

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b>	<b>Item Number:</b>
<b>Application ID:</b> Z/2015/0177/F	<b>Target Date:</b>
<b>Proposal:</b> Demolition of the existing building and erection of a 12 storey mixed use building with a ground floor retail unit, 407 managed student accommodation rooms (with communal living rooms, kitchens), associated reception/office facility, gym other ancillary accommodation above. The development also includes a landscaped courtyard, plant and storage areas, car parking, cycle provision and solar PV array	<b>Location:</b> 123-137 York Street Belfast BT15 1AB
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> York Street No. 1 Ltd	<b>Agent Name and Address:</b> TSA Planning 29 Linenhall Street Belfast BT2 8AB
<b>Executive Summary:</b>  The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and is identified as being within Belfast City Centre. It is also located in CC015-Laganside and Docks Character Area.  The main issues to be considered in this case are:  <ul style="list-style-type: none"> <li>• The principle of the redevelopment and proposed use at this location;</li> <li>• Height, Scale, Massing and Design;</li> <li>• Impact on amenity; and</li> <li>• Traffic Movement and Parking.</li> </ul> The principle of Purpose Built Managed Student Accommodation (PBMSA) is acceptable at this location. The site is located on unzoned (white) land 50 metres away from the new University of Ulster campus and is not located in or abutting a primarily residential area.  In terms of design, the proposed height of the building exceeds the guidance as set out in BMAP however, at this location given the scale of infrastructure fronting the site (5 lanes), the scale of the new university complex and; a number of planning approvals in the immediate locality it is considered that the proposed height, scale and mass would not result in harm to the character and appearance of the area.	

The proposed design and treatment of the elevations are consistent with the area, incorporating a similar fenestration, solid to void ratios and materials.

The site is not located within a primarily residential area. There is however, a residential area opposite the application site in Lancaster Street. The applicant has submitted a light and shadow study which demonstrates that the scheme will not result in significant or unacceptable damage to residential amenity.

In terms of prospective residents, each unit has adequate outlook to the public street and external amenity areas. There is sufficient internal separation distances between rooms to prevent overlooking/intervisibility. The accommodation proposed is in accordance / generally exceeds standards set out in NI Housing Executive HMO standards.

All Consultees have offered no objections to the proposal, subject to conditions. No objections from third parties have been received. One letter querying the progress of the application was received from Jim Allister MLA.

Having regard to BMAP, to the policy context and other material considerations, the proposal is considered in accordance with the acceptable and planning permission is recommended subject to conditions

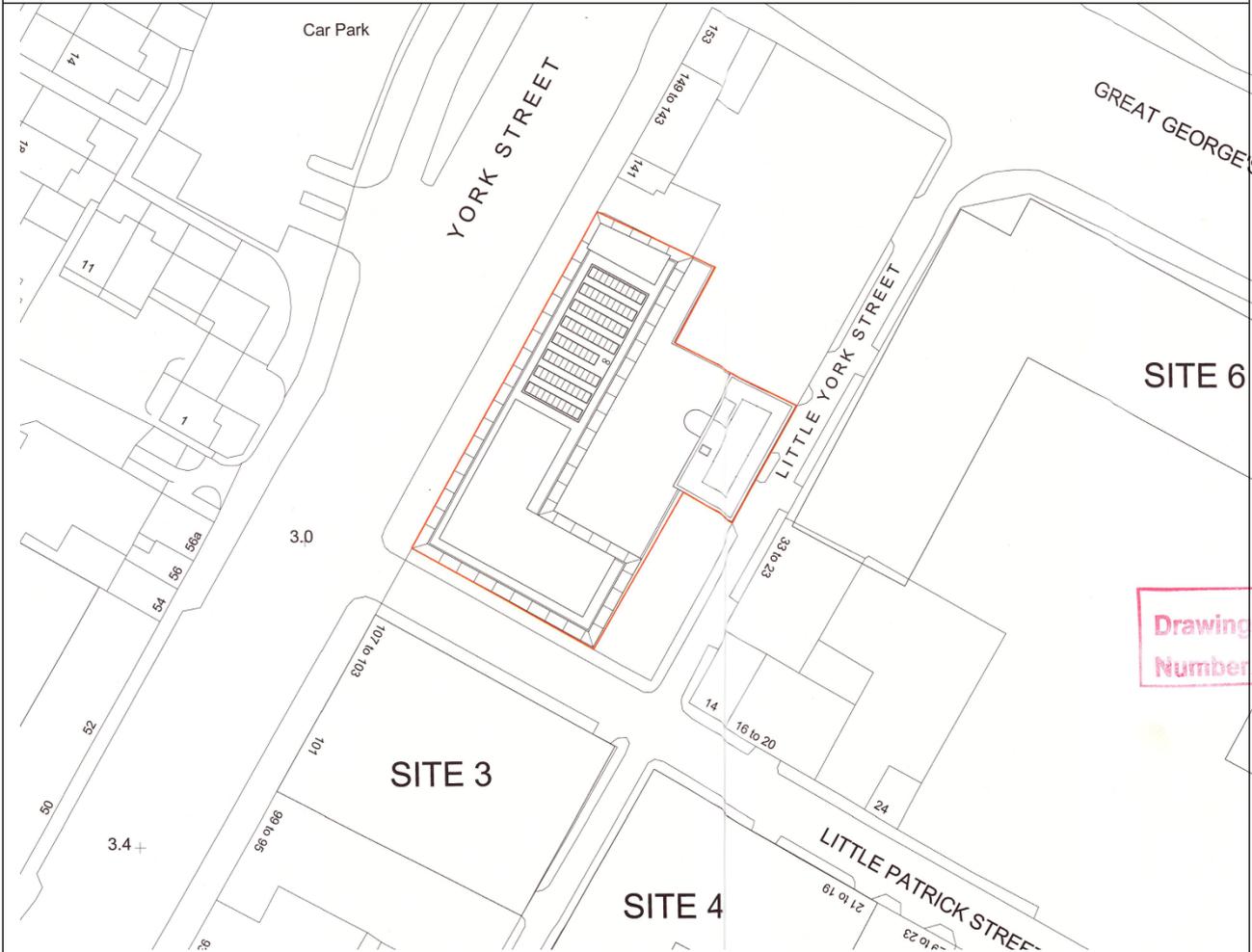
**Recommendation**

Approve subject to conditions set out in case officers report and pending satisfactory completion of a Section 76 Agreement.

If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Place, on behalf of the Council in consultation with Legal Services, to enter into the Section 76 agreement.

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Demolition of the existing building and erection of a 12 storey mixed use building with a ground floor retail unit, 407 managed student accommodation rooms (with communal living rooms, kitchens), associated reception/office facility, gym other ancillary accommodation above. The development also includes a landscaped courtyard, plant and storage areas, car parking, cycle provision and solar PV array.</p>
2.0	<p>Description of Site and Surrounding Area</p> <p>The site abuts York Street and Little Patrick Street and currently consists of a surface level car park and a 5 storey building known as Philip House.</p> <p>The site is within a primarily commercial area, bound by the main road infrastructure out of the city leading to the motorway and Westlink. On the opposite side of the road is a residential housing area.</p>

### Planning Assessment of Policy and other Material Considerations

3.0	<p>Planning History</p>
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	<p><u>On-site</u></p> <p>None</p> <p><u>Surrounding Area</u></p> <p>There are a number of current applications for student accommodation in the area under LA04/2015/0716/F; Z/2014/1657/F and Z/2015/0138/F. The latter two being approved subject to conclusion of a legal Agreement at the planning committee on 19<sup>th</sup> January 2016.</p> <p>In addition to this there is an outline approval under Z/2014/0479/O for Demolition of existing building and construction of new multi storey building with retail units at ground floor and purpose built student accommodation over at 48 - 52 York Street which was decided on 23rd March 2015.</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	<p>Belfast Metropolitan Area Plan 2015</p> <p>Policy UE 1 - Urban design</p> <p>House in Multiple Occupancy Subject Plan 2015</p> <p>HMO 7- Large Scale Purpose Built Student Accommodation</p>
4.2	<p>Strategic Planning Policy Statement for Northern Ireland</p> <p>Planning Policy Statement 3: Access Movement and Parking</p> <p>Planning Policy Statement 7: Quality Residential Environments</p> <p>Planning Policy Statement 13: Transportation and Land Use</p> <p>Planning Policy Statement 15: Planning and Flood Risk</p>
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	<p>Transport NI- No objections subject to conditions</p> <p>NIWater- No objections;</p> <p>NIEA- Waste Management- No Objection subject to conditions;</p> <p>NIEA- Natural Environment Division- No Objections</p> <p>Rivers Agency- No Objections</p>
<b>6.0</b>	<b>Non Statutory Consultee Responses</b>
	Belfast City Council EPU- No Objections subject to conditions
<b>7.0</b>	<b>Representations</b>
	The application has been neighbour notified and advertised in the local press. No letters of objection have been received.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	Planning and Place Advice Note: Purpose Built Managed Student Accommodation
8.2	BELFAST: A LEARNING CITY A framework for student housing and purpose built student accommodation
<b>9.0</b>	<b>Assessment</b>
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>• The principle of the development at this location;</li> <li>• Scale, Massing and Design;</li> <li>• Impact on amenity; and</li> <li>• Traffic Movement and Parking.</li> </ul>
9.2	The Strategic Planning Policy Statement (SPPS) sets out five core planning principles of the planning system, including improving health and well being, supporting sustainable

	<p>economic growth, creating and enhancing shared space, and supporting good design and place making. Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paras 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states PPS3 and PPS7 remain applicable under 'transitional arrangements'.</p>
9.3	<p>Due to the nature of the proposal, BMAP and the House of Multiple Occupation (HMO) subject plan are also significant policy considerations.</p> <p><u>Principle of proposed development</u></p>
9.4	<p>The site is located within the development limits of Belfast in BMAP and within the city centre. It is also within walking distance to the Primary Retail Core. The site is located on unzoned (white) approximately 50 metres away from the new University of Ulster campus and is not located within a primarily residential area.</p> <p><u>BMAP</u></p>
9.5	<p>The site is located within Character Area CC 015 Laganside and Docks. <i>The general urban design criteria under Designation CC 015 states that 'the density of development in the area shall be maintained and increased where appropriate, including around transport node, through high site coverage and high plot ratio and that development proposal shall take account of the height of adjoining buildings'.</i></p>
9.6	<p>In regards to the more specific street frontages the Urban Design Criteria states that <i>'any part of the development which fronts onto York Street shall be a minimum building height of 5 storeys, or 17 metres to shoulder height, and a maximum height of 7 storeys'.</i></p>
9.7	<p>The development consists of building with a ridge height of 36.6 metres (12 storeys) on York Street and max height of 29.7 metres on Little York Street. The height criteria in BMAP 2015 are a material consideration however these need to be balanced against other policies and considerations. Firstly the proposed development needs to be seen in the context of extant planning permissions, some of which are under construction. There is no doubt that the University of Ulster campus when complete will change the character of the area along Frederick Street, Great Patrick Street and York Street. Whilst still under construction it will have a ridge height of 55 metres (17 storeys) when complete. Furthermore an 11 storey apartment development has been approved further out towards the edge of the City Centre at Nelson Street under planning appeal Z/2012/0352/O. Taking into account these and factoring in the width of the street at 18 metres (5 road lanes) and the one way traffic system it is considered that there are particular circumstances that justify in this case diverging from the urban design criteria set out under BMAP 2015. Notwithstanding this, assessed from critical views, the development compliments the built form of the area, including the University of Ulster Campus, creating a strong sense of place. The underutilised site has the potential to act as a driver for further regeneration of an area which has historically suffered from decline and dereliction.</p>
9.8	<p>The proposed height of the building exceeds the guidance as set out in BMAP however, at this location given the scale of infrastructure surrounding the site including the width of York Street and the large junction of Great George Street and York Street, the scale of the new university complex and; a number of planning approvals in the immediate locality it is considered that the proposed height, scale and mass would not result in harm to the character and appearance of the area.</p>

	<u>HMO Subject Plan 2015</u>
9.9	The proposal has been assessed against Policy HMO 7 of the HMO Subject Plan. This policy sets out 5 criteria which must be met in order to be acceptable. All criteria are met. The scheme is in excess of 50 units. All units are self contained, the proposal is not located in a primarily residential area; provision is made for the management of the accommodation and there is ample landscaping and amenity space provided. The proposal therefore complies with HMO 7.
	<u>Assessment against Planning &amp; Place on PBMSA</u>
9.10	Planning and Place's advice note document titled 'Purpose Built Managed Student Accommodation' is Belfast City Council's first step as a planning authority to respond to the SPSS stated objective that the planning system should secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Whilst guidance and not planning policy it is a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to.
	Criteria (a)
9.11	In regards to the first criterion the development is within 180 metres of the new University of Ulster campus, 900 metres of the Belfast Metropolitan College (10mins walk) and 1,300 metres (20mins walk) of Queens University. Public Transport is located around 150 metres away from the development. As the proposal is likely to be for students that will attend University of Ulster it is suitably located and therefore complies with criterion (a).
	Criteria (b)
9.12	Requires the need to assess the proposal in relation to policy designations specific to the City Centre. The proposal is located 30 metres away across York Street from a Protected Housing Area known as Lancaster. Whilst PBSMA could be considered a form of residential accommodation the scale and impact of PBSMA is likely to be incompatible with existing residential communities. Whilst this may be the case in some instances it is, however, considered in this instance that the proposed development is located across York Street which acts as significant barrier between the two areas. In any case students have no need to pass through this area as the Colleges are all located in the opposite direction.
9.13	In regards to other policy designations in the city centre the site is not located with a conservation area or the primary retail core. The nearest listed building is located in Lancaster Street. The development is adequately removed so as not to have an impact on its setting. The proposal complies with criterion (b).
	Criteria (c)
9.14	In respect of criterion (c) it is considered that the layout, design and facilities provided within the development are of high standards. The site is currently underutilised and is within an area which suffers from significant vacant and derelict land / buildings. Belfast City Council's Regeneration and Investment Strategy comments that much of the city centre feels incomplete due to relatively high vacancy rate, underdeveloped sites and surface level car parks and particular makes reference to this section of the city centre. The layout is considered acceptable. The entrance to the PBSMA is located on York Street. This leads into a reception and a control zone beyond. A landscaped courtyard and 2 common rooms are provided, one on the ground floor the other on the first floor. Outlook from bedrooms is either over the street or the internal landscaped courtyards and in that regard it is considered acceptable.
9.15	In terms of open space provision, it is acknowledged that 'Creating Places- Achieving

	<p>Quality in New Residential Developments' suggests that adequate provision would range from 10-30 sq metres, with inner urban areas tending towards the lower end figure. The outdoor landscape courtyards provide around 270 sq metres which is not sufficient for the needs of 407 students. However, it is considered that a flexible approach should be applied when considering planning applications for PBMSA in the City Centre that the common room / break out areas should be incorporated into the overall open space provision. Taking this into account the combined level of provision (landscaped areas and commons rooms) it is considered, on balance, acceptable.</p>
9.16	<p>The development proposes 3 car parking spaces which is considerably below the 1 to 1 amount required according to the DOE Parking Standards which accompany PPS3 Access, Movement and Parking. However the applicant has provided a detailed Travel Plan seeking to justify a relaxation of the standard based on alternative transport arrangements and the proximity of the development to the new University of Ulster Campus. Transport NI have considered the Travel Plan and offer no objection, it is considered that the applicant has adequately addressed the shortfall in parking provision.</p>
9.17	<p>The accommodation proposed is in accordance / generally exceeds the standards set out in NI Housing Executive HMO standards – single rooms are approximately 13.5sqm (6.5sqm NIHE standard), twins 9 sqm and studio apartments are approximately 15.5sqm (9sqm NIHE standard) with common room areas ranging in size but not less than 22.sqm for 4 occupants and 26.6 sqm for 7 occupants . Provision is therefore compliant with space standards.</p>
9.18	<p>Criteria (d)          Criterion (d) states that development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area. The development is not located within a predominately residential area. Whilst a protected housing area is located nearby (on the northern side of York Street) it will not be unacceptably affected, given that the roads infrastructure on York Street acts as an effective barrier. The applicant has submitted a light and shadow study demonstrating that the proposal will have very limited impact on the dwellings in Lancaster Street. The study shows 4 dates during the year (September 21<sup>st</sup>, December 21<sup>st</sup>, March 21<sup>st</sup> and June 21<sup>st</sup> and 3 set times during the day (0900, 1200 and 1500hrs). It is acknowledged that there will be overshadowing from the proposed development on the properties in Lancaster Street at 0900 during the 4 selected dates. Overshadowing from the proposed scheme also takes place at 1200 on 21<sup>st</sup> December 2015. However, it must be acknowledged that this is the winter solstice when the sun is at its lowest point in the sky and daylight hours are at the shortest. The proposed scheme does not affect the properties in Lancaster Street at any other time. It is therefore considered that the amount of overshadowing is limited and will not result in an unacceptable loss of residential amenity.</p>
9.19	<p>Whilst there may be a perception of dominance caused to property numbers 1-11 Lancaster Street, it is considered that given the separation distances between the site and the said properties that it will not result in a unacceptable loss of residential amenity. In terms of overlooking it is accepted that the proposal will overlook the rear yards of numbers 1-9 Lancaster Street given the height of the scheme. However it must be acknowledged that this is a high density urban environment within the City Centre boundary with overlooking already evident from the existing building on the site known as 'Philip House'. It is therefore considered that, on balance that the level of overlooking is acceptable in this instance.</p>
9.20	<p>The applicant advises that the operator of the student accommodation is Cathedral Living Group Limited who has extensive experience in delivering PBMSA in the Great Britain and Northern Ireland. They are operating Mark Royal house, Belfast which was delivered and</p>

	<p>fully let as of September 2015. The management plan includes the staffing and management of the development; allocation procedures; ingress and exit policy for students at commencement and end of tenancy period; student behaviour; fire strategy; and complaints strategy. In term of staffing the applicant has envisaged that a student development of this size and use will require a staff complement of:</p> <ul style="list-style-type: none"> <li>• One full time Letting Manager</li> <li>• One full time Assistant Accommodation Manager</li> <li>• One part time Administration Assistant</li> <li>• Full time concierge</li> <li>• Security Staff</li> <li>• Cleaning Staff</li> <li>• Maintenance Staff</li> </ul> <p>9.21 With use of a Section 76 Agreement it is considered that the management plan is comprehensive and robust enough to ensure that impacts to neighbouring land uses and prospective residents will be minimal.</p> <p>9.22 The guidance document makes reference to the cumulative impact and how an overconcentration relative to the wider community can lead to an imbalance ultimately resulting in harm to residential amenity. The site is located in an area which has been established, through the granting of planning permission at 48-52 York Street under Z/2014/0479/O, as being an acceptable location for PBMSA given its proximity to the new University of Ulster. Whilst the site is located opposite a protected housing area it is considered prospective students will not adversely impact on this area as the University is located in the opposite direction and it is unlikely that a movement pattern of students travelling through Lancaster Street will develop.</p> <p>9.23 <b>Criteria (e)</b> Requires that the development has appropriate management in place to create a positive and safe living environment or students whilst minimising any potential negative impact from occupants. The management plan prepared by Cathedral Living Group sets out the procedures to be put in place. The management plan goes into considerable detail and addresses main points raised under criterion (e). It will be secured by a Section 76 Agreement and as mentioned previously it is comprehensive and robust enough to ensure that impacts to existing and prospective residents will be minimal</p> <p>9.24 <b>Criteria (f)</b> Planning applications should be accompanied by evidence supporting the need for the type and quantum of PBSMA proposed. The applicant has submitted a statement of need. The statement makes reference to Planning and Place's Guidance document on PBMSA stating that <i>'to suggest that it could be argued that there is an unmet need is of concern because there is demonstrably an acute need and imminently growing unmet need. That is counterbalanced by no evidence to support any suggestion that the current extant planning applications will lead to an oversupply'</i>. The applicant has further argued that there is no policy basis for an artificial cap on numbers without assessment, consultation or evidence and that their proposal is wholly consistent with the vision and direction for PBMSA Advocated in Belfast City Councils document titled Belfast: A Learning City', published in March 2014. Without carry out an independent assessment on need it is difficult to counter the argument made by the applicant that there is a strong and imminent need and in that regard it would be foolhardy to argue otherwise.</p> <p><u>PPS7 – Design, character and appearance of Area and amenity</u></p>
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9.25	The proposal has also been assessed against QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet. Please see paragraph 9.5- 9.7 for assessment is relation to height, scale and massing.
9.26	The proposed design is consistent with the area, incorporating a similar, fenestration, and solid to void ratios. A palette of materials that includes light coloured buff brick and bronze metallic window panels are proposed. To ensure acceptable materials a condition will be attached to any approval requesting details of the external finishes to be submitted to Belfast City Council for agreement. The proposed design is therefore compliant with criteria [g] of PPS7.
9.27	Accordingly it is not considered that the proposal would adversely impact on the character of the area, which is a wide mix of non residential uses, building designs and finishes.
	<u>Impact on Residential Amenity</u>
9.28	Please refer to paragraph 9.18 for assessment of impact on residential amenity.
	<u>Other Considerations</u>
	<u>Retail Unit</u>
9.29	Retail policy considerations are set out in the SPPS and BMAP. The site is located within the city centre but outside the primary retail core. The retail unit is 249 sqm.
9.30	As the site is located within the City Centre boundary in BMAP and the retail unit is located on the ground floor there is no objection in principle to this use. Unrestricted retailing is appropriate within this City Centre location.
	<u>Bin Storage</u>
9.31	In regards to bin storage, the applicant has shown two defined areas within the ground floor layout. However if Committee was minded to approve this proposal it is recommended that a negative condition is attached to ensure an adequate waste management strategy is delivered for the collection and disposal of waste.
	<u>Traffic and Parking</u>
9.32	The proposal has been assessed against Policy AMP 7 of PPS 3: Access, Movement and parking. It has been accepted that the proposal will not prejudice road safety or inconvenience the flow of traffic and there is adequate car parking, a view shared by Transport NI.
	<u>Flooding</u>
9.33	FLD 1 of Planning Policy 15: Planning and Flood Risk states that 'Development will not be permitted within the 1 in 100 year fluvial flood plain (AEP7 of 1%) or the 1 in 200 year coastal flood plain (AEP of 0.5%) unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Where the principle of development is accepted by

	the planning authority through meeting the 'Exceptions Test', as set out below under the Exceptions heading, the applicant is required to submit a Flood Risk Assessment for all proposals.
9.34	The principle of development is considered acceptable as it meets the exceptions test in that a building already exists on the site. As the proposal falls under the exceptions test a Flood Risk Assessment (FRA) was requested and received. Rivers Agency was consulted in regards to the FRA and have no objections to the proposed development. The proposal therefore complies with PPS 15.
	<u>Noise</u>
9.35	Through the consultation process it was established that the development site is located in an area subject to high level of background noise. Consequently a Noise Report was submitted by the applicant which proposed various mitigation measures to overcome excessive noise. This adequately addresses concerns but it is recommended that Committee condition any approval to ensure that a noise verification report is submitted in line with Belfast City Council's Environmental Protection Unit (EPU) recommendations.
	<u>Contaminated Land</u>
9.36	The Preliminary Risk Assessment (PRA) identified potential risks to site users and adjacent off-site users via inhalation of volatiles from soil and groundwater pathways and inhalation of ground gases and dusts. The report therefore goes on to advise that these pollutant linkages were further assessed by way of an intrusive targeted site investigation. Further to retrieval of soil and groundwater samples and subsequent laboratory analysis against Generic Assessment Criteria (GAC) relevant to the proposed the end use (namely residential with communal landscaping). The report advises that all soil and groundwater samples analysed returned concentrations below the RSK derived GAC; the report, therefore concludes that the soil and groundwater underlying the site do not pose an unacceptable risk to human health.
9.37	In relation to potential risk of inhalation from on site ground gas, the report advises six rounds of gas monitoring were conducted over on month across the four boreholes and a maximum Gas Screening Value of 0.0030l/hr was calculated for the site which classifies the site as Characteristic Situation 1 (CS1) and therefore, it is concluded that no special gas protection measures would be required in any proposed buildings.
9.38	EPU is satisfied with the findings in the above report; however, it is noted that the GACs used in the report do not adopt the recent updates to the exposure parameters in the CLEA Model suggested in recent work undertaken by DEFRA. It is recommended that any future submissions will give due consideration to these.
	<u>Developer Contributions</u>
9.39	In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council both to provide certainty around the management of the accommodation and to provide contributions to local environmental improvements.
9.40	In this case it is considered that this should primarily take the form of public realm improvements to the streetscape around the building and in particular to create a new safe pedestrian friendly crossing point to the university from the new student accommodation. The area currently does not provide a quality environment and is poor in respect of pedestrian linkages to the heart of the city. It is considered that collectively the new

9.41	<p>university complex and new accommodation with environmental improvements and safe crossing points will regenerate the area.</p> <p>The sum of monies / works to be undertaken are to be agreed with the developer / landowner and the developer has expressed a willingness and commitment to provide satisfactory contributions.</p>
10.0	<p><b>Summary of Recommendation:</b> Approval</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is determined that the development will not cause demonstrable harm to the interests of acknowledged importance.</p> <p>That the proposal should be approved subject to conditions set out below and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2011 in respect of developer contributions.</p>
11.0	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</li> </ol> <p>Reason: Time Limit.</p> <ol style="list-style-type: none"> <li>2. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 03B 'P03, Proposed Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 18 August 2015 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</li> </ol> <p>Reason: To ensure that adequate provision has been made for parking.</p> <ol style="list-style-type: none"> <li>3. The Private Streets (Northern Ireland) Order 1980. The Department for Regional Development hereby determines that the width, position and arrangement of the street, and the land to be registered as being comprised in the streets, shall be as indicated on Drawing No. CIV- 16909-C-SA-95-0800 Revision A05 'Proposed Site Layout' bearing the DRD date stamp 10 September 2015 and Transport NI determination stamp of 18 September 2015.</li> </ol> <p>Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <ol style="list-style-type: none"> <li>4. A minimum of 200 No. cycle parking spaces shall be provided and permanently retained close to the accesses to the proposed development for use by residents, staff and visitors to the development.</li> </ol> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <ol style="list-style-type: none"> <li>5. The development hereby permitted shall operate in accordance with the approved</li> </ol>

Travel Plan within the Management Plan bearing the Belfast City Council Planning Office date stamp 16 July 2015. This includes provision of the Translink Corporate Commuter Initiative, the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by TransportNI.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

6. Prior to occupation of the proposed development, the applicant must submit a Noise Verification Report (VR) which must be approved in writing by Belfast City Council which demonstrates that:

- (a) Glazing to be installed in the four outward facing facades and the internal courtyard facade of the proposed building have been installed as per figure B of the submitted LA Noise Impact Assessment, referenced MRL/0959/L01 dated 17<sup>th</sup> February 2015;
- (b) The entire window system (including frames, seals etc) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:
  - Not exceed 40 dB  $L_{Aeq,16hrs}$  at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
  - Not exceed 35 dB  $L_{Aeq,8hr}$  at any time between the hours of 23:00hrs and 07:00hrs in accordance with current building control requirements;
  - Not exceed 45 dB  $L_{Amax}$  for any single sound event between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.
- (c) The rating level of all combined building plant services does not have an adverse impact on the amenity of the proposed residential units during the day or at night assessed in accordance with BS4142:2014;
- (d) The proposed floor / ceiling / wall constructions between plant room, retail area and common room areas have been constructed as per recommended section 3.4 of the LA Noise Impact Assessment, referenced MRL/0959/L01 Rev1 and are capable of providing a sound reduction of at least 60 dB  $D_w$  so that suitable internal noise levels within student accommodation can be achieved as per recognised guidance.

7. Prior to commencement of operation of the development, the applicant must submit, to the Department, a *Final Management Plan* to be agreed and approved by Belfast City Council's Environmental Protection Unit.

Evidence must be submitted that the Management Plan will be delivered by a competent PBSA operator with a proven track record in managing this type of accommodation.

The Final Management Plan must demonstrate compliance with a government approved accreditation scheme for purpose built student accommodation such as ANUK/UNIPOL National Code of Standards or the Universities UK/HE Guild Management code and provide detailed arrangements to address the following matters:

- Noise Control and tenant behaviour;
- Measures for controlling hours of use and potential noise disturbance from the proposed gym and social space/games rooms;
- Proposed Liaison arrangements with the relevant education institutes, the Council and the PSNI in relation to tenant behaviour.
- Travel Plan for staff and students;
- General management operations;
- Site and landscape maintenance;
- Servicing; security features; CCTV; Lighting; Intercoms; Soundproofing.

Reason: In the interest of the protection of Public Health, prevention of noise, nuisance and general disturbance

8. Within the first year of commencement of operation of the development the Applicant must submit to the Council evidence to demonstrate that the development has obtained accreditation under a government approved accreditation scheme for purpose built student accommodation such as the ANUK/UNIPOL National Code of standards or the Universities UK/HE Guild Management Code. Continued operation of the development thereafter will be subject to accreditation under a government approved accreditation scheme being maintained.

Reason: In the interest of Environmental Health.

9. All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

10. No building or structure, including aerials, masts, plant, and cranes proposed as part of the development hereby permitted shall exceed 48.7m AOD.

Reason: Development exceeding this height would penetrate the Obstacle Limitation Surfaces (OLS) surrounding Belfast City Airport and could endanger aircraft movements and the safe operation of the aerodrome.

11. Prior to the commencement of development details of the external finishes, including samples of materials to be used shall be submitted to Belfast City Council for agreement in writing, the development shall be constructed in accordance with those exemplars agreed and noted on the approved drawings.

Reason: To ensure a quality standard of finish in the interests of visual amenity and the character and appearance of the area.

**12.0 Notification to Department (if relevant)**

N/A





The Owner/Occupier,  
 5,48D York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 The Owner/Occupier,  
 54 York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 The Owner/Occupier,  
 54 York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 The Owner/Occupier,  
 54 York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 The Owner/Occupier,  
 56 York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 The Owner/Occupier,  
 56A York Street,Town Parks,Belfast,Antrim,BT15 1AS,  
 The Owner/Occupier,  
 7 Lancaster Street,Town Parks,Belfast,Antrim,BT15 1EZ,  
 The Owner/Occupier,  
 Unit 2,123-137 Philips House,York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 The Owner/Occupier,  
 Unit 2,123-137 Philips House,York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 The Owner/Occupier,  
 Young Business Centre,103 York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 The Owner/Occupier,  
 Young Business Centre,103 York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 The Owner/Occupier,  
 Young Business Centre,103 York Street,Town Parks,Belfast,Antrim,BT15 1AB,  
 The Owner/Occupier,

<b>Date of Last Neighbour Notification</b>	
<b>Date of EIA Determination</b>	<b>N/A</b>
<b>ES Requested</b>	<b>No</b>

**Planning History**

Ref ID: LA04/2015/0141/O

Proposal: Proposed 9 storey office building including ground floor car parking

Address: Site adjacent to 14 Little Patrick St. and opposite 23-33 Little York Street, Belfast,

Decision: Pending

**Drawing Numbers and Title**

**Notification to Department (if relevant)**

N/A

**Representations from Elected Members:**

**Jim Allister MLA**