

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 15 September 2020	
Application ID: LA04/2019/2285/F	
Proposal: Proposed 12 storey building to provide an extension to the purpose built management student accommodation (PBMSA) development currently under construction at 123 York Street (Ref: Z/2015/0177/F). Development comprises 94 No. student accommodation rooms with communal living rooms/kitchens, associated office space and all other site works.	Location: Lands at the corner of Little York Street and Little Patrick Street adjacent to 123 York Street, Belfast.
Referral Route: Purpose Built and Managed Student Accommodation	
Recommendation:	Approval
Applicant Name and Address: Cathedral Living Ltd 70-74 Donegal Street Belfast BT1 2GU	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Executive Summary: The site is located within the development limit for Belfast and the City Centre boundary under the Draft Belfast Metropolitan Area Plan 2015 – 2014 version. The site is also located within Character Area CC 077 – Development Opportunity Site Great George Street/Nelson Street/Great Patrick Street/York Street in Draft BMAP 2004 version and Character Area CC 015 Laganside and Docks in Draft BMAP 2015 version. The key issues in the assessment of the proposed development include; <ul style="list-style-type: none"> • Principle of development and use; • Height, scale, massing, layout and design; • HMO Subject Plan 2015; • Assessment against SPG on PBMSA; • Traffic and Parking • Impact on residential amenity of neighbours; • Other environmental factors. The principle of the development is considered acceptable at this location and the use established at this general location under planning permission Z/2015/0177/F. The key issues have already been examined through the assessment of Z/2015/0177/F, and these are reviewed throughout this report. This proposal seeks to provide an extension to the now built and occupied building granted under the previous permission. The proposed 94 bedrooms equates to approximately a 24% increase when compared to the previous approval. The proposal site would complete the block, which is currently in use as hard standing storage area for construction	

equipment. The site is located on unzoned (white) land 100 metres away from the new University of Ulster campus and is not located in or abutting a primarily residential area.

The proposed extension is considered to complement the existing building and is of an acceptable scale, layout and form. The proposed design and treatment of the elevations are consistent with existing building and the area, incorporating a similar fenestration, solid to void ratios and materials.

In terms of amenity, the proposed extension is located to the south eastern side of the existing PBMSA and York Street, both of which act as significant barriers between the site and residential dwellings at Lancaster Street, ensuring, the scheme will not result in 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 proposal complies with all criteria set out in HMO 7 of the HMO subject plan.

The accommodation proposed is in accordance with / 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.

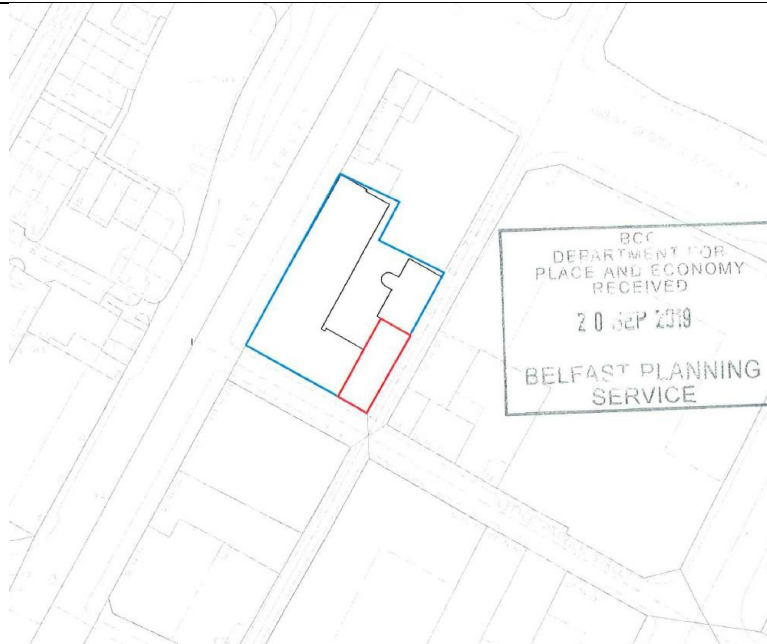
Having regard to the BMAP, the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions

Recommendation

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) 2015 in respect of developer contributions and Management Plan (see paragraph 9.37-9.38 below)

Case Officer Report

Site Location Plan



Consultations:		
Consultation Type	Consultee	Response
Non Statutory	Env Health Belfast City Council	Add Info Requested
Statutory	DFI Roads – Hydebank	Advice
Statutory	Rivers Agency	Advice
Statutory	NIEA	Advice
Statutory	NI Water - Strategic Applications	Advice
Advice and Guidance	Building Control Belfast City Council	Substantive Response Received
Non Statutory	Env Health Belfast City Council	Consultation reminder letter
Statutory	DFI Roads – Hydebank	Consultation reminder letter
Statutory	Rivers Agency	Advice
Non Statutory	Env Health Belfast City Council	Substantive Response Received
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Statutory	Rivers Agency	Consultation reminder letter
Statutory	DFI Roads – Hydebank	Consultation reminder letter
Statutory	Rivers Agency	Advice
Statutory	DFI Roads – Hydebank	Content

Representations:	
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

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for full planning permission for a 12 storey building to provide an extension to the purpose built managed student accommodation (PBMSA) development currently under construction at 123 York Street (Ref: Z/2015/0177/F). Development comprises 94 No. student accommodation rooms with communal living rooms/kitchens, associated office space and all other site works. This is broken down into 73no. student bedrooms, 10no. studio bedrooms, 11no. accessible studio buildings, 11no. shared living/kitchen/dining rooms, ground floor office space and first floor self-service printing with shared access to facilities and services in phase 1 including lift access, student common room, external courtyard, fitness suite, disabled parking and cycle parking.
2.0	Description of Site
2.1	The site is a vacant corner site located at the corner of Little Patrick Street and Little York Street. The site will round off the existing 12 storey purpose built managed student accommodation previously approved under Z/2015/0177/F which is now completed and in operation since September 2019. The site is currently used as storage for construction equipment in relation to the completion of work of the existing building. The site is relatively level throughout and currently bound by the existing building and hoardings securing the site. The area is characterised by a mix of existing office and commercial buildings, new purpose built student accommodation under construction and the nearby new University of Ulster campus currently under construction.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2015/0177/F - 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 - Granted
3.2	LA04/2015/0141/O - Proposed 9 storey office building including ground floor car parking – Granted
3.3	Z/1988/2989 – Private car park - Granted
3.4	Z/1983/1326 – Erection of security fence - Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 – 2004 Version
4.3	Draft Belfast Metropolitan Area Plan 2015 – 2014 Version
4.4	House in Multiple Occupancy Subject Plan 2015 - HMO 7- Large Scale Purpose Built Student Accommodation

4.5	<p>4.5.1 Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>4.5.2 Planning Policy Statement 3: Access, Movement and Parking</p> <p>4.5.3 Planning Policy Statement 7: Quality Residential Environments</p> <p>4.5.4 Planning Policy Statement 12: Housing in Settlements</p> <p>4.5.5 Planning Policy Statement 13: Transportation and Land Use</p> <p>4.5.6 Planning Policy Statement 15: Planning and Flood Risk</p>
4.6	Developer Contributions Framework: A Guide to Developer Contributions and Planning Agreements
5.0	Statutory Consultees Responses
5.1	DFI Roads - no objection subject to conditions
5.2	Rivers Agency – no objection subject to conditions
5.3	NIEA – no objection subject to conditions
5.4	NI Water – No objection
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – no objection subject to conditions
6.2	BCC Building Control – no objection in principle.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No comments have been received.
8.0	Other Material Considerations
8.1	Purpose Built Managed Student Accommodation in Belfast Planning and Place Advice Note: (Nov 15)
8.2	Purpose Built Managed Student Accommodation in Belfast Planning and Place Best Practice Guide (Jan 16)
8.3	Purpose Built Managed Student Accommodation in Belfast Supplementary Planning Guidance (June 2016)
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Height, scale, massing, layout and design; • HMO Subject Plan 2015; • Assessment against Planning & Place on PBMSA; • Traffic and Parking • Impact on residential amenity of neighbours; • Other environmental factors.
9.2	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 is now the statutory development plan for the area.

9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, draft BMAP remains a material consideration.
9.5	The site is located within the development limit for Belfast and the city centre boundary under the Draft Belfast Metropolitan Area Plan 2015 – 2014 version. The site is also located within Character Area CC 077 – Development Opportunity Site Great George Street/Nelson Street/Great Patrick Street/York Street in Draft BMAP 2004 version and Character Area CC 015 Laganside and Docks in Draft BMAP 2015 version.
9.6	Draft BMAP 2004 version key site requirements were in respect of access arrangements to be agreed with DFI Roads, potential road improvements and the requirement for a Transport Assessment.
9.7	Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. It is considered that this proposal will not result in demonstrable harm to nearby residents or the environmental quality of the area.
9.8	Due to the nature of the proposal, BUAP 2001 and draft BMAP 2015 – 2004 version and the House of Multiple Occupation (HMO) subject plan are also significant policy considerations.
9.9	Considering the height of the existing PBSMA at this location and 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; the planning history on the site and a number of planning approvals in the immediate locality it is considered that the proposed height, scale and mass of the proposed extension would not result in harm to the character and appearance of the area.
9.10	<p><u>Principle of development and use</u></p> <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 100 metres away from the new University of Ulster campus and is not located in or abutting a primarily residential area.</p>
9.11	The principle of the development is considered acceptable at this location and the use established at this general location under planning permission Z/2015/0177/F. The key issues have already been examined through the assessment of Z/2015/0177/F, and these are reviewed throughout this report. This proposal seeks to provide an extension to the now built and occupied building granted under the previous permission. The proposed 94 bedrooms equates to approximately a 24 % increase when compared to the previous approval. The proposal site would complete the block, which is currently in use as hard standing storage area for construction equipment.
9.12	<p><u>Height, Scale, Massing, Layout and Design</u></p> <p>The proposed extension is to be as set out below;</p>
9.13	<p>Height from FFL – 36.32m</p> <p>Width – Little York St side – 23.3m</p>

	Width – Little Patrick St side– 8.74m
9.14	<p>The proposed design is consistent with the existing building and the area, incorporating similar fenestration, and solid to void ratios. The palette of materials is similar to that utilised in the existing blocks and includes red brick, red fibre cement cladding panels, gold coloured aluminium perforated panels, gold coloured aluminium framed glazing and louvres. A condition is recommended that samples are provided to the Council for agreement in advance of construction. The architectural approach is modern yet sympathetic to its context, taking cues from the architecture in the context of the area. 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. The site has a previous planning approval for an office development, that approval allowed for the main body of the building to have a ridge height not exceeding 36 metres with any smaller feature element not exceeding 38 metres above existing ground level. The height of the building as proposed has therefore previously been considered acceptable on this site; on Little Patrick Street the extension aligns with the height of the existing block as built and turns the corner on the Little York Street, floor to ceiling storey heights and architectural details are carried through so that the final block will read as one unit. The proposed extension is considered to complement the existing building and is of an acceptable scale, layout and form. The proposed design is therefore compliant with criteria [g] of PPS7.</p>
9.15	<p><u>HMO Subject Plan 2015</u></p> <p>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 and there is ample landscaping and amenity space provided. The proposal therefore complies with HMO 7.</p>
9.16	<p><u>Assessment against PBMSA Planning & Place Advice Note, Best Practice Guide and Supplementary Planning Guidance</u></p> <p>Planning and Place's Advice Note 'Purpose Built Managed Student Accommodation' was developed 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. The guidance given in this document is 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. The policy sets out six criteria which all applications for PBMSA proposals should adhere to. The Supplementary Planning Guidance (SPG) provides additional advice and guidance specific to Purpose Built Managed Student Accommodation (PBMSA) in Belfast. It complements the information already set out in the associated Best Practice Guide published in January 2016 and the internal Planning and Place Advice Note published in October 2015. Consideration of the main criteria and issues as outlined in these documents is set out below.</p>
9.17	<p><u>SPG Location and Accessibility</u></p> <p>Advice Note Criteria (a) The development should be at a location which is easily accessible to university/college campuses by sustainable transport mode. The development is within 100 metres of the new University of Ulster campus, 600 metres of the Belfast Metropolitan College and 1,600 metres 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) and SPG guidance.</p>

9.18	<p>Advice Note Criteria (b) Policy Designations specific to the City Centre.</p> <p>Requires the need to assess the proposal in relation to policy designations specific to the City Centre. The proposal is located within the vicinity of a Protected Housing Area CC 097/13 known as Lancaster located on the other side of York Street. The existing PBSMA has been constructed and this proposal is for an extension to it and in doing so rounding off the site, putting into use an area of former hardstanding. The proposed extension is located to the south eastern side of the existing PBMSA and York Street, both of which act as significant barriers between the two areas. 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, in this specific case the use has been established and this is an extension further removed and in any case students have no need to pass through this area as the Colleges are all located in the opposite direction.</p>
9.19	<p>In regards to other policy designations in the city centre the site is not located within 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).</p>
9.20	<p>SPG Design Quality</p> <p>Advice Note Criteria (c) Layout, design and facilities provided within the development are of high standards.</p> <p>It is considered that the layout, design and facilities provided within the development are of high standards. The site is currently vacant, underutilised and is within an area which suffers from significant vacancy and will complete the rounding off of the site. The layout is considered acceptable. The entrance to the PBSMA extension is to be located on Little Patrick Street. This leads into a reception and offices with linkage through to the existing building.</p>
9.21	<p>In terms of open space provision, it is acknowledged that 'Creating Places- Achieving Quality in New Residential Developments' suggests that adequate provision would range from 10-30m², with inner urban areas tending towards the lower end figure. The outdoor landscape courtyard within Phase 1 provides approximately 270m² which is not sufficient for the needs of the 407 existing students and the proposed additional 94 students. However, guidance advises that a flexible approach should be applied when considering planning applications for PBMSA in the City Centre; in this instance it is considered 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 on the overall site (landscaped areas and commons rooms) it is considered, on balance, acceptable.</p>
9.22	<p>This element of the wider development does not propose any parking provision, 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. This reflects the previous planning approval Z/2015/0177/F. Considering and DFI Roads have no objection to the proposal it is considered that the proposal is acceptable in this respect.</p>
9.23	<p>The accommodation proposed is in accordance / generally exceeds the standards set out in NI Housing Executive HMO standards – single rooms are approximately 11.36m² (6.5m² - 11 m² NIHE standard), studio apartments are approximately 17.24m² (10m² – 15m² NIHE standard) with accessible apartments approximately 22.03m². Common room areas are approximately 26.65m² for 6 occupants. Provision is therefore compliant with space standards.</p>
9.24	<p>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.</p>

9.25	<p>SPG Impact and Scale Criteria (d) The development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area. 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. The existing PBSMA to which this proposal is an extension sits between the proposal site and the protected housing area opposite the York Street side of the existing building and therefore it will not be unacceptably affected, given that York Street and the existing PBSMA both act as effective barriers. Considering this and the separation distances between the site and the said properties, it will not result in an unacceptable loss of residential amenity. In terms of overlooking the extension will overlook onto Little York Street and Little Patrick Street and therefore will not result in unacceptable overlooking to residential dwellings at Lancaster Street due to the orientation of the proposed extension. It is therefore considered that the proposed extension is considered compliant with criteria (d).</p>
9.26	<p>The applicant who has been chosen by the developer to operate the student accommodation is Cathedral Living Group Limited who operates the existing PBSMA to which this proposal is an extension. 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. 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>
9.27	<p>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. Whilst the site is not located on a HMO node it 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 and the original planning permission Z/2015/0177/F, as being an acceptable location for PBSMA given its proximity to the new University of Ulster. Whilst the site is located within the vicinity of 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>
9.28	<p>SPG Management / Planning Agreements Advice Note Criteria (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. Requires that the development has an appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impact from occupants. It will be secured by a Section 76 Agreement as per the previous approval to ensure that impacts to existing and prospective residents will be minimal.</p>
9.29	<p>SPG Need Advice Note Criteria (f) The development meets an identified need for the type of accommodation proposed. Planning applications should be accompanied by evidence supporting the need for the type and quantum of PBSMA proposed. The applicant has submitted a Student Accommodation Supply and Demand Report which concludes that there remains a potential need in Belfast for 4432 units when taking account of developments currently completed, under construction or which have received planning permission. This figure is in excess of the 94 units proposed.</p>

9.30	<p><u>Traffic and Parking</u> DFI Roads were consulted and have no objection subject to conditions. 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. Factoring this with the lack of objection from DFI Roads it is considered that the applicant has adequately addressed the shortfall in parking provision and have no objection subject to conditions.</p>
9.31	<p><u>Impact on residential amenity of neighbours</u> The impact of the proposed extension to the existing PBSMA building has been considered at 9.19 - 9.20 and 9.26 - 9.29 in this report.</p>
9.32	<p><u>Other Environmental Considerations</u></p>
9.33	<p><u>Flooding</u> 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 (AEP 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 under the Exceptions heading, the applicant is required to submit a Flood Risk Assessment for all proposals.</p>
9.34	<p>The principle of development is considered acceptable as it meets the exceptions test in that the hardstanding was in use as a car park on the site for the previous building which already existed 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 subject to condition.</p>
9.35	<p><u>Environmental Health</u> Environmental Health were consulted following the submission of additional information, have no objection to the proposal subject to conditions in relation to noise, Construction Environmental Management Plan (CEMP), Management of the facility and student behaviour and Informatives in relation to contaminated land as per the original planning permission Z/2015/0177/F.</p>
9.36	<p><u>Building Control</u> Advice provided applicant to address under relevant legislation.</p>
9.37	<p><u>Developer Contributions</u> 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 public realm improvement works and pedestrian crossing enhancement as per the previous planning permission Z/2015/0177/F. This will also be in 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 university complex and new accommodation with environmental improvements and safe crossing points will regenerate the area.</p>
9.38	<p>The Section 76 Agreement for Planning Application Z/2015/0177/F secured a Developer Contribution for £215,710 (30% of which is to be allocated to a pedestrian crossing enhancement and 70% to public realm improvements), and a Management Plan. The original proposal accommodated 407 beds; the additional 94 beds now proposed represents an uplift</p>

9.39	<p>of 24%, this uplift has been applied pro rata to the developer contribution. A draft Section 76 Agreement for the sum of £51,770.00 for public realm improvement works and pedestrian crossing enhancement to be undertaken has been submitted and agreed with the developer and BCC Legal Services have been consulted. The Section 76 will also secure a Management Plan.</p> <p>The proposal contributes to the delivery of the Belfast Agenda priorities - Living Here and City Development and the Local Development Plan Strategic Aims – Shaping a liveable place, a green and active place and a smart connected and resilient place.</p>
9.40	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject the signing and delivery of the Section 76 Agreement and conditions. It is requested that committee delegate authority to the Director of Planning and Building Control to finalise conditions as set out in draft in Section 11 of the DM Officer's report.</p>
10.0	Summary of Recommendation: Approval
	<p>Conditions</p> <ol style="list-style-type: none"> <li data-bbox="325 808 1493 875">1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. <li data-bbox="325 981 1493 1279">2. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use. <li data-bbox="325 1384 1493 1749">3. After completing the remediation works under Condition 2; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks, as applicable. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use. <li data-bbox="325 1854 1493 1980">4. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground

Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” available at: -
<http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

5. Prior to occupation of the hereby permitted development, the glazing/window units and acoustically attenuated alternative means of ventilation must be installed all habitable rooms in accordance with the recommended specification presented in the Lester Acoustics Sound Level Assessment, dated 16th December 2019, referenced MRL/0959/L02 Rev 2.

Reason: Protection of residential amenity.

6. Prior to occupation of the hereby approved development, the dividing floor/ceiling between the ground floor and first floor accommodation units and the sound reduction performance between party walls between accommodation and other rooms such as common rooms, retail, meeting rooms etc of the proposed development must be constructed and installed to provide a sound reduction performance of 65dBRw greater in accordance with the recommended specification presented in the Lester Acoustics Sound Level Assessment dated 16th December 2019, referenced MRL/0959/L02 Rev 2.

Reason: Protection of residential amenity.

7. The noise rating level (dBLAr,T) from the operation of all combined plant and equipment must not exceed the existing daytime and night time background sound level (61dBLA90 and 51 dBLA90) when measured or determined in line with line with BS4142:2014 as recommended in the Lester Acoustics Sound Level Assessment, dated 16th December 2019 referenced MRL/0959/L02 Rev2 .

Reason: Protection of residential amenity.

8. Prior to commencement of development, the appointed contractor shall contact the Environmental Protection Unit of Belfast City Council to advise of the forthcoming schedule of work, including times of work on site and to advise of arrangements to engage with neighbouring community.

Reason: Protection of residential amenity.

9. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be developed by the appointed contractor which clearly identifies measures to mitigate the potential impact arising from dust, noise and vibration. The CEMP must document clear procedures for monitoring compliance with best practice with regard to following best practicable means in the use of equipment and methods of work. The CEMP shall identify good practice and mitigation measures aimed at minimising negative impact from dust, noise and vibration. The CEMP must be implemented throughout the construction phase and the CEMP shall be made available at any time upon request by the Environmental Protection Unit of Belfast City Council.

Reason: Protection of residential amenity.

10. The Private Streets (Northern Ireland) Order 1980. 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. 19364-C500, 'Private Streets Determination Plan' published by Belfast City Council Planning Office on 26 May 2020 and the DfI Roads determination stamp.

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.

11. The development shall operate using a hard surfaced area constructed in accordance with the approved layout Drawing No. 1477-01-01 Revision A, 'Proposed Ground Floor Plan' published by Belfast City Council Planning Office on 26 May 2020 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.

Reason: To ensure that adequate provision has been made for parking and servicing.

12. Any existing street furniture or landscaping obscuring visibility or located within the proposed vehicular accesses shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

Reason: In the interests of road safety and the convenience of road users.

13. The development hereby permitted shall operate in accordance with the Travel Plan published by Belfast City Council Planning Office on 8 October 2019. The Site Operator will provide access to the Translink iLink Initiative or equivalent measures agreed by DfI Roads.

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

14. 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.

15. 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 samples 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.

Informatives

1.0 Under Section 76 of the Planning Act (Northern Ireland) 2011 the applicant has agreed that prior to commencement of operation of the development, the applicant must submit a Final Management Plan to be agreed and approved by the Council in writing

	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>2.0 Under Section 76 of the Planning Act (Northern Ireland) 2011 the applicant has agreed that 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.</p> <p>3.0 This determination relates to planning control only and does not cover any consent or approval which may be necessary to authorise the development under other prevailing legislation as may be administered by the Council or other statutory authority.</p> <p>4.0 The applicant's attention is drawn to the information provided on the consultee responses which are available to view on the planning portal.</p> <p>5.0 This planning permission includes conditions which require additional details to be submitted to and approved by the Council. Please read the conditions carefully. You should allow at least 8 weeks for the Council to assess the details and respond. This may take longer in cases which involve the submission of detailed technical reports. You should allow for this when planning your project. If you proceed without the approval of these details from the Planning Authority you do so at your own risk.</p>
	<p>Notification to Department (If relevant): N/A</p>
	<p>Neighbour Notification Checked Yes</p>
	<p>Representations from Elected Members: N/A</p>

ANNEX	
Date Valid	30th September 2019
Date First Advertised	11th October 2019
Date Last Advertised	11th October 2019
Details of Neighbour Notification (all addresses) The Owner/Occupier, 14-20 Little Patrick Street,Belfast,Antrim,BT15 1BA The Owner/Occupier, 23-33 ,Little York Street,Belfast,Antrim, The Owner/Occupier, 23-33 ,Town Parks,Belfast,Antrim, The Owner/Occupier, 28-30 Great Patrick Street,Belfast,Antrim, BT1 2LT The Owner/Occupier, Young Business Centre,103 York Street,Belfast,Antrim,BT15 1AB	
Date of Last Neighbour Notification	15th October 2019
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
Drawing No. 01-10, proposed ground floor plan and private streets determination.	