately 100 sqm, and a narrower strip of approximately 35sqm along the Glenalpin Street frontage at apartment Nos. 1-4. These spaces are landscaped and would be considered more visual amenity spaces as opposed to functional/ useable space. The usable external spaces are located within external 'courtyards', at 5th floor and 8th floor level, with areas of approximately 400 sqm and 550 sqm respectively. In addition, there is a dedicated internal amenity area of approximately 250sqm located at the front of the building. It is also worth noting that the ground floor gym has obvious recreational value and has a floor area of approximately 100sqm.</p>
8.24	<p>Therefore, the level of external amenity space provision per unit is approximately 5.3 sqm. When combined with the internal amenity provision, the overall amenity space (including internal and gym) provision is 1,435 sqm, equating to 7 sqm per unit. Although this falls short of the 10sqm minimum requirement set out in 'Creating Places' given the inner urban context of the site, on balance, this level of amenity provision is considered acceptable. Indeed, Creating Places acknowledges that '<i>...the appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept.</i>' It also advises flexibility in the application of the standards set out in the guidance, recognising that there can be competing issues.</p>
8.25	<p>Policy OS3 of the Plan Strategy requires residential proposals of this scale to delivery a minimum of 10% of the site as open space. No dedicated open space is proposed. Policy OS3 goes onto say that provision less than 10% may be acceptable where:</p> <ul style="list-style-type: none"> • the site is located within a town or city centre; • it is close to and would benefit from ease of access to areas of existing public open space; • or it incorporates the 'Home Zone' concept.
8.26	<p>In this case, the site is within the city centre and benefits from proximity to a variety of open space areas including a playpark at Britannic Terrace (c.393m), Bankmore Square (c.276m) and slightly further, Crescent Gardens (c.550m). Furthermore, no specific requirement for open space was identified at the outline planning permission stage with the proposal consistent with the indicative plans provided with the outline application. Having regard to these considerations, the level of open space is considered acceptable and compliant with Policy OS3.</p> <p>Access and parking</p>
8.27	<p>The proposal includes 11 car parking spaces at ground floor level, two of which are for disabled spaces. This is in keeping with the level of parking approved at outline stage for a notional circa 200 residential units. The proposal is for 205 units.</p>
8.28	<p>This level of parking is considered acceptable given the highly sustainable and accessible location of the site and the applicant's commitments to green travel measures secured at the outline stage through a Section 76 planning agreement. These include a travel plan and provision of subsidised Travel Cards for each resident for three years.</p>
8.29	<p>Dfl Roads has stated that there does not appear to be an adequate number of cycle spaces for this development size indicated (it advises that 51 cycle spaces are required). To avoid a shortfall, Dfl Roads suggests that the applicant considers a two-tier cycle rack facility. Amended Plans are awaited to address this issue along with further dimensions required on footways and parking spaces.</p>

8.30	<p>Dfl Roads has not raised any significant concerns in terms of site layout, parking provision or highway safety. Further technical information has been sought in relation to dimensions of the site layout plan. Subsequently, delegated authority is sought to resolve the issue of satisfactory cycle parking provision and the more minor technical issues. Dfl Roads has confirmed informally that 34 cycle stands should be acceptable, with a two-tier system maximising the internal space. It is acknowledged that it would be difficult to achieve a sufficient amount in that area with the traditional Sheffield Stands.</p>
8.31	<p>Dfl Roads has also acknowledged the dimensions in the drawings, raised as an issue in error previously. However, Dfl Roads has stated that a white line hatching should be shown in the 1.2m 'Safety Zones' along with the disabled logo via white lining. An amended site layout plan has been submitted to address this minor technical issue, with the disabled spaces now demarcated by white hatched lines. Dfl Roads has confirmed informally that this is acceptable. A formal consultation response remains outstanding.</p>
8.32	<p>Subject to Dfl Roads response to the amended plans, it is considered that the proposal complies with Policies TRAN1, TRAN2, TRAN6, TRAN8, TRAN9 and TRAN10.</p>
	<p>Impact on amenity</p>
8.33	<p>The proposal has been assessed against Policies RD1, DES 1 and DES3.</p>
8.34	<p>Policies DES1, DES3 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments. Amenity issues were assessed at outline stage, with a daylight/ sunlight analysis submitted, and as previously noted, the scale and external fenestration/ openings are almost identical to that approved at outline stage.</p>
8.35	<p>It is considered that the proposed building would have no greater impact on residential amenity than the indicative scheme and parameters set at the outline stage. The proposal would not have a harmful impact on neighbour amenity, by way of overlooking, loss of outlook, sunlight, daylight or overbearing, and is considered acceptable having regard to Policies DES1, DES3 and RD1.</p>
8.36	<p>A design response to policy requirements in relation to communal open space has seen the addition of two external open space courtyards at fifth and eighth floor levels. In order to ensure that residents within the adjacent apartment developments to east and west and housing to south suffer no loss of amenity, a privacy screen (1.8m high obscure glazing barrier) is proposed along the perimeter of these areas. This will ensure that no overlooking of existing apartments will occur.</p>
8.37	<p>BCC Environmental Health (EH) has stated that the issue of noise arising from the use of external amenity areas, particularly where these are communal, has the potential to impact on future occupants of the development itself more so than neighbouring residents. The addition of the glazed barrier while designed to reduce the noise level in the amenity area for future residents would also work to reduce slightly the potential noise breakout from these communal areas. EH has notes that The Irwin Carr Consulting letter of the 5th February 2024 recommends glazed barriers to the fifth and eighth floor external amenity areas and advises that with the barriers in place noise levels in these areas are predicted to be below the WHO upper limit at which it is suggested there is potential for onset of serious annoyance. A condition is recommended requiring the installation of the recommended barriers in line with the specification recommended by the noise consultant.</p>

8.38	<p>In the absence of any conditions on the outline approval relating to noise attenuation, and given that the design was one of the matters reserved, EH has pointed to the other recent planning residential application, albeit for student accommodation, on the same site (LA04/2023/2922/F). Supporting noise impact assessment for that proposal deemed noise mitigation measures necessary on all facades. Subsequently, given the proposed end use, EH have suggested a number of conditions to secure appropriate façade noise mitigation and these are recommended.</p> <p>Climate change</p>
8.39	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce Green House Gases (GHG) by promoting sustainable patterns of development. The policy goes on to state that development proposals should, where feasible seek to avoid demolition and seek to maximise opportunities to incorporate sustainable design features. No demolition is proposed. The development is on a surface level car park.</p>
8.40	<p>The building has been designed and orientated to maximise solar gain with the units predominantly orientated with an east or west facing outlook. Increased insulation depths within cavity walls, along with robust airtightness requirements and high performance glazing will mitigate extremes in weather as well as draughts and leaks. Good natural daylighting will be provided along with natural purge ventilation to each room. Flat roof areas, where feasible, have been utilised for shared external landscaped amenity space, providing areas for rainwater attenuation.</p>
8.41	<p>The applicant has confirmed that the development is targeting BREEAM New Construction 2018 Multi-Residential Very Good accreditation. BREEAM is a third-party sustainability assessment method developed by the Building Research Establishment (BRE).</p>
8.42	<p>BREEAM certification, which is provided by a third party, gives a comprehensive, credible, and independent assessment of a building's sustainability, covering various aspects such as energy use, water consumption, waste management, and ecological impact. Policy DES2 requires Major development proposals to achieve BREEAM "excellent" or comparable standards. On balance, the applicant's commitment to BREEAM Very good rating is considered acceptable and a condition is recommended to ensure this standard, or equivalent, is met.</p>
8.43	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change to support sustainable and enduring development.</p>
8.44	<p>The applicant has confirmed that the development incorporates durable and robust materials, inclusive of brick, aluminium, and curtain wall glazing. Rooms within the development are predominantly orientated on an east or west facing outlook to minimise heat gains and losses. Increased insulation depths within cavity walls, along with robust airtightness requirements and high-performance glazing will also mitigate extremes in weather as well as draughts and leaks. Natural daylighting will be provided along with natural purge ventilation to each room. Flat roof areas, where feasible, have also been utilised for shared external landscaped amenity space, providing areas where rainwater can be attenuated, and external roofs activated.</p>

8.45	Policy ENV5 states that developments should include, where appropriate, SuDS measures to manage surface water effectively on site. As previously stated, the proposed external landscaped areas on the roof will provide for rainwater attenuation that will hold back the flow of rainwater into the drainage network.
8.46	A further consideration in relation to Policy ENV5 is that the site currently comprises of a surface level car park (entirely hardstanding) and as such, the erection of a building on the site provides the opportunity to capture and manage rainfall directly into the drainage network rather than the current situation. The use of the planting provides an opportunity to reduce the runoff rate and improve on the existing site drainage.
8.47	In addition, Dfl Rivers have considered the content of the Drainage Assessment which details the above and are content that the development appropriately manages drainage from the development into the drainage network and that condition 9 of the outline permission has been met. The development would not be at risk of flooding.
8.48	In conclusion, and on balance, it is considered that the proposal is acceptable, having regard to Policies ENV1, ENV2, ENV3 and ENV5.
	<p>Drainage and Flooding</p>
8.49	The proposal has been assessed against the SPPS and Policy ENV4. Outline approval was granted on condition that a Drainage Assessment was submitted at reserved matters stage. A Drainage Assessment has been provided with the reserved matters application.
8.50	Flood Maps (NI) indicates that the development does not lay within the 1 in 100 year climate change fluvial or 1 in 200 year climate change coastal flood plain.
8.51	There are no watercourses within this site. The site may be affected by watercourses of which DFI Rivers has no record of.
8.52	Flood Maps (NI) indicates that portions of the eastern and western boundaries lie within an area of predicted pluvial (localised) flooding. However, these areas are located on the footpath/ roadways around the perimeter of the existing car park, but within the red line of the application site, and should therefore not pose a risk to the proposed building. The Drainage Assessment submitted in support of the application recognises the presence of localised flooding, particularly close to the eastern boundary of the car park and states there may be a requirement for the proposed storm water and attenuation system to take account of this.
8.53	This attenuation will be provided by the installation of enlarged concrete drainage pipes around the periphery of the building with an extra 3 sqm of attenuation included to mitigate the localised flooding along the eastern boundary.
8.54	Dfl Rivers has reviewed the Drainage Assessment and whilst not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. It offers no objection to the proposal.
8.55	Given the advice from Dfl Rivers, issues relating to flood risk and the drainage proposals are considered acceptable and there would be no unacceptable flood risk. The proposal is compliant with Policy ENV4.

<p>9.0</p> <p>9.1</p> <p>9.2</p>	<p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the reserved matters are considered acceptable. It is therefore recommended that the reserved matters are approved.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions subject to resolution of the outstanding issues raised by DfI Roads, and deal with any other matters that arise, provided that they are not substantive.</p>
<p>10.0</p>	<p>DRAFT CONDITIONS</p> <p>1. The development hereby approved shall not be occupied until the external and internal amenity areas have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times.</p> <p>Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</p> <p>2. No external brickwork or facing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>3. Prior to installation of window units within the hereby permitted development, a final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades and floors shall be submitted to and approved in writing by the Council. The window specification for habitable rooms shall be accompanied by an updated noise impact assessment demonstrating how the proposed specification will achieve suitable internal noise levels in line with BS8233:2014 Guidance on the Sound Insulation and Noise Reduction for Buildings. The windows shall not be installed unless in accordance with the approved details.</p> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p> <p>4. Prior to installation of any alternative means of ventilation, an updated noise impact assessment confirming the specification of the alternative means of ventilation to serve habitable rooms shall be submitted to and approved in writing by the Council. The alternative means of ventilation shall be acoustically attenuated and capable of achieving the internal noise levels for habitable rooms outlined in British Standard BS8233:2014 with the windows shut and the alternative means of ventilation operating or in the open position. The alternative means of ventilation shall not be installed unless in accordance with the approved details.</p> <p>Reason: To safeguard the amenity of occupants against adverse noise impact.</p>

5. Prior to occupation of the development hereby permitted, verification that the windows specification as per the approved schedule and alternative means of ventilation as approved have been installed (in addition to that provided by open windows) shall be submitted to the Council by way of a written declaration from the supplier and installation contractor confirming such installation.

Reason: To safeguard the amenity of occupants against adverse noise impact.

6. The separating walls and floors between the habitable rooms and the development gym, plant rooms and laundry rooms shall be constructed of at least 200mm concrete in accordance with the recommendation contained within Section 2.3.3 of the from the Irwin Carr Consulting letter, dated 12 September 2023 to ensure that internal noise levels within the habitable rooms are in accordance with BS 8233:2014 Guidance on the Sound Insulation and Noise Reduction for Buildings.

Prior to occupation of the development hereby permitted, verification that these requirements have been met shall be submitted to the Council by way of a written declaration from the supplier and installation contractor confirming such construction.

Reason: To safeguard the amenity of occupants against adverse noise impact.

7. Prior to occupation of the hereby permitted development, vibration isolation mounts shall be installed to all air source heat pumps and retained at all times.

Reason: To safeguard the amenity of occupants against adverse noise impact.

8. That the rating level (dBLAr,T) from the operation of all combined plant and equipment does not exceed the representative daytime and night-time background noise respectively at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

Reason: To safeguard the amenity of occupants against adverse noise impact.

10. The development hereby permitted shall not be occupied until details of an obscured glazed barrier, with no gaps between panels, and constructed to a height of 1.8m and a minimum surface mass of 15mg/m² on the fifth and eight floor external amenity areas have been submitted to and approved in writing by the Council. The details of the obscured glazed barrier shall accord with the recommendations in the Irwin Carr Consulting letter dated the 5th February 2024, published on the planning portal dated the 9th February 2024 and in accordance with the Like Architects drawing no.2 rev D, titled: 'Proposed elevation A-A and B-B', dated Jan 2024. The development shall not be occupied unless the approved obscured glazed barrier is in place and it shall remain in situ in accordance with the requirements of this condition at all times.

Reason: To safeguard the amenity of occupants against adverse noise impact.

11. Within one year of the occupation, evidence that the building has been constructed to at least BREEAM Very Good standard, or equivalent, shall be submitted in writing to the Council.

Reason: To ensure that the development mitigates and adapts to climate change.

	NOTE – transport related conditions to be added following final consultation response from DfI Roads
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