

## Development Management Officer Report

### Committee Application

Summary	
<b>Committee Meeting Date:</b> 18 <sup>th</sup> March 2025	
<b>Application Ref:</b> LA04/2024/1869/F	
<b>Proposal:</b> Temporary Change of Use of 92 No. Student Bedrooms to Short Term Let Accommodation	<b>Location:</b> The Edge, 48-52 York Street, Belfast, BT15 1AS
<b>Referral Route:</b> Paragraph 3.8.2 (d) of the scheme of delegation – change of use application involving student accommodation	
<b>Recommendation: Approval subject to condition</b>	
<b>Applicant Name and Address:</b> 48-52 York Street Operating LLP 38 Seymour Street London W1H 7BP	<b>Agent Name and Address:</b> TSA Planning 20 May Street Belfast BT1 4NL
<b>Date Valid:</b> 01.11.2024	
<b>Target Date:</b> 11.02.2025	
<b>Contact Officer:</b> Lisa Walshe, Principal Planner	
<b>Executive Summary:</b> <p>The application site is situated at The Edge, 48-52 York Street, Belfast, BT15 1AS. Permission was granted under Z/2014/0479/O and LA04/2016/1213/RM for an 11-storey building comprising of 3 no. ground floor retail units, 307 studios for use as purpose built managed student accommodation.</p> <p>The delivery of the PBSA at the junction of Frederick Street and York Street suffered some delays towards the end of the building programme which has resulted in an abnormally high number of vacancies within the building for the academic year 2024/25. This application seeks full planning permission for a temporary Change of Use of 92 No. Student Bedrooms to Short Term Let Accommodation until the end of August 2025.</p> <p>As such, it is proposed that 30% of units, located on floors 5, 7 &amp; 8 and comprising 93 rooms, are permitted a temporary change of use to short term let accommodation until the end of August 2025.</p> <p>The key issues for consideration of the application are set out below:</p> <ul style="list-style-type: none"><li>• Principle of the proposal</li><li>• Access, movement and parking</li></ul> <p>No representations were received and no consultation was necessary as outlined in the report below.</p>	

A Section 77 to vary the Section 76 of the host approval is necessary and is agreed in principle with Legal Services.

**Recommendation**

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, resolve the relevant Section 77, and deal with any other issues that arise, provided that they are not substantive.

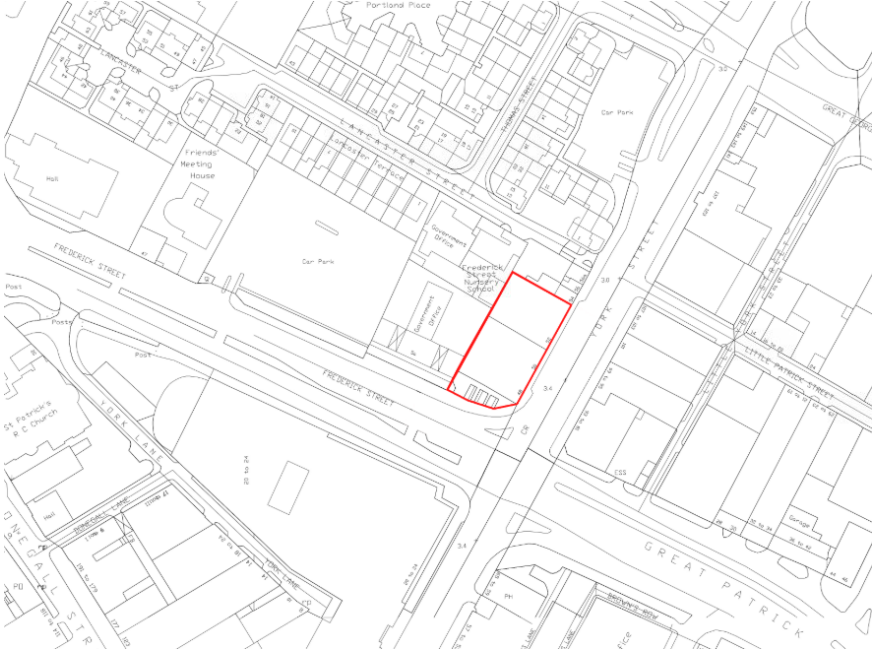
**Officer Report**

**1.0**

**Drawings**

**1.1**

**Site Location**



**Fifth Floor Plan**



5TH FLOOR PLAN  
(38no. STUDIOS)

### Seventh Floor Plan



7TH FLOOR PLANS  
(29no. STUDIOS)

### Eighth Floor Plan



8TH FLOOR PLANS  
(28no. STUDIOS)

<b>2.0</b>	<b>Characteristics of the Site and Area</b>
2.1	The application site comprises a Purpose-Built Student Accommodation (PBSA) on Frederick Street which received planning permission under reference LA04/2016/1213/RM in October 2017. It contains 307 self-contained units spread across 11 floors with associated communal and amenity facilities.
<b>3.0</b>	<b>Description of Proposal</b>
3.1	The application is seeking full planning permission for a temporary Change of Use of 92 No. Student Bedrooms to Short Term Let Accommodation until the end of August 2025.
3.2	The reason for the application is due to the delayed delivery of the PBSA towards the end of the building programme which has resulted in an abnormally high number of voids within the building for the academic year 2024/25.
3.3	As such, it is proposed that 30% of units, located on floors 5, 7 & 8 and comprising 93 rooms, are permitted a temporary change of use to short term let accommodation until the end of August 2025.
<b>4.0</b>	<b>Planning Policy and Other Material Considerations</b>
4.1	<b>Development Plan – Plan Strategy</b> Belfast Local Development Plan, Plan Strategy 2035
4.2	<i>Strategic Policies:</i> Policy SP2 – sustainable development  <i>Operational Policies:</i> HOU13 – Short-term let accommodation TLC1 - Supporting tourism leisure and cultural development TLC3 - Overnight visitor accommodation TRAN 8 - Car parking and servicing arrangements Policy ENV1 – Environmental quality
4.3	<b>Development Plan – zoning, designations and proposals maps</b> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.4	<b>Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	<b>Relevant Planning History</b> Z/2014/0479/O - 48-52 York Street - Demolition of existing building and construction of new multi storey building with retail units at ground floor and purpose-built student accommodation over. Approved.

	LA04/2016/1213/RM – 48-52 York Street - Demolition of existing buildings and erection of 11 storey building comprising of 3 no. ground floor retail units, 307 studios for use as purpose built managed student accommodation with associated communal and amenity facilities, including gym and all associated site and access works. Approved.
<b>5.0</b>	<b>Consultations and Representations</b>
5.1	<b>Statutory Consultations</b> None required.
5.2	<b>Non-Statutory Consultations</b> None required.
5.3	<b>Representations</b>
5.3.1	The application has been advertised and neighbours notified. No representations have been received.
<b>6.0</b>	<b>PLANNING ASSESSMENT</b>
6.1	<b>Development Plan Context</b>
6.1.1	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.
6.1.2	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.
6.1.3	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 (“Departmental Development Plan”) until the Local Policies Plan is adopted.
6.1.4	<b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.).
6.1.5	<b>Proposals Maps</b> – 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) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. 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.

6.1.6	<b>Belfast Urban Area Plan 2001</b> - The site is located within the settlement development limit in the BUAP and is not zoned for any use.
6.1.7	<b>Belfast Metropolitan Area Plan 2015 (2004 and 2014)</b> – The is located within the City centre.
6.1.8	<b>Key Issues</b>
6.1.9	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> <li>• Principle</li> <li>• Access, movement and parking</li> </ul>
6.2	<b>Principle of the proposal</b>
6.2.1	Policy HOU13 relating to short term lets set out a number of key criteria which must be satisfied.
6.2.2	Criterion a. requires that the proposal <i>strengthens and diversifies the range of short-stay visitor accommodation in the city</i> . As of March 2023, short-term lets comprise 21% of Belfast City Council’s tourist accommodation. The proposal is for 92 rooms on a temporary basis until the end of August 2025 and therefore would strengthen and diversify the range of short-term visitor accommodation in the city.
6.2.3	Criterion b. requires that the proposal <i>is accessible by public transport</i> . The site is located in the city centre and is highly accessible by public transport.
6.2.4	Criterion c. requires that the proposal <i>is sited within an existing tourism cluster or in close proximity to a visitor attraction</i> . The site is within the city centre with several visitor attractions in close proximity. City hall is 0.8 miles away and a 20 min walk.
6.2.5	Criterion d. requires that the proposal <i>has appropriate management arrangements in place to ensure a positive and safe living environment whilst minimising any potential negative impacts</i> . The applicant has provided an appropriate management plan to the council for consideration. The management plan covers, servicing arrangements, waste storage and collection, laundry, anti-social behaviour, code of conduct and complaints, and guest capacity. It also sets out how interaction between students and short-term guests will be minimised.
6.2.6	Criterion e. requires that <i>the site is not located within a designated HMA (see policy HOU10), unless it can be demonstrated that the development is needed to meet a specific demand in that location</i> . As the site is not located within a designated HMA, this criterion is not applicable.
6.2.7	Criterion f. requires that <i>in the case of a change from permanent residential use, part of the property must be retained as permanent residential housing</i> . The existing building is a PBSA therefore this criterion is not applicable.
6.2.8	Policy TLC1 states that the Council will seek to support tourism, leisure and cultural development that contributes to extending the offer of these forms of development across daytime and nighttime for the visitor. It is also expected that the proposal will lead to improving the quality and accessibility of tourism, leisure and cultural assets to support the city’s reputation as an attractive tourism destination.

6.2.9	Policy TLC3 states that planning permission will be granted for tourism development for new overnight accommodation within the city centre boundary. Although the policy advises that short-term lets are considered under policy HOU13, nonetheless it demonstrates that there is a thrust for tourism development to be located within the city centre.
6.3	<b>Car Parking</b>
6.3.1	Policy TRAN8 seeks to ensure that there is sufficient car parking and servicing arrangement for all developments. The development is car free with cycle parking available for short-term guests. There will be a drop off and loading bay within the site for limited use for delivery and loading/unloading. Short-term guests will therefore be encouraged to use more sustainable means of transport, such as cycling, walking or take advantage of regular local transport facilities. For short-term guests who do need parking, they will be directed to St Anne's Square multi-storey car park.
6.3.2	The approved Travel Plan as agreed under LA04/2016/1213/RM is sufficient for the purposes of this temporary change of use.
6.4	<b>Section 76 Planning Agreement</b>
6.4.1	Application LA04/2016/1213/RM was subject to a Section 76 agreement which restricted the use to student accommodation or associated use by educational institutions only. As such a Section 77 is required to modify the original S76 to ensure that the student use is compliant with its legal obligations.
6.4.2	A Section 77 to vary the Section 76 of the host approval has been agreed in principle with Legal Services and delegated authority is sought to resolve the finalisation of same.
6.5	<b>Conclusion</b>
6.5.1	The proposal is considered to be an appropriate form of development within the city centre, it will provide additional visitor accommodation within the city centre on a temporary basis, adding to the diversity of visitor accommodation on offer. It will also assist with temporary vacancy within the building. Approval is recommended.
7.0	<b>Recommendation</b>
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, resolve the Section 77 variation to the host Section 76 planning agreement and deal with any other issues that arise, provided that they are not substantive.
<p><b>DRAFT CONDITIONS:</b></p> <p>1. The use hereby permitted shall cease on or before 31<sup>st</sup> August 2025.</p> <p>Reason: The development has only been granted temporary permission.</p>	



2. The development hereby permitted shall operate in accordance with the approved Travel Plan & Service Yard Management Plan bearing Belfast City Council Planning Office date stamp 02 June 2016 as agreed under LA04/2016/1213/RM.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and in the interests of road safety and the convenience of road users.