

**Purpose Built Managed Student  
Accommodation in Belfast**

**Planning and Place Advice Note**

**October 2015**

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## 1. Introduction

- 1.1. On 1 April 2015, the Department of the Environment (DOE) transferred responsibility for the majority of planning functions to local government. Belfast City Council are now responsible for:
- Creating a new Local Development Plan for the City, setting out how the area should look in the future by deciding what type and scale of development should be encouraged and where it should be located (plan making);
  - Determining the vast majority of planning applications (development management); and
  - Investigating alleged breaches of planning control and determining what action should be taken (enforcement).
- 1.2. This document is Belfast City Council's first step as planning authority to respond to the Strategic Planning Policy Statement (SPPS) for Northern Ireland September 2015 stated objective that the planning system should secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. This requires that the Council, as planning authority, simultaneously pursue social and economic priorities alongside the careful management of the built and natural environments for the overall benefit of society.

## 2. Background

- 2.1. There is a heavy emphasis on the involvement of the public, the development industry and interested groups in plan making which is intended to make plans as comprehensive and robust as possible. However despite the best efforts of plan makers, there will always be situations that could not be anticipated. Where the development plan is absent, silent or relevant policies are out of date, permission should normally be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 2.2. The Council recognise that students studying and living within Belfast make a significant contribution to local and regional economies and the Council wishes to support Belfast's five Higher Education Institutions<sup>1</sup> as they seek to grow their student numbers, particularly within the international student market. However the rapid expansion of student numbers over the last two decades has also led to a range of negative side effects or 'externalities' to the presence of a large student population, in particular in relation to pressures on housing, local amenities and other environmental impacts.
- 2.3. For Belfast, the continued growth in the number of students wishing to enter third level education in our universities and further education colleges; the re-location of the Ulster University to the north of the City Centre and growth in the international student market present significant opportunities for the city. However, taking the learning from experiences of areas such as the Holyland, student housing provision needs to be well planned and appropriately managed to ensure that there is a more positive integration with any existing communities.
- 2.4. Belfast is different to most other large university cities in that the proportion of available PBMSA is considerably lower than elsewhere in the UK. However, in recent months, Belfast has experienced an influx of planning applications for PBMSA, predominantly in the City

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<sup>1</sup> The five higher education institutions in Belfast include, Queen's University, Ulster University, Stranmillis University College, St. Mary's University College and Belfast Metropolitan College (offers a limited number of undergraduate degree-level courses)

Centre. This guidance therefore seek to clarify the approach Council will take to help ensure the right supply of high quality, well-design student accommodation needed for the City.

- 2.5. A glossary of terms used in this Advice Note is set out in Appendix A.

### **3. Purpose**

- 3.1. Whilst DOE previously published planning policy on purpose built student accommodation, no one could have reasonably foreseen the scale and degree of the proposals that have been submitted in recent times. The Council is concerned about the scale and magnitude of proposed PBMSA development and the likely impacts it could have on the character of a small geographic areas within the city.
- 3.2. The Council has therefore developed this guidance, which is entirely consistent with regional policy, to address how the need and demand for the student accommodation can be accommodated within the City Centre, while protecting the amenity of areas where PBMSA developments are likely to be concentrated and avoiding concerns that excessive student accommodation may undermine the character and function of the area.
- 3.3. The guidance given in this document is therefore intended to provide the Council with advice for considering proposals for PBMSA in Belfast City Centre. They represent non-statutory planning guidance which provides detailed advice around the City-wide approach to PBMSA and how to pro-actively encourage good quality development in the right locations.
- 3.4. It is not a statement of policy as to where PBMSA can or cannot take place, but rather articulates the Council's position on student accommodation in the city and highlights the relevant planning policies and other material considerations to be referenced when considering proposals for PBMSA. It should therefore be read in the context of the existing Planning Policy framework, including the SPPS, the suite of relevant regional PPSs, the Belfast Metropolitan Area Plan (BMAP) and the Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015.
- 3.5. It will complement the proposed 'Best Practice Guide' to be published to encourage the provision of good quality PBMSA in suitable locations, which sets out the Council's aspirations with regards to PBMSA in Belfast and contains guidance to be referenced by prospective developers to help shape proposals from the earliest opportunity.

### **4. Policy Context**

#### ***Planning Policy***

- 4.1. The provision of housing for students is required to manage housing growth and achieve sustainable patterns of development required by the Regional Development Strategy (RDS). At an operational level, the following planning policies also support, in principle, the provision of good quality PBMSA within Belfast City Centre:
- The Strategic Planning Policy Statement for Northern Ireland (SPPS);
  - PPS6 'Planning, Archaeology and the Built Heritage';
  - PPS7 'Quality Residential Environments';
  - PPS12 'Housing in Settlements';
  - Policy HOU3 of the Belfast Metropolitan Area Plan (BMAP); and
  - The 'Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015' (Policy HMO7)

- 4.2. A summary of relevant policies reference in recent planning applications within Belfast is contained at Appendix B.

### ***Non-Statutory Policy***

- 4.3. In addition to the formal planning policy context, the Council's position on the provision of PBMSA in the City Centre is informed by two non-statutory policy documents, namely:

- Belfast City Centre Regeneration and Investment Strategy; and
- Framework for Student Housing and Purpose Built Student Accommodation.

- 4.4. Whilst these policy documents can be taken into account as a material consideration when determining planning applications for PBMSA, neither were composed within the planning framework and therefore cannot supersede existing planning policy or have determining weight in planning decisions. A summary of the policy context is contained at Appendix C.

## **5. Scope of Guidance**

- 5.1. As there is no formal definition of PBMSA contained either within the Planning (Use Classes) Order (NI 2015) or the HMO Subject Plan, it is a form of development for which further guidance and clarification is appropriate. For the purpose of this guidance, the Council considers PBMSA to be 'sui generis'.

- 5.2. The implications arising from this conclusion in relation to the application of existing planning policies when considering planning applications for PBMSA can be summarised as follows:

1. As PBMSA can be considered 'residential' in nature, planning policies relating specifically to residential development will be a significant material consideration (e.g. PPS7 Policy QD1); and
2. Although distinct from HMOs in planning terms, PBMSA are likely to have some similar locational requirements to HMOs and as such may be acceptable in similar locations (e.g. HMO Development Nodes) subject to other wider planning and environmental considerations.

- 5.3. As well as the use of this guidance in considering planning applications, there may be an opportunity in relation to major developments to raise matters outlined within this Advice Note as part of Pre-Application Discussions (PADs). It may also be appropriate to request additional information from prospective applicants at the pre-application stage to help inform discussions/advice given. There may also be potential for prospective developers to discuss any specific issues with local communities during Pre-Application Community Consultation (PACC) and should be considered when responding to Proposal of Application Notices (PANs).

## **6. Criteria for Purpose Built Managed Student Accommodation**

- 6.1. The following will be considered when assessing applications for PBMSA:

***A: The development should be at a location which is easily accessible to university/college campuses by sustainable transport modes.***

- 6.2. PBMSA would preferably be located within a 15 min walking distance of a university/ college campus to ensure a sustainable pattern of development that supports urban regeneration and optimises existing infrastructure. This will allow relative ease of access to campus for students and will promote sustainable means of travel, thus minimising car use. Belfast City

Centre is therefore an ideal location, containing the expanded Ulster University campus and being within comfortable walking distance of Queen's University's main campus. This also aligns with the Council's aspiration to increase the residential population in the City Centre contained within the Belfast City Centre Regeneration and Investment Strategy.

- 6.3. The provision of PBMSA in some highly accessible locations outside of the city centre, such as on arterial routes, may increase pressure on existing established residential communities. This is particularly true in the north of the city where there is an increased risk of concentrations of HMO accommodation as a result of the expanded Ulster University campus. Developments in such locations may unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest, for example through an adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.

**B: Policy designations specific to the City Centre**

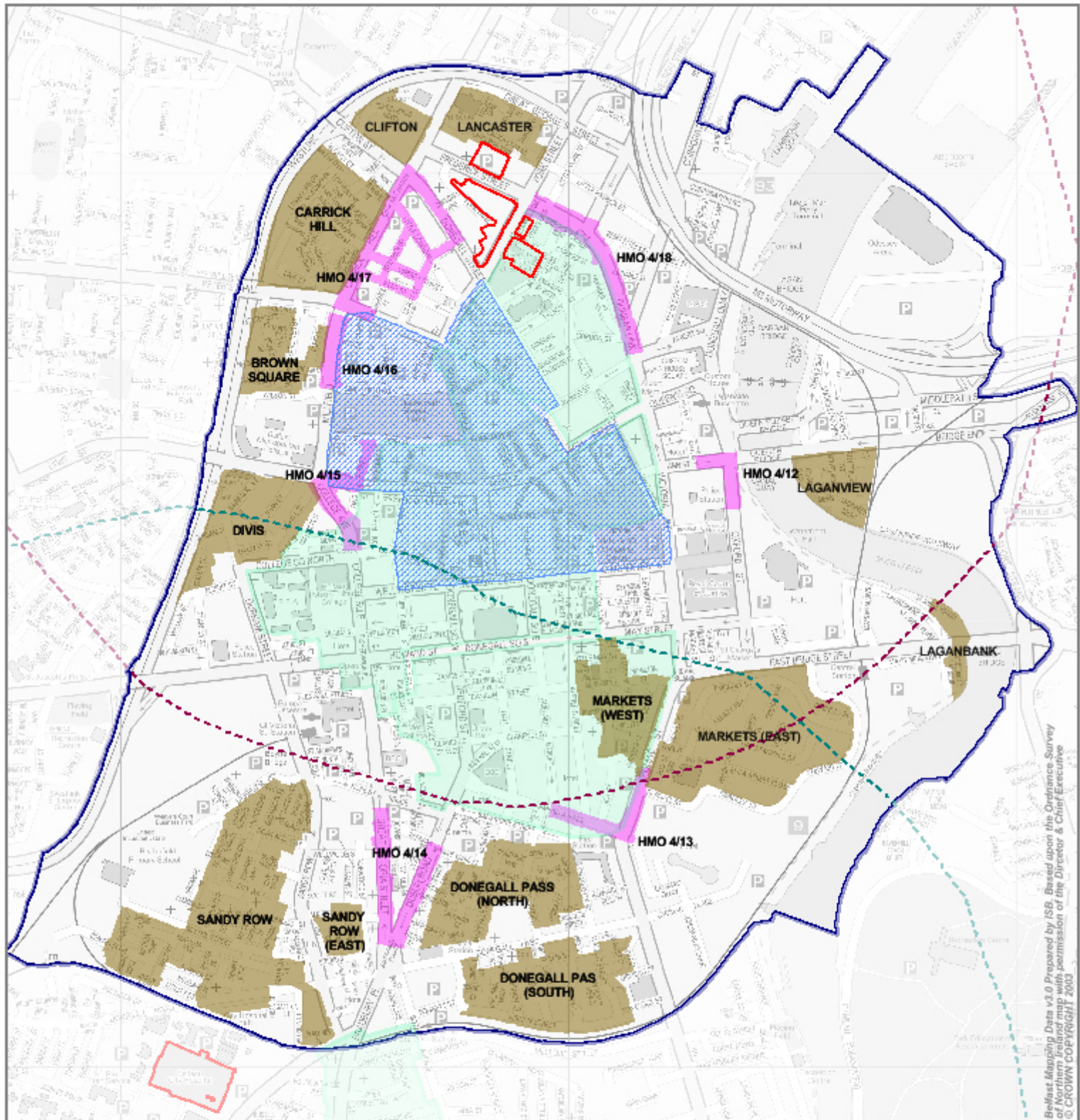
- 6.4. Within the City Centre, there are a number of policy designations that should be taken into account when considering proposals for PBMSA including:

- **Protected City Centre Housing Areas:** Whilst PBMSA could be considered a form of residential development the scale and impact of PBMSA is likely to be incompatible with existing residential communities.
- **Primary Retail Core:** Non-retail development is restricted to upper floors within the Primary Retail Core
- **City Centre Conservation Areas:** Developments within, or affecting a Conservation Area need to preserve or enhance the setting and character of the Conservation Area. There should be a presumption in favour of retaining any building which makes a positive contribution to the character or appearance of a conservation area.
- **City Centre Listed Buildings:** There should be a presumption in favour of the change of use of a listed building where this secures its upkeep and survival and a presumption in favour of retaining listed buildings and against demolition unless there are exceptional reasons. There are also tighter policy controls for developments within the vicinity of listed buildings to control the impact on the setting of a listed building.
- **City Centre HMO Development Nodes:** Whilst PBMSA may not fall within the definition of an HMO, they are likely to have similar locational requirements and as such may be acceptable in similar locations, such as the designated 'HMO Development Nodes' in the City Centre. The acceptability of PBMSA in these nodes should also be considered in line with the impact on wider potential environmental impacts as set out in HMO Subject Plan.

- 6.5. The location of these city 'nodes' and the other policy designations outlined above are illustrated on the map below. This illustrates the potential for a clustering of student accommodation in the north of the City Centre near to the expanded Ulster University campus and a clustering to the south in closer proximity to Queen's University.

- 6.6. However, the potential for clustering needs to be balanced against any potentially adverse cumulative impacts arising from too high a concentration of student accommodation in one place (see sections on 'Impact' and 'Cumulative Impact' below).

There are a number of locations within the City Centre where conflicting zonings may be perceived, most notably between HMO Development Nodes and Social Housing Sites designated in BMAP. In such cases, there are two key factors that should be considered when assessing the suitability of proposals for PBMSA on sites fronting onto HMO Development Nodes:



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# Belfast City Council

Belfast Planning Service

## Locational Considerations for Purpose Built Managed Student Accommodation in Belfast City Centre

- City Centre Boundary
- HMO Development Node
- Protected City Centre Housing Area
- Primary Retail Core
- Conservation Area
- 1,200m buffer of Ulster University Campus
- 1,200m buffer of Queen's University Campus
- University Campus

SCALE AT A4:  
1: 12,000



- HMO Development Nodes are areas where HMO development could be accommodated where it can contribute to regeneration, but proposals for PBMSA fronting onto such nodes will still need to accord with other relevant planning policies; and
- PBMSA could be acceptable on sites as part of a mixed-use regeneration scheme that could include, for example, retail development at ground floor or an appropriate proportion of social housing as part of the overall development.

**C: *Layout, design and facilities provided within the development are of high standards***

***Design***

- 6.7. It is important that the nature, layout and design of proposed schemes are appropriate to the location and context. Good quality PBMSA will help to maximise the positive effects of development, including multiple regeneration benefits, whilst minimise any potential harm to local character, environmental quality or existing residential amenity. Furthermore, it is the Council's desire that PBMSA is designed to deter crime and promote personal safety, both for future tenants and for those who use the City Centre.
- 6.8. There are a wealth of general principles within existing planning policy to ensure the delivery of quality design in all development, including PBMSA. Although Policy HMO7 is the primary consideration for PBMSA, Policy QD1 of PPS7 relating to design quality in new residential development is also applicable to PBMSA development, given that it is residential in nature. The Policy states that planning permission will only be granted for new residential development where it is demonstrated that a proposal will "create a quality and sustainable residential environment." It notes that "the design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area." As well as applying to new residential developments, the same design criteria also apply when converting or changing the use of existing buildings to flats or apartments, including PBMSA.
- 6.9. Whilst the amount of information and level of detail required to support a planning application will depend on the nature, scale and location of the proposed development, the Council should encourage the preparation of a Design & Access Statement to accompany planning applications for PBMSA containing a site appraisal, concept design, a statement explaining the design objectives for the site, local design considerations and the relationship of the proposal to the surrounding context. When developing proposals, developers should, where relevant, also take account for any design guidance set out in relation to the nine Character Areas, the Area of Townscape Character, the 3 Conservation Areas and/or Development Opportunity Sites.

***Open Space Provision***

- 6.10. Adequate provision should be made for public and private open space and landscaped areas as an integral part of residential developments. 'Creating Places' suggests that adequate provision would range from 10 sq m per unit to 30 sq m per unit, but acknowledges that in the case of apartment or flat developments "private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens."
- 6.11. A flexible approach should be applied when considering planning applications for PBMSA so that the appropriate level of provision is determined by the particular context of the development and an overall design concept. Developments in the City Centre could justifiably tend towards the lower figure and the provision of private open space in the form of patios or balconies can help to reduce the need for communal open space. Conversely, higher requirements for public open space or landscaped areas should be required for



developments within or adjacent to existing residential areas, or where a building in the City Centre does not take up the entire plot.

- 6.12. In the case of PBMSA, it may be acceptable for planning consent to be granted for schemes where lower standards are required by virtue of the very nature of the development. For example, the provision of internal communal space unique to PBMSA schemes may reduce the demand for outdoor open space in developments of this nature. Similarly, where proposals are in accessible locations, close to a university campus where potential for the provision of open space is likely to be more limited, small squares or formal spaces should be considered. In these circumstances it is likely that streetscape, public realm and parking areas may become a focus for improved design.
- 6.13. Policy HMO7 of the HMO Subject Plan requires landscaping and amenity space to be provided in accordance with a landscaping plan, which would detail the proposed provision of open space within the overall design concept for the scheme. A Landscaping Plan would therefore be required as part of the planning application and should include details on the provision and future maintenance of any landscaped or amenity spaces required. These arrangements may be secured through the use of conditions or planning agreements where appropriate.

### **Parking**

- 6.14. The negative impacts of the parking demands from students on existing provision (especially in constrained on-street situations in urban residential areas) should be addressed when considering planning applications for PBMSA developments. Given its designation as an Area of Parking Restraint, a standard of one space per dwelling would usually be required for residential developments within the City Centre.
- 6.15. However, there are a number of considerations that may justify a reduction against this standard in the case of PBMSA developments, including:
  - Evidence of alternative transport arrangements being clearly demonstrated;
  - Where it forms part of a package of measures to promote alternative transport modes, particularly walking and cycling; and
  - The provision of PBMSA within close proximity to a University campus may help to justify a reduction in parking provision due to a reduced need for private cars to travel to the place of study (this consideration may not be applicable to other residential apartment developments within Belfast City Centre given that the destination of travel of the occupants for work would be unknown).
- 6.16. Detailed Transport Assessments and Travel Plans should be required in relation to PBMSA to provide the necessary evidence to justify a reduction in standards. This is now common practice for larger PBMSA schemes in other parts of the UK, where schemes are often encouraged to develop 'green' Travel Plans to actively encourage the use of alternative modes of transport, particularly cycling.
- 6.17. However, potential reductions in parking provision need to be balanced against the risk that the provision of PBMSA without any parking provision could lead to increased demand for on-street parking. This could be difficult to absorb in an area where demand for parking is already high and could lead to additional congestion to the detriment of highway safety, and is likely to impact on the residential amenity of existing communities.
- 6.18. These issues may be addressed through the use of planning conditions or legal agreements. Policy HMO7 of the HMO Subject Plan allows the Council to enter into planning agreements to ensure that parking and travel arrangements, such as operating as a car-free facility, can

be effectively enforced as part of a wider management plan for a scheme, thus enabling a reduction in parking provision.

### **Space Standards**

6.19. New student accommodation should incorporate high quality design that is accessible and inclusive. It should also allow for flexibility which would facilitate its future re-use for other forms of dwelling. Indicative space standards taken from the Northern Ireland Housing Executive HMO Standards suggest the following standard should apply:

1. Bedroom (one occupant): 6.5m<sup>2</sup>
2. Bedroom (two occupants): 11m<sup>2</sup>
3. Kitchen serving: 1-2 individuals= 5m<sup>2</sup> ; 3-5 individuals= 7m<sup>2</sup> ; 6-10 individuals= 10m<sup>2</sup>
4. Combined Kitchen/dining room serving: 1-2 individuals= 9m<sup>2</sup>; 3-5 individuals= 11.5m<sup>2</sup>; 6-10 individuals= 19.5m<sup>2</sup>
5. Combined Kitchen/Living room: same standards as in (4) above

### **D. The development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area**

6.20. When considering planning applications for PBMSA, the Council will aim to promote and capture the positive impacts of PBMSA and student populations whilst reducing the risk of adverse impacts on residential neighbourhoods. When considering impact of PBMSA proposals in the City Centre, the following issues should be taken into consideration:

- Residential amenity needs to be protected in areas where multiple occupation is, or is likely to become, concentrated, ensuring that there are no unacceptable adverse effects on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance, etc. This will be particularly relevant for proposals on the edge of the City Centre or in the vicinity of existing residential communities.
- Protected City Centre Housing Areas should be protected from the spread of commercial activity by virtue of their provision of valuable housing stock and presence of established communities. Whilst PBMSA could be considered residential in nature, it is likely that the scale, form and potential negative impacts on such established residential communities will render them inappropriate locations for large scale PBMSA.
- Conflict with adjacent land uses needs to be minimised and proposals should assist with integration into surrounding areas; and
- The adequate provision of necessary local facilities, such as doctors, dentists, leisure provision and local convenience shops need to be considered.

6.21. It is widely recognised that an overconcentration of student accommodation relative to the wider community can lead to an imbalance in the community resulting in harm to residential amenity. There must therefore also be consideration given to the impacts of PBMSA developments either in themselves or when considered alongside other existing or approved student housing provision.

6.22. Although not directly applicable to PBMSA developments, the existing policy framework (Policies HMO1 and HMO5) outlines a threshold approach to regulate HMO development as a proportion of the existing number of dwellings. Although most locations within the City Centre are not primarily residential in nature it may still be appropriate to consider concentrations of PBMSA bed-spaces when compared to other land uses in a specific locality, such as retail, office provision or housing.

6.23. Given the importance of considering the cumulative impact of PBMSA proposals an assessment of impact will need to be made on a case-by-case basis. To aid in the consideration information will be requested in relation to:

- Existing student housing provision within an area;
- Likely impact of the proposal upon demographics and local facilities/ service provision in an area;
- Information on the social, economic and environmental benefits of a proposal, particularly specific benefits of the proposed scheme as opposed to the well documented benefits of PBMSA in general; and
- Details of any measures included to help protect residential amenity and mitigate any potential adverse impacts on the surrounding area.

6.24. There are also two additional considerations to be borne in mind when considering the cumulative impact:

- **HMO Nodes:** A threshold approach may not be relevant to proposed developments within a HMO Node as such nodes are identified specifically because they are able to accommodate higher density residential developments with a lower impact on traditional residential areas; and
- **Protected City Centre Housing Areas:** There are a number of established residential areas within the City Centre designated as Protected City Centre Housing Areas. Such areas are likely to be impacted by the provision of PBMSA in close proximity, particularly where concentrations may occur.

***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***

6.25. It is vital that the PBMSA provision is well managed in order to provide a safe and positive environment for students, whilst reducing the risk of adverse impacts upon residential amenity. Policy HMO7 requires that “provision is made for the management of all accommodation” and notes that a planning agreement may be required to ensure delivery.

6.26. To enable proposals to be assessed against this policy criterion, planning applications for PBMSA should be accompanied by a Management Plan addressing general management arrangements associated with the operation of the building. Whilst not exhaustive, the following list provides an indication of what the Council could expect to be covered within a Management Plan:

- Arrangements for the management and maintenance of the site, including any landscape or amenity space;
- Details of travel and transport plans, including the management of parking. This should include measures to improve access and encourage use of sustainable methods of transport, such as walking, cycling and public transport;
- Servicing arrangements, including details of any deliveries required and provision for the storage and collection of waste and recycling;
- Details of special features to improved the safety and security of students; including, for example, any CCTV provided, adequate lighting, intercoms, etc;
- Arrangements to ensure the well-being of residents; and
- Arrangements for the management of noise and anti-social behaviour, including details of any soundproofing, noise control measures, a code of conduct to govern tenant behaviour and any proposed liaison arrangements with the relevant education institution(s), the Council and the PSNI in relation to tenant behaviour.

***F The development meets an identified need for the type of accommodation proposed***

- 6.27. SPPS recognises that the planning system operates in the public interest of local communities and the region as a whole, and encompasses the present as well as future needs of society (Paragraph 2.3). One of the pillars of sustainable development which planning authorities are expected to deliver on when plan-making and decision-taking is relates to the needs and aspirations of our society. With regard to housing and regeneration issues, this is identified in SPPS paragraph 3.3 as facilitating sustainable housing growth in response to changing need and supporting urban and rural regeneration. Paragraph 3.5 identifies the importance of managing housing growth in a sustainable way, placing particular emphasis on the importance of the inter-relationship between the location of local housing, jobs, facilities and services and infrastructure.
- 6.28. To ensure that housing growth is managed and that the varied housing needs of the whole community are met, including specialist housing types, it is therefore important that PBMSA development is provided to meet an identified need for the type of accommodation proposed. Specifically in relation to PBMSA, the HMO Subject Plan's HMO Strategy seeks to "accommodate the need and demand for multiple occupation, while maintaining a community balance". Similarly, "Policy HMO7 is designed to facilitate the need and demand for multiple occupation" whilst protecting existing residential amenity and "promoting appropriate development of student accommodation."
- 6.29. At the time of writing in October 2015 it could be argued that there is an unmet need for student accommodation in Belfast. However, it is also evident that the city has recently experienced an influx of planning applications for PBMSA in the last 18-24 months. This pipeline supply could almost triple the current PBMSA provision of bed-spaces and risks leading to a future over-supply of accommodation that may be difficult to adapt to 'market' housing, especially if a growth in international student numbers fails to materialise.
- 6.30. There is therefore a balance to be struck between the need to ensure housing needs are met and preventing an over-supply of accommodation that may be unsuitable for future use by non-student residents. The issue of need therefore must be taken into account as a material consideration when considering applications for PBMSA and there are a number of examples from elsewhere in the UK where the current and planned levels of provision to serve predicted demand, including evidence of a shortfall in student accommodation, have been considered determining factors in whether a scheme wins permission, particularly in cases of large-scale, speculative PBMSA developments.
- 6.31. Applicants could be asked for evidence, as appropriate, to enable the assessment of need, including:
- The specific need that is being addressed;
  - Why this need is currently unmet;
  - The type of existing accommodation the potential student occupiers are likely to be drawn from;
  - Confirmation that the facilities are to be used exclusively for student accommodation;
  - Any recorded increase in student numbers;
  - University support, if available;
  - Current waiting lists for student accommodation; and
  - Bank funding available to deliver proposals.

6.32. There are a range of factors to be taken into account when evaluating need based on the information submitted, including predicting future population trends and changing demographics, competition from other universities, cost of tuition fees and the growing global market for international students. The Council may liaise with the NI Housing Executive regarding to the latest evidence available in relation to housing needs, and should also reference any evidence base developed by the Council as part of the LDP preparation process.

## **7. Use of Conditions and Developer Agreements**

7.1. There are a number of areas of concern for local authorities in relation to PBMSA, particularly in relation to the provision of local facilities/services, access to communal facilities/open space, parking provision and management arrangements. In addition to these general requirements, there may be particular concern in relation to PBMSA over how control may be maintained over the type of accommodation permitted or the occupiers thereof, especially if concessions are to be given on normal planning standards such as parking provision.

7.2. Traditionally planning conditions have been used in Belfast to address some of these matters. However, where greater control may be necessary in order to mitigate perceived problems, such as noise or anti-social behaviour arising from student occupation, planning agreements may be more appropriate. Planning agreements may also be in the form of contribution or levy, offering additional opportunities to address issues that could not be addressed through conditions.

7.3. Examples of where conditions and/or planning agreements should be considered can be summarised as follows:

- Provision of a Travel Card for public transport to encourage alternative modes of transport to the private car;
- Provision of cycle parking to ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car;
- Operation of a development in accordance with an approved Travel Plan to encourage alternative modes of transport to the private car;
- Completion of a Noise Impact Assessment and/or Noise Verification Report to ensure that noise mitigation measures are to a satisfactory standard;
- Operation of a development in accordance with the approved Service Management Plan to ensure the safety and convenience of road users;
- Employing an operator based at the proposed development to supervise residents and enforce of the rules of a Residents Charter in the interests of residential amenity.
- Preparation of a Management Plan, often required to gain accreditation under an government approved accreditation scheme for purpose built student accommodation, to ensure the robust management of the scheme;
- Restricting a development to student use only where a particular need for student accommodation has been given considerable weight, but where occupation of a building by non-students could occur without a material change of use imposing additional pressures on parking or the amenity of neighbours;
- Confining use to students of a particular institution if the need identified relates to and/or is to be owned/operated by a particular educational establishment;
- Provision of off-site measures to mitigate any wider impacts on the surrounding area where the scale of a PBMSA development is likely to have significant impacts beyond the immediate locality; and

- Ensuring any contributions towards the provision or enhancement of local community facilities, where existing services are likely to be inadequate for an increased population resulting from a new PBMSA development.

7.4. The Council will consider the need for such obligations on a case by case basis in relation to PBMSA, with a clear focus on using planning agreements to enable good quality schemes that may otherwise be unacceptable due adverse impacts on existing residential amenity, safety or the character of the surrounding area. Where a planning agreement is to be used instead of planning conditions, they should address needs that relate directly to the proposed development which couldn't be adequately addressed through planning conditions. Nevertheless, as any such agreements would be entered into freely by applicants through discussion with the Council, it may be preferable to address all such issues through an agreement as opposed to a mixture of conditions and agreements.

## Appendix A: Glossary of Terms

<b>Belfast Metropolitan Area Plan (BMAP)</b>	The local Development Plan for Belfast and the surrounding metropolitan area. It defines the policy framework and land use proposals that will be used to guide development decisions within a specified area.
<b>Developer / Planning Agreement (Article 40/ Article 76 Agreements)</b>	<p>A legal agreement between a planning authority and any person who has an estate in land to facilitate, regulate and/or restrict the development or use of land. This could include:</p> <ul style="list-style-type: none"><li>• Facilitating or restricting the development or use of the land in any specified way;</li><li>• Requiring specified operations or activities to be carried out in, on, under or over the land;</li><li>• Requiring the land to be used in any specified way;</li><li>• Requiring a sum or sums to be paid to the authority on a specified date or dates or periodically; or</li><li>• Requiring a sum or sums to be paid to a Northern Ireland department on a specified date or dates or periodically.</li></ul> <p>The legal basis on which a planning authority may enter into such an agreement was set out in Article 40 The Planning (Northern Ireland) Order 1991, but as part of planning reform, this has been replaced by Planning Agreements outlined within Article 76 of the Planning Act (Northern Ireland) 2011.</p>
<b>House in Multiple Occupation (HMO)</b>	For planning purposes, a HMO is a house occupied by more than 2 qualifying persons, being persons who are not all members of the same family. A “qualifying person” is a person whose only or principal residence is the HMO.
<b>Local Development Plan (LDP)</b>	<p>The Council is responsible for preparing a new LDP to apply regional policies at the appropriate local level and inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will guide development decisions within Belfast’s administrative area. When adopted, the LDP will replace BMAP as the local plan for Belfast. The LDP will comprise of two development plan documents:</p> <ul style="list-style-type: none"><li>• The Plan Strategy (PS); and</li><li>• The Local Policies Plan (LPP).</li></ul>
<b>Material Consideration</b>	Any factor that can be considered relevant when making a planning decision as to whether to grant or refuse an application for planning permission. There is no legal definition for what constitutes a material consideration but they are understood through case law to include any consideration which relates to the use and development of land. Whether a particular consideration is material in any given case will depend on the circumstances.
<b>Planning Appeals Commission (PAC)</b>	<p>An independent body which deals with a wide range of land use planning issues and related matters. Its functions fall into two broad categories:</p> <ul style="list-style-type: none"><li>• Decisions on Appeals against decisions on a wide range of planning and environmental matters; and</li><li>• Hearing and Reporting on Public Inquiries/ Hearings/ Examinations, making recommendations on a wide range of cases referred to it by Planning Authorities.</li></ul>

<b>Planning Policy Statement (PPS)</b>	Set out the policies of the Department of the Environment on particular aspects of land-use planning. They apply to the whole of Northern Ireland and their content must be taken into account in preparing development plans and are also material to individual planning applications and appeals.
<b>Pre-Application Community Consultation (PACC)</b>	For major development proposals, applicants must undertake community consultation before submitting their planning application to help to create better quality developments and place making from the outset. This process is referred to as 'Pre-Application Community Consultation'.
<b>Pre-Application Discussion (PAD)</b>	A prospective applicant can hold a 'Pre-Application Discussion' with the Council prior to submitting a planning application to confirm whether the principle of development is acceptable, to clarify the level of detail required to enable us to determine an application and to discuss, if necessary, how the community should be involved in the decision-making process. PADs are encouraged for a range of types of applications, both major and local.
<b>Proposal of Application Notice (PAN)</b>	For major development proposals, developers are required to submit a 'Proposal of Application Notice' 12 weeks before submitting a formal planning application, explaining how they will engage with the local community. The Council then has 21 days to consider the proposal and can either confirm their acceptance of the proposal or direct the applicant to modify their approach.
<b>Regional Development Strategy (RDS)</b>	The spatial strategy of the Executive, which sets out policies for the delivery of the spatial aspects of the Programme for Government. It provides an overarching strategic planning framework to facilitate and guide the public and private sectors, influencing the future distribution of development throughout the Region.
<b>Strategic Planning Policy Statement for Northern Ireland</b>	The SPPS is a statement of the Department of Environment's policy on important planning matters that should be addressed across Northern Ireland. It identifies the objective of the planning system as being to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Its provisions must be taken into account in the preparation of Local Development Plans (LDPs) and are material to all decisions on individual planning applications and appeals.
<b>Supplementary Planning Guidance (SPG)</b>	Guidance to support, clarify and/or illustrate by example planning policy statements and plans. This can take the form of design guides or guides prepared for Conservation Areas and includes a set of Development Control Advice Notes (DCAN) that explain the criteria and technical standards to be considered when dealing with specific categories or aspects of development. Where relevant to a particular development proposal supplementary planning guidance will be taken into account as a material consideration in making decisions.
<b>Student Accommodation</b>	A generic term that covers all forms of housing suitable for occupation by student, including both HMOs and PBMSA.
<b>Sui Generis</b>	A Latin phrase literally meaning "of its own kind; in a class by itself; unique". It is used in planning to refer to developments that do not fall within a specific class of the Planning (Use Classes) Order (NI) 2015.



**Use Classes Order (UCO)** The Planning (Use Classes) Order (NI) 2015 specifies classes of use of buildings, or other land, that are not to be taken as involving development and which therefore do not require planning permission. A change of use is not to be regarded as involving development where the former use and the new use are both within the same class specified in an Order.

## Appendix B: Relevant Planning Policies Used in Relation to Recent Planning Applications for PBMSA/HMOs

Policy Document	Policy	Summary of Policy	Policy Applies in City Centre	Policy Applies Outside of City Centre	Policy Applies to PBMSA	Policy Applies to HMOs	Policy Applies to other Residential Developments
Regional Development Strategy (RDS) 2035	RG7	Regeneration is necessary to create a more accessible, vibrant city centre.	✓	*	✓	✓	✓
	RG8:	Need to manage housing growth to deliver quality, accessible housing without causing unacceptable damage to local character, environmental quality or residential amenity of these areas.	✓	✓	✓	✓	✓
PPS1: General Principles <sup>2</sup>	Paragraph 14	Should seek to secure high quality of design, layout and landscaping in relation to housing developments.	✓	✓	✓	✓	✓
	Paragraph 19	Poor designs, such as those clearly out of scale or incompatible with their surroundings, should be rejected.	✓	✓	✓	✓	✓
	Paragraph 59	General presumption in favour of development.	✓	✓	✓	✓	✓
PPS3: Access, Movement and Parking	AMP7	Requires the adequate provision for car parking and appropriate servicing arrangements.	✓	✓	✓	✓	✓
	Paragraph 5.41	Allows a reduction in parking provision where it forms part of a package of measures to promote alternative transport modes.	✓	✓	✓	✓	✓
	Paragraph 5.47	Parking provision in excess of published standards will not normally be permitted.	✓	✓	✓	✓	✓
DCAN15 Vehicular Access Standards	Access Standards	Development Control Advice Note provides guidance on the technical standards for vehicular access.	✓	✓	✓	✓	✓
PPS5: Retailing and Town Centres	Paragraph 22	PBMSA can be supported in the city centre because a diversity of uses makes an important contribution to the vitality and viability of the city centre.	✓	*	✓	✓	✓
PPS6: Planning, Archaeology and the Built Heritage	Paragraph 6.5	Contains a general list of issues that are relevant to the consideration of all listed building consent applications and planning applications affecting listed buildings.	If proposals within a Conservation Area or may affect a Listed Building				
	BH7	Presumption in favour of re-use of a listed building where this secures its upkeep and survival.	If proposals affect a Listed Building				

<sup>2</sup> PPS1 General Principles has now been superseded by the Strategic Planning Policy Statement (SPPS) for Northern Ireland (published September 2015).

Policy Document	Policy	Summary of Policy	Policy Applies in City Centre	Policy Applies Outside of City Centre	Policy Applies to PBMSA	Policy Applies to HMOs	Policy Applies to other Residential Developments
	BH8	Sets out three criteria to be met when proposals involve the extension to or alteration of a listed building.					
	BH10	Presumption in favour of retaining listed buildings, only allowing demolition in exceptional circumstances.					
	BH11	General presumption against development that would adversely affect the setting of a listed building. Policy also contains a list of three criteria to be met to ensure development affecting a listed building is appropriate.					
	Paragraph 7.3	Notes that the desirability of preserving or enhancing a conservation area is also considered to be a material consideration in assessing proposals for development beyond its boundaries which would however affect its setting, or views into or out of the area.					
	BH12	Sets out seven criteria for assessing proposals for new buildings, alterations, extensions and changes of use in, or which impact on the setting of, a conservation area.		If proposals within a Conservation Area			
	BH14	Demolition of an unlisted building in a Conservation Area should only be allowed where the building makes no material contribution to the character or appearance of the area.					
PPS7: Quality Residential Environments	QD1	Sets out nine criteria that all proposals for residential development will be expected to conform to ensure a quality and sustainable residential environment.	✓	✓	✓	✓	✓
Addendum to PPS7: Safeguarding the Character of Established Residential Areas	LC1	In addition to PPS7 Policy QD1 requirements, applies minimum Space Standards dwelling units and apartments within 'established residential areas'.	*	If proposals within an Established Residential Area	*	✓	✓
	LC2	In addition to PPS7 Policy QD1 requirements, applies five additional requirements for the conversion or change of use of existing buildings to flats or apartments.	✓	✓	✓	✓	✓

Policy Document	Policy	Summary of Policy	Policy Applies in City Centre	Policy Applies Outside of City Centre	Policy Applies to PBMSA	Policy Applies to HMOs	Policy Applies to other Residential Developments
PPS8: Open Space, Sport and Outdoor Recreation	OS2	Sets out requirements for public open space to be provided in relation to new residential developments. Exceptions can be made to these requirements in the case of apartment developments or 'specialised housing' (which may include PBMSA) where a reasonable level of private communal open space is being provided.	✓	✓	Not if private communal open space is provided	✓	✓
PPS12: Housing in Settlements	PCP1	Promotes an increase in the density of housing development in city centres.	✓	In areas highly accessible by public transport	✓	✓	✓
	PCP2	All new housing developments should demonstrate a high quality of design, layout and landscaping.	✓	✓	✓	✓	✓
DCAN8: Housing in Existing Urban Areas	Urban Design	Development Control Advice Note provides guidance to ensure that urban and environmental quality is maintained, amenity preserved, and privacy respected when proposals are being considered for new housing development within existing urban areas.	✓	✓	✓	✓	✓
Creating Places	Paragraph 5.20	Sets standards (10-30 sq m per unit) for the provision of acceptable communal open space in the case of apartment or flat developments. Acceptable forms of communal open space include landscaped areas, courtyards or roof gardens.	✓	✓	✓	✓	✓
Parking Standards	Supplementary Guidance	This supplementary guidance sets out parking standards for new development. Table 7 includes the total number of parking spaces per dwelling required for apartments and houses that have only communal parking provision.	✓	✓	✓	✓	✓
Belfast Metropolitan Area Plan (BMAP) <i>NB. some policies applied whilst BMAP in draft</i>	HOU3	Provides support for proposals that increase the housing stock within Belfast's designated City Centre.	✓	*	✓	✓	✓
	HOU4	Protects the residential use of building and lands within protected housing areas in the City Centre.	In protected housing areas	*	✓	✓	✓
	TRAN1	Sets parking standard of one space per unit for residential developments within the City Centre Area of Parking Restraint.	✓	Within City Centre Fringe	✓	✓	✓

Policy Document	Policy	Summary of Policy	Policy Applies in City Centre	Policy Applies Outside of City Centre	Policy Applies to PBMSA	Policy Applies to HMOs	Policy Applies to other Residential Developments
	R1	Protects the Primary Retail Core and Primary Retail Frontages from non-retail development in the City Centre.	✓	✗	✓	✓	✓
	UE1	Requires development within the designated Character Areas to comply with the Urban Design guidance provided in relation to the relevant Character Area.	✓	✓	✓	✓	✓
	ENV1	Protects the four Local Landscape Policy Areas designated in the City Centre from any significant adverse affects on the environmental quality, integrity or character.	✓	✓	✓	✓	✓
Houses in Multiple Occupation (HMO): Subject Plan for Belfast City Council Area 2015	Belfast HMO Strategy	Sets out the overarching objectives of the HMO Subject Plan for Belfast. Whilst, this is not considered a formal part of the policy framework against which proposals should be assessed, it can be taken into account as a material consideration when determining applications for HMOs or PBMSA	✗	✗	✗	✗	✗
	HMO7	The only policy relating directly to the provision of PBMSA. It sets out five criteria against which planning applications for large scale purpose built student accommodation should be assessed.	✓	✓	✓	✗	✗

## Appendix C: Policy Context

The provision of housing for students is required to manage housing growth and achieve sustainable patterns of development required by the Regional Development Strategy (RDS). The SPPS advises that the planning system operates in the public interest of local communities and the region as a whole, and encompasses the present as well as future needs of society. At an operational level, the following planning policies also support, in principle, the provision of good quality PBMSA within Belfast City Centre:

Policy HOU3 of the Belfast Metropolitan Area Plan (BMAP) sets out a presumption in favour of proposals that increase the housing stock in Belfast's designated City Centre.

The 'Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015' sets out a number of area-based planning policies for Houses in Multiple Occupation (HMOs), as well as policy relating directly to the provision of PBMSA. The HMO Strategy has four overarching objectives:

- *Protect the amenity of areas where multiple occupation is, or is likely to become, concentrated;*
- *Accommodate the need and demand for multiple occupation, while maintaining a community balance;*
- *Focus HMO development in areas where it can contribute to regeneration; and*
- *Promote appropriate development of purpose built student accommodation.*

Policy HMO7 relates to the provision of 'Large Scale Purpose Built Student Accommodation' and is the principle planning policy tool available when considering applications for PBMSA in Belfast City Centre. It states:

*Planning permission will only be granted for large scale purpose built student accommodation where all of the following criteria are met:*

- *Development of any complex consists of a minimum of 50 units or a minimum of 200 occupants. This will not preclude proposals for smaller incremental extensions or consolidations of existing halls of residence and phased development of larger schemes;*
- *All units are self-contained (i.e. having a bathroom, w.c. and kitchen available for use by the occupiers);*
- *The location is not within a primarily residential area;*
- *Provision is made for management of all accommodation. This may require an Article 40 agreement with Planning Service;*
- *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.*

In addition to this specific policy, proposals are also assessed against other relevant planning policies, including PPS7 'Quality Residential Environments', PPS12 'Housing in Settlements' and a variety of policies and land designations contained within BMAP. Where proposals are located within a Conservation Area – of which there are three within Belfast City Centre – or are likely to affect the setting of a listed building, PPS6 'Planning, Archaeology and the Built Heritage' may also be a significant consideration. A summary of relevant policies referenced in recent planning applications within Belfast is contained at Appendix B.

### **Framework for Student Housing and Purpose Built Student Accommodation**

The 'Framework for Student Housing and Purpose Built Student Accommodation' provides a review of planning policies and other relevant strategies and sets out an appropriate approach to assessing future proposals for PBMSA. It advocates a vision and direction for the supply of student housing and PBMSA in Belfast and contains criteria-based approach to be applied to proposals for purpose built student accommodation developments in the city.

This approach suggests that planning permission for purpose built student accommodation should only be granted where the following five criteria are met:

- **Proximity:** *the development is within 15 minutes walking distance of a university/college campus or on a high frequency public transport route.*
- **Design:** *the nature, layout and design of the development are appropriate to its location and context and would not result in an unacceptable impact on local character, environmental quality or residential amenity. The development should be designed to deter crime and promote personal safety.*
- **Management:** *an appropriate Management Plan is in place to minimise potential negative impacts from occupants and the development on surrounding properties and neighbourhoods and to create a positive and safe living environment for students. This may require an Article 40 Planning Agreement with the relevant authority prior to the issue of planning permission (or Article 76 of the 2011 Planning Act).*
- **Impact:** *the development would not result in an unacceptable impact upon surrounding residential neighbourhoods in itself or when considered alongside existing and approved student housing provision.*
- **Need:** *the development meets an identified need for the type of accommodation proposed.*

At the time of writing, it was intended that the Framework document, and planning criteria in particular, would be used by the Council and its partners as they engage with the planning process. The Framework document will also inform future revisions of planning policies and it is the Council's intention in the long-term that the criteria-based policy approach contained within the Framework document would provide a foundation for specific planning policies for PBMSA within the new Local Development Plan (LDP).

### **Belfast City Centre Regeneration and Investment Strategy**

The Belfast City Centre Regeneration and Investment Strategy (September 2015) provides a framework for change in Belfast City Centre. It sets out a strong vision for the future development of the City Centre to deliver the Council's aspirations for the continued growth and regeneration of the city core and its surrounding areas.

In relation to the provision of PBMSA, the Strategy seeks to increase the residential population in the City Centre, noting that a significant residential population is highly important for the successful functioning of the city centre. As part of this, the Strategy recognises that "the opportunity for appropriate student housing should be explored in suitable locations" and notes that there is "development interest in this sector." It argues that "student housing should be carefully directed, located and managed" and outlines the Council's commitment to build on the criteria-based approach outlined within the Framework for Student Housing and Purpose Built Student Accommodation (see below) to develop a balanced approach to student housing in the city.

The Strategy highlights the poorly defined land use and built form in the northern part of the city centre and notes that the Ulster University's expanded York Street campus will anchor

this area, bringing about transformation. The many vacant and underutilised sites in close proximity to the new campus offer valuable opportunities for regeneration and the Strategy suggests that student housing may be appropriate on upper floors in these locations. However, it also warns about the potential loss of high value employment-generating sites to student accommodation, arguing that there is an ample supply of suitable locations to meet the need generated for student housing provision.

Linked to this, a number of Land Use Guidelines are provided, which include the suggestions that:

- Student housing should be a secondary use – ideally it should not be permitted on sites with potential for higher value employment uses; and
- Upper levels of heritage buildings should be redeveloped as quality residential and student housing.

The Strategy suggests that the conversion of vacant upper floor to residential use would be welcome, particularly in fine heritage buildings. It notes student housing should be considered as one option to make use of and breathe new life into such underutilised assets and highlights the development of student housing in the former Belfast Metropolitan College building at College Square East as a good example of a heritage conversion project.

The City Centre Strategy sets the context for the future statutory plan in relation to the city centre and points to some early and ongoing work on key issues, including the continued development of a balanced approach to student housing to ensure this type of development is located in suitable locations and the many associated benefits can be maximised.