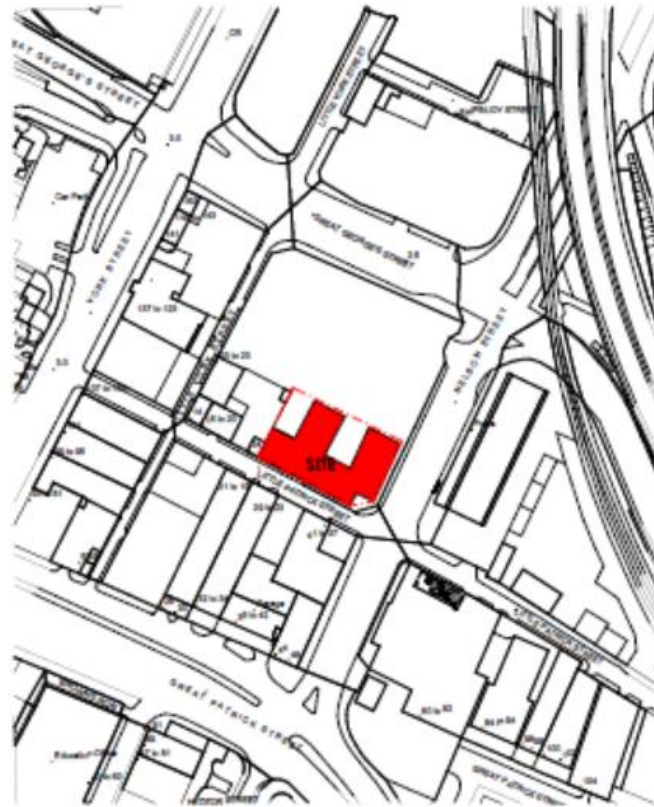


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 21 July 2020	
<b>Application ID:</b> LA04/2020/0446/F	
<b>Proposal:</b> Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 (temporary).	<b>Location:</b> 26-44 Little Patrick Street Belfast BT15
<b>Referral Route:</b> Major application	
<b>Recommendation:</b>	<b>Temporary Approval subject to S76 Agreement</b>
<b>Applicant Name and Address:</b> PBSA Little Patrick Street SARL c/o RSRE 11-12 Pall Mall London SW1 5LU	<b>Agent Name and Address:</b> Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p><b>Executive Summary:</b> This application seeks temporary permission for the part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> <li>• principle of use</li> <li>• access, movement, parking and transportation, including road safety</li> <li>• waste management</li> <li>• other environmental matters</li> </ul> <p>The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), PPS3, PPS13 and PPS16.</p> <p>There were no objections raised by Consultees, however a response from DfI Roads Service is outstanding. Following advertisement in the local press as well as neighbour notification, no written representations were received.</p> <p>It is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission, to resolve any outstanding matters, including any issues arising from the outstanding Roads consultation, and finalise the wording of conditions and a Section 76 agreement subject to no new substantive planning issues being raised by third parties</p>	

## Case Officer Report

### Site Location Plan



<b>Representations:</b>	
Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
<b>Characteristics of the Site and Area</b>	
<p>1.0 Description of Proposed Development</p> <p>1.1 The application seeks temporary planning permission for the part change of use from purpose built managed student accommodation, to aparthotel development covering floors 5-11. The remaining floors will remain as student accommodation.</p> <p>2.0 Description of Site</p> <p>2.1 The site measures 0.16 hectares located on the corner of Little Patrick Street and Nelson Street. It is currently occupied by the previously approved development (LA04/2017/2306/F), a 12 storey building (35-36m) for managed student accommodation, comprising 430 beds with internal and external communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision. The change of use relates to 266 rooms. The proposed aparthotel will operate as a serviced apartment complex that uses a hotel style booking system.</p> <p>2.2 The site is located within the development limits of Belfast on the (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP). It is also located within the city centre area of archaeological potential, and within the Laganside North and Docks Character Area (CC018).</p>	
<b>Planning Assessment of Policy and Other Material Considerations</b>	
<p>3.0 Site History</p> <p>3.1 Planning was granted on the site under LA04/2017/2306/F, for the development of purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas. Permission was granted for this on 30/03/18. Various planning Conditions relating to this approval have been discharged, namely Conditions 2, 3, 8, 9, 10, 11 and 13.</p> <p>3.2 The proposal falls under the category of Major Development, and therefore Pre Application Community Consultation was carried out, under the planning reference LA04/2019/2349/PAN and a pre-application community consultation report was submitted with the application.</p> <p>4.0 Policy Framework</p> <p>4.1 Belfast Urban Area Plan 2001 (BUAP)</p> <p>4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) 2004</p> <p>4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015</p> <p>4.4 Strategic Planning Policy Statement (SPPS)</p> <p>4.5 Planning Policy Statement (PPS) 3: Access, Movement and Parking</p> <p>4.6 Planning Policy Statement (PPS) 13: Transportation and Land Use</p> <p>4.7 Planning Policy Statement (PPS) 16: Tourism</p> <p>5.0 Statutory Consultees</p> <p>5.1 DFI Roads Service – Awaiting response</p> <p>5.2 Northern Ireland Water Ltd – No objection</p> <p>6.0 Non Statutory Consultees</p>	

## 6.1 BCC Environmental Health – No objection

### 7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. No written representations have been received.

### 8.0 Other Material Considerations

#### 8.1 Parking Standards

### 9.0 Assessment

9.1 Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said Act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

9.2 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remain contentious). The site is unzoned within BUAP and sited within the development limits of Belfast. The site is located inside the development limits of Belfast as shown in the draft Belfast Metropolitan Area Plan 2015.

9.3 The proposed development is for the temporary part change of use from purpose built managed student accommodation, to aparthotel development, covering floors 5-11 (266 rooms).

9.4 The proposal does not alter any of the existing layouts or design of the building. The rooms will remain as constructed and the external appearance of the building will not change from that existing on site. Taking this into consideration, the key issues are:

- principle of use
- access, movement, parking and transportation, including road safety
- waste management
- other environmental matters

#### 9.5 Principle of use

The site is within the development limits of Belfast in BUAP, Draft BMAP and the version of BMAP purported to be adopted. The site's current approved use is sui generis, as is the proposed use as detailed within The Planning (Use Classes) Order (Northern Ireland) 2015. The applicant's Planning Statement states the proposal seeks to ensure ongoing utilisation of the building and ensure viability between current operations and the interim period up to the completion of the adjacent Ulster University campus. In terms of the proposed hotel use, the site is within a city centre location, and the proposed use will bring increased vitality and viability into the City Centre. The principle of aparthotel use is acceptable on the site and with the mix of surrounding uses, subject to the consideration and resolution of planning and environmental matters. The application seeks temporary planning permission for the aparthotel use i.e. up to September 2023. Should temporary planning permission be granted, the permission will be subject to a condition requiring the use to cease by September 2013.

#### 9.6 Access, movement, parking and transportation, including road safety

The proposal will make use of the existing vehicular accesses to the development and no new accesses are proposed. It is proposed that the aparthotel development will be 'car-free' with emphasis on the use of cycle, pedestrian and public transport modes of travel for access to the development. The site is an accessible city centre site within walking distance to public transport

facilities including bus and rail. A Transport Assessment Form, Service Management Plan, and Framework Travel Plan were submitted and DfI Roads Service was consulted. At the time of writing this report its response is outstanding. However, taking into account its sustainable location and the nature of the proposed use it is considered that the proposal is unlikely to result in significant traffic, access or parking issues. If any significant issues arise from the DfI Roads response the application can be brought back so members have an opportunity to consider the uses raised.

### 9.7 Waste Management

At the time of writing, the Council are awaiting an Updated Waste Management Strategy which will address the split between PBMSA waste (which gets a free collection) and the apart-hotel waste (which will be a paid commercial collection). As part of this a layout has also been requested which demonstrates how all of the bins (PBMSA and apart-hotel) will be accommodated in the bin store, including the physical measures that will be put in place to ensure segregation of the waste. Whilst this clarification is required before a decision issues, it is not so fundamental an issue to prevent members considering the planning merits of the proposal.

### 9.8 Other Environmental Matters

The proposed development lies within the M1/Westlink Air Quality Management Area (AQMA). An air quality assessment (AQA) was carried out with respect to LA04/2017/2306/F for the proposed purpose built student accommodation at the site. Within BCC Environmental Health's response it was noted this AQA demonstrated that future occupants would not be exposed to air quality concentrations exceeding AQ objectives and European Limit Values, therefore mitigation measures in relation to AQ are not essential. They emphasise that the current proposal will introduce an increase in annual average daily traffic movements (AADTM). However, having considered the temporary nature of this proposal, and the likely increased number of AADTM's they would not expect that the proposal would have a significant impact on ambient air quality at relative receptors. Therefore an updated AQA is not required. They note that care should be taken that the residential amenity of students is not impacted upon by hotel guests by means of noise. This would be an issue for the management of the aparthotel.

9.9 BCC Environmental Health's response dated 03/06/20 stated Condition 8 in relation to contaminated land was outstanding and required to be discharged prior to occupation of the development. Condition 8 was formally discharged on 23/06/20.

### 9.10 Developer Contributions

The developer entered into a Section 76 legal agreement with Belfast City Council with regards to the previous approval. It is considered appropriate therefore that should planning permission be granted for this proposal, the permission should be subject to the developer entering an updated Section 76 legal agreement to ensure management of the student accommodation and the aparthotel.

### 9.11 Conclusion

The proposal is considered to be in compliance with the development plan and relevant policy.

9.12 Having regard to the policy context and other material considerations above, the proposal is considered acceptable. It is recommended that temporary planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and a Section 76 Planning Agreement subject to no new substantive planning issues being raised by consultees and third parties.

**Neighbour Notification Checked: Yes**

**Summary of Recommendation:** Approval subject to Conditions**Conditions:**

1. The use hereby granted shall cease prior to 1st September 2023, and the use shall revert back to student accommodation.

Reason: To ensure the permission is temporary.

2. The Department 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. LITTL-ATK-100-ZZ-DR-D-0001 Revision P01, 'Private Streets Determination bearing the Belfast City Council Planning Office date stamp 18 October 2017 and DfI Roads determination stamp of 30 November 2017 (as approved under LA04/2017/2306/F). The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

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.

3. A minimum of 100 no. cycle parking spaces shall be provided and permanently retained in accordance with approved plan drawing No.04A date stamped 11th December 2017 (as approved under LA04/2017/2306/F). The access shall be available at all times for residents, staff and visitors to the development.

Reason: To encourage the use of alternative modes of transport for development users.

4. The development hereby permitted shall operate in accordance with the approved Travel Plan and Service Management Plan bearing the Belfast City Council Planning Office date stamp 24 October 2017. This includes provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. No variation to the approved Travel and Service Management Plans shall be implemented without the prior consent of the Local Planning Authority.

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

<b>ANNEX</b>	
<b>Date Valid</b>	19th March 2020
<b>Date First Advertised</b>	20th April 2020
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification (all addresses)</b>	
<p>14 Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>16-20 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>19-21 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>23-29 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>23-33 ,Town Parks,Belfast,Antrim,</p> <p>24 Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>2a ,Nelson Street,Belfast,Antrim,BT15 1BH</p> <p>37 Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>42-44 ,Little Patrick Street,Belfast,Antrim,BT15 1BA</p> <p>60-82 ,Great Patrick Street,Belfast,Antrim,BT1 2NX</p> <p>Units 1-8a Nelson Trade Centre, Nelson Street,Belfast,Antrim,BT15 1BH</p>	
<b>Date of Last Neighbour Notification</b>	13th May 2020
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Planning History</b>	
<p>Ref ID: LA04/2015/0571/A            Proposal: 1no. temporary Lightbox advertising display board            Address: Car park Opposite, 18 -30 Dunbar Street, Belfast, BT1 2LH,            Decision: CR            Decision Date: 08.01.2016</p> <p>Ref ID: LA04/2015/0716/F            Proposal: Erection of a 11 storey building for managed 354 student accommodation studios with shared communal areas; external courtyard; other ancillary accommodation including a reception/management suite and communal areas; plants and storage areas; cycle provision (Amended Proposal)</p>	

Address: 26-44 Little Patrick Street, Belfast, BT15,  
Decision: PG  
Decision Date: 17.10.2016

Ref ID: LA04/2016/0210/PAN

Proposal: Erection of 9 storey purpose built student accommodation to comprise circa 680 bedrooms with associated facilities and associated site and access works  
Address: Vacant lands at 4 Nelson Street, Belfast, BT15 1BH,  
Decision:  
Decision Date:

Ref ID: LA04/2016/1252/F

Proposal: Purpose built managed student accommodation (774 beds). Maximum height of 12 storeys  
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,  
Decision: PG  
Decision Date: 24.01.2017

Ref ID: LA04/2016/2522/DC

Proposal: Discharge of facade retention scheme as required by paragraph 2.3 of the section 76 of LA04/2015/1252/F  
Address: 41-49 Queen Street, 24-30 College Street and 29 Wellington Place,  
Decision: AL  
Decision Date:

Ref ID: LA04/2017/0550/DC

Proposal: Discharge of condition 3 of LA04/2016/1252/F  
Address: Site Bounded by Little York Street, Great George's Street and Nelson Street, Belfast.,  
Decision: RL  
Decision Date:

Ref ID: LA04/2017/0783/DC

Proposal: Discharge of Conditions 10 and 11 of LA04/2016/1252/F  
Address: 41-49 Queen Street, 24-30 College Street, 29 Wellington Place, Belfast.,  
Decision: AL  
Decision Date:

Ref ID: LA04/2017/0858/NMC

Proposal: Non material change to LA04/2016/1252/F  
Address: Site Bounded By, Little York Street, Great Georges Street, And Nelson Street, Belfast.,  
Decision: CR  
Decision Date:

Ref ID: LA04/2017/1202/NMC

Proposal: Non material change to planning application LA04/2015/0716/F  
Address: 26-44 Little Patrick Street, Belfast,  
Decision: CG  
Decision Date:

Ref ID: LA04/2017/1472/PAN

Proposal: Amendment to planning permission LA04/2015/0716/F to develop purpose built managed student accommodation comprising up to 430 beds with internal and external shared communal areas and other ancillary accommodation including a reception/management suite, plants and storage areas and cycle provision.



Address: 26-44 Little Patrick Street, Belfast, BT15,  
Decision: PANACC  
Decision Date:

Ref ID: LA04/2017/1642/NMC  
Proposal: Non Material Change to LA04/2016/1252/F  
Address: Site bounded by, Little York Street, Great Georges Street, and Nelson Street, Belfast,  
Decision: CR  
Decision Date:

Ref ID: LA04/2017/2084/NMC  
Proposal: NMC to LA04/2016/1252/F  
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,  
Decision: CG  
Decision Date:

Ref ID: LA04/2017/2112/F  
Proposal: Variation of condition 7 (LA04/2016/1252/F) which refers to legislative procedures for the loading bay.  
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,  
Decision: PG  
Decision Date: 16.11.2017

Ref ID: LA04/2017/2306/F  
Proposal: Development of purpose built managed student accommodation comprising up to 430 beds with internal and external communal areas.  
Address: 26-44 Little Patrick Street, Belfast,  
Decision: PG  
Decision Date: 30.03.2018

Ref ID: LA04/2018/0210/DC  
Proposal: Discharge of condition 3 of LA04/2016/1252/F  
Address: Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast,  
Decision: AL  
Decision Date:

Ref ID: LA04/2018/0870/DC  
Proposal: Discharge of condition 2 - LA04/2017/2306/F  
Address: 26-44 Little Patrick Street, Belfast,  
Decision: RL  
Decision Date:

Ref ID: LA04/2018/1478/DC  
Proposal: Discharge of condition 10 LA04/2017/2306/F  
Address: 26-44 Little Patrick Street, Belfast  
Decision: AL  
Decision Date:

Ref ID: LA04/2018/2431/DC  
Proposal: Discharge of condition 13 of LA04/2017/2306/F  
Address: 26-44 Little Patrick Street, Belfast, BT15 1BA.,  
Decision: AL  
Decision Date:

Ref ID: LA04/2019/0136/DC

Proposal: Discharge of conditions nos 2 & 3 of planning application La04/2017/2306/f  
Address: 26-44 Little Patrick Street, Belfast,  
Decision: AL  
Decision Date:

Ref ID: LA04/2019/0337/F  
Proposal: Erection of 2No. boiler flues.  
Address: 6 Nelson Street, Belfast, BT15 1BH  
Decision: PG  
Decision Date: 20.06.2019

Ref ID: LA04/2019/1292/A  
Proposal: 1no. Hi-level mounted built up lettering to read 'Student Roost' 1No. Vertically positioned facade mounted built up lettering to rear 'Little Patrick Street. 1No. Entrance signage mounted over entrance doors to read 'Little Patrick Street'.  
Address: 26-44 Little Patrick Street, Belfast.,  
Decision:  
Decision Date:

Ref ID: LA04/2019/1829/DC  
Proposal: Discharge of condition 9 (a), (b), (C), (d).  
Address: 26-44 Little Patrick Street, Belfast.,  
Decision: RL  
Decision Date:

Ref ID: LA04/2019/1830/DC  
Proposal: Discharge of condition 11 LA04/2017/2306/F  
Address: 26-44 Little Patrick Street, Belfast.,  
Decision: AL  
Decision Date:

Ref ID: LA04/2019/2349/PAN  
Proposal: Part temporary change of use from purpose built managed student accommodation to aparthotel development (covering floor 5-11)  
Address: 26-44 Little Patrick Street, Belfast, BT15,  
Decision: PANACC  
Decision Date:

Ref ID: LA04/2020/0414/DC  
Proposal: Discharge of condition 9 LA04/2017/2306/F  
Address: 26-44 Little Patrick Street, Belfast.,  
Decision:  
Decision Date:

Ref ID: LA04/2020/0446/F  
Proposal: Part change of use from purpose built managed student accommodation to aparthotel development covering floors 5-11 (temporary)  
Address: 26-44 Little Patrick Street, Belfast, BT15,  
Decision:  
Decision Date:

Ref ID: LA04/2020/0712/DC  
Proposal: Discharge of condition 9 LA04/2017/2306/F  
Address: 26-44 Little Patrick Street, Belfast.,  
Decision:

Decision Date:

Ref ID: Z/1975/0106

Proposal: ERECTION OF WAREHOUSE

Address: 26-36 LITTLE PATRICK STREET, BT15

Decision:

Decision Date:

Ref ID: Z/1983/1412

Proposal: ERECTION OF 6 ADVERTISING HOARDINGS

Address: 2-52 NELSON STREET

Decision:

Decision Date:

Ref ID: Z/1986/2331

Proposal: Erection of petrol filling station

Address: 24-46 NELSON STREET, BELFAST BT15 1BH

Decision:

Decision Date:

Ref ID: Z/1987/0736

Proposal: Change of use from warehouse to retail use with associated car parking.

Address: 50A-62 GREAT GEORGES STREET, BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1987/1478

Proposal: Change of use to retail warehouse with car-parking

Address: 50A -62 GREAT GEORGES STREET, BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1988/2636

Proposal: Change of use from warehouse to car showroom and ancillary workshop, offices and stores with external alterations

Address: 50A-62 GREAT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2162

Proposal: Temporary car park

Address: VACANT LAND ADJACENT TO 50A GREAT GEORGES STREET AND NELSON STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2163

Proposal: Change of use from warehouse to car showroom, workshop etc (Modification of approved planning application)

Address: 50A-62 GT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1989/2973

Proposal: Construction of filling station.

Address: LAND AT 24/46 NELSON STEET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1990/2276

Proposal: Refurbishment/conversion of vacant warehouse to form car showroom, workshop and parts department

Address: 50A-62 GREAT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1990/2338

Proposal: Office development with ground floor reception and parking areas

Address: 24/46 NELSON STREET AND 26/44 LITTLE PATRICK STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1992/2328

Proposal: Operational car park and service yard

Address: 7 LITTLE PATRICK STREET & 19 LITTLE YORK STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1992/2587

Proposal: Change of use from car sales to builders equipment hire with alterations to include erection of offices within existing building shell

Address: 42-62 GT GEORGES STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/1993/2384

Proposal: Erection of 2 storey premises for part office, light industrial and warehouse uses

Address: 26-44 LITTLE PATRICK STREET AND 24-46 NELSON STREET BELFAST BT15

Decision:

Decision Date:

Ref ID: Z/2001/0664/Q

Proposal: New showroom

Address: Site at 42-44 Little Patrick Street, Belfast

Decision:

Decision Date:

Ref ID: Z/2003/0867/Q

Proposal: student housing scheme

Address: Site at Nelson Street/Little Patrick Street, Belfast

Decision:

Decision Date:

Ref ID: Z/2004/0714/F

Proposal: Redevelopment of site to provide housing comprising of 48 apartments and 18 terraced houses.

Address: 42/46 Great George's Street and 22/46 Nelson Street, Belfast, BT15 1BP

Decision:

Decision Date: 26.01.2006

Ref ID: Z/2004/0717/F

Proposal: Erection of new office building including a new access off Lord Nelson Street

Address: 26-44 Little Patrick Street, Belfast, BT15 1BA

Decision:

Decision Date: 12.10.2005

Ref ID: Z/2008/0824/F

Proposal: Construction of 238 No. 1bed and 2 bed apartments with 200 No. parking spaces on ground and first floor levels with elevated landscaped central courtyard. (Amended Plans)

Address: Site bounded by Little York Street, Great George Street and Nelson Street, Belfast.

Decision: PG

Decision Date: 17.10.2014

Ref ID: Z/2008/1200/F

Proposal: Temporary surface level car park.

Address: Site bounded by Little York Street, Great George Street and Nelson Street, Belfast.

Decision:

Decision Date: 15.01.2009

Ref ID: Z/2011/0737/O

Proposal: Site for social housing development.

Address: Vacant site at Nelson Street, bounded by Great Georges Street to north, Little York Street to west, Nelson Street to east and other lands adjacent to Little Patrick Street to south.,

Decision: PR

Decision Date: 22.10.2014

Ref ID: Z/2012/0352/O

Proposal: Apartment development of 217 units

Address: Site bounded by Little York Street, Great Georges Street and Nelson Street, Belfast,

Decision:

Decision Date:

**Notification to Department (if relevant)**

Date of Notification to Department: N/A

Response of Department: