Appeal Decision

Planning Appeals Commission

4th Floor
92 Ann Street
BELFAST
BT1 3HH
T: 028 9024 4710
E: info@pacni.gov.uk

Appeal References:	2022/A0218
Appeal by:	Mandeville Developments NI Ltd.
Appeal against:	The refusal of full planning permission
Proposed Development:	Erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 795 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including café and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths
Location:	Lands bounded by Library Street (to south); Stephen Street (to west); Little Donegal Street (to north); and Union Street (to east), Belfast
Planning Authority:	Belfast City Council
Application Reference:	LA04/2022/1284/F
Procedure:	Informal Hearing on 15th January 2024
Decision by:	Commissioner Kevin Gillespie, dated 31st January 2025

Decision

1. The appeal is allowed, and full planning permission is granted.

Preliminary Matter

2. On 28th March 2023, Belfast City Council (Council) refused planning application LA04/2022/1284/F as being contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS), Planning Policy Statement 7 'Quality Residential Environments' (PPS 7), Planning Policy Statement 8 'Open Space, Sport and Outdoor Recreation' (PPS 8), the draft Belfast Metropolitan Area Plan and the Inner North West Masterplan.

3. Following the adoption of the Belfast Local Development Plan: Plan Strategy 2035 in May 2023, and in its Statement of Case (SOC) submitted to the Commission on 29th September 2023, the Council advised that the refusal reasons for the above application were being revised to take account of the recently adopted Plan Strategy. In addition to the 4No. revised reasons for refusal, the Council also presented 3No. additional reasons for refusal based on the appeal site being a Development Opportunity Site and located within an Established Residential Area and because the proposal did not include sustainable drainage systems (SuDS) or incorporate measures to mitigate and adapt to environmental change.

4. As the appellant and Third Parties have had the opportunity to make representations on the revised reasons for refusal at appeal stage, and in particular during the informal hearing held on 15th January 2024, no prejudice arises. This appeal decision is therefore based on the revised and additional reasons for refusal.

Reasons

5. The main issues in the appeal are whether or not:
   - the Purpose Built Managed Student Accommodation (PBMSA) would prejudice delivery of mixed-tenure housing on the adjacent land;
   - it would prejudice delivery of public open space for new housing in the area;
   - the proposed design would be out of keeping with the area and respect the local context and character; and
   - it would provide acceptable private amenity space and public open space.

Appeal Site and the Proposal

6. The appeal site, which is broadly rectangular, measures some 0.4 hectares in area and incorporates a fall in levels of some 1 metre from west to east, is framed by Stephen Street to its west, Little Donegall Street to its north-east, Union Street to its east and Library Street to its south. Internally, the north-east, east and south-east portion of the site comprises a tarmacadam surface level car park (known as Library Street Pay and Display car park) which is currently marked out for some 85No. parking spaces and which is accessed via Little Donegall Street. The south and south-western portion of the site comprises an area of concrete hardstanding which is informally marked out as a surface level car park. This area is currently sectioned-off from the Library Street Pay and Display Car Park by 2m high (approx.) mesh fencing. The western and north-western portion of the site, which is sectioned-off from both the Library Street Pay and Display Car Park and the area of concrete hardstanding by 2m - 2.5m high (approx.) wooden sheet hoarding, is currently used for the storage of building materials.

7. The appeal site is bounded by a 2 metre high (approx.) palisade fence along the Little Donegall Street and Union Street frontages, by a combination of a 2 metre high (approx.) palisade fence and 2m – 2.5m high (approx.) wooden sheet hoarding along the Library Street frontage and by a combination of 2 metre high (approx.) mesh fencing and 2m – 2.5m high (approx.) wooden sheet hoarding along the Stephen Street frontage.

8. To the north-east of the appeal site, Little Donegall Street comprises a combination of a six storey red brick building, known as The Factory, which comprises ground floor retail with apartments above, a two storey red brick warehouse and a PBMSA which is currently under construction and which, when completed, would be 10No. storeys in height and would comprise 620 units and 54No. lower ground floor parking spaces. This was granted permission by the Planning Appeals Commission under 2016/A0202.

9. To the east of the appeal site, Union Street comprises a 5No. storey, red-brick, Grade B1 Listed building (ref: HB26/50/280) which is known as the ‘Frames’ building. To the south of the appeal site, Library Street comprises a 9No. storey

apartment building, known as Library Court, which is finished in a mix of red brick and smooth render and Alma Place, which is an 11No. storey PBMSA, finished in red brick, and which comprises 87No. apartments. This was granted permission by the Planning Appeals Commission under 2016/A0044.

10. To the west of the appeal site, Stephen Street comprises a surface level car park known as Little Donegall Street Car Park which is currently marked out for some 104No. parking spaces. To its south, but separated by Library Street, is a row of 8No. two storey red-brick terraced dwellings. To its west is Nos. 57 – 85 Carrick Hill which comprise a mix of two storey red brick dwellings and a four storey apartment block. These buildings front onto Carrick Hill (B126) which is a 4-lane carriageway.

11. The appeal development seeks full planning permission for a purpose-built managed student accommodation (PBMSA) comprising a total of 795 single occupancy units. The host building, which encloses a central courtyard and event space, varies in height between 5No. and 11No. stories with the highest part (some 41.25 metres AGL to the parapet) positioned at the junction of the Little Donegall Street/Stephen Street aspect. The ground level layout includes a reception area including an associated cinema room, study space, office and kitchen area, plant rooms, bin and cycle storage areas, a gym, a laundry and 2No. café/retail units. All these elements of the proposal have frontage onto the road. Access to the reception area is gained via Little Donegall Street with one café/retail unit being accessed from Union Street and the other from Little Donegall Street/Stephen Street. The proposed materials palette comprises brick and aluminium framed windows.

12. The planning history of the appeal site includes a mixed-use development, granted planning permission under Z/2008/0655/F on 26th June 2009 which comprised 253No. apartments, retail units and basement car parking. The development extended to 10No. storeys in height along the Stephen Street frontage. Development did not commence and the permission expired in June 2014.

Policy Context

13. Section 45(1) of the Planning Act (NI) 2011 (the Act) requires that regard must be had to the local development plan (LDP), so far as material to the application, and to any other material considerations. Section 6(4) of the Act states that where regard is to be had to the LDP, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

14. On 2nd May 2023, Belfast City Council (Council) adopted the Belfast Local Development Plan: Plan Strategy 2035 (PS). In line with the transitional arrangements as set out in Part 9 and the Schedule to the Local Development Plan Regulations 2015 (as amended) (Regulations), the LDP now becomes a combination of the Departmental Development Plan (DDP) and the PS read together. In accordance with the Regulations, any conflict between a policy contained in the DDP and those of the PS must be resolved in favour of the PS.

15. The Belfast Urban Area Plan 2001 (BUAP) operates as the DDP for the area in which the appeal site is located. In it, the appeal site is located on unzoned land

within the development limit of the Belfast Urban Area. There are no other provisions within BUAP that are material to the determination of the appeal.

16. The Belfast Houses in Multiple Occupation Subject Plan 2015 (HMO Subject Plan), which was adopted in December 2008, is also a DDP for the purposes of the Act and Regulations (as amended). Paragraph 3.2.12 of the PS states that relevant policy designations from this Plan will continue to form the basis of decision-making until the LDP is adopted in its entirety.

17. In the HMO Subject Plan, the appeal site lies within an HMO Development Node 4/17 - Scotch Quarter. Policy HMO 3 'HMO Development Nodes' of the plan states that along the frontages of designated HMO Development Nodes planning permission for HMOs will be granted, providing it does not include HMO development at ground floor level within a designated commercial node or shopping area. The amplification text states that the policy is designed to accommodate the need and demand for HMO accommodation and direct it to areas where it can contribute to regeneration and it applies to some 18No. designated HMO Development Nodes within Belfast.

18. The appeal site is not located in a designated commercial node as designated within the LDP. All parties accepted that the appeal proposal could assist in the regeneration in this run down part of the city centre and I would agree. Given the foregoing, I am therefore satisfied that the appeal proposal does not offend Policy HMO 3 of the HMO Subject Plan in so far as stated.

19. Policy HMO 7 'Large Scale Purpose Built Student Accommodation' of the Subject Plan states that planning permission will only be granted for large scale purpose built student accommodation subject to a number of criteria.

20. The appeal development would comprise more than 50 units and would accommodate in excess of 200 persons. Given the 'apartment-style' living arrangements as evidenced by the submitted floor plans, I am also satisfied that all the units are self-contained for the purposes of policy. Notwithstanding the matter of the Established Residential Area (ERA) which I address later in this decision, I do not consider the location of the proposed development to be within a primary residential area. I also consider that the proposal would meet the requirement that the accommodation be managed. In respect to the matter of landscaping and amenity space, I will address this later in this decision.

21. The third parties questioned the veracity of the appellant's Statement of Need and in particular that Queens University advised that there is an estimated shortage of 6000 student beds while Ulster University advised that they would require some 1700 student beds to meet demand. Notwithstanding that need is not a policy test within Policy HMO 7, I was not provided with any robust evidence by the third parties to persuade me that the aforementioned figures are inaccurate. I will address the third parties concerns regarding the concentration of students in the area of the appeal site later in this decision.

22. Notwithstanding my later conclusions on the matter of landscaping and amenity space, I am satisfied that Policy HMO 7 of the HMO Subject Plan is satisfied when read as a whole. Given that the proposal meets the policy tests within the HMO Subject Plan, I am satisfied that in principle it is in accordance with the LDP.

23. The Council states that the zonings, designations and proposals maps in both the 2004 and 2014 versions of the draft Belfast Metropolitan Area Plan 2015 (BMAP) are material considerations until its Local Policies Plan is adopted. However, on 18th May 2017, the Court of Appeal declared the decision to adopt BMAP unlawful. Consequently, the Commission's approach since then has been to place no reliance on the provisions of the unlawfully adopted plan in deciding appeals. It is accepted that the designations in the 2004 version of draft BMAP can be a material consideration in certain cases. In it, the appeal site is located within Belfast City Centre. It is also within the Scotch and Cathedral Quarters Character Area (Designation CC 013), an Area of Parking Restraint (Designation CC 102) and is zoned in part as a Development Opportunity Site (Zoning CC 039). There are no other specific policies or designations which are pertinent to the appeal proposal.

24. Whilst the Strategic Planning Policy Statement for Northern Ireland (SPPS) remains material in accordance with paragraph 1.9 thereof, as the Council has adopted its PS, the previously retained Planning Policy Statements have now ceased to have effect. The Council's revised and additional reasons for refusal refer to Policies RD1, DES 1, DES 2, DES 3, SP5, SP8, CC1 and HOU12 of the PS which represents the relevant policy context in this appeal. Guidance contained in Creating Places – Achieving Quality in Residential Environments (CP) is also of relevance as is the document titled 'Purpose Built Managed Student Accommodation in Belfast which is listed as supplementary planning guidance (SPG) in Appendix E of the PS.

25. The Inner North West Masterplan (INWMP) was published in December 2018/January 2019. It seeks to provide a framework to help shape emerging opportunities and ensure a more comprehensive approach to development of both public and private sector owned land. Under the heading titled 'Development Management' it states that *'at present the Inner North West Masterplan is a non-statutory document'*. It goes on to state, *'in order for it to have more weight as a SPG document the Council would have to take it through a formal process involving consultation. Following this, the principles or spatial elements of the Masterplan could then be considered to provide a more detailed articulation of LDP policy*'. At the hearing, the Council confirmed that, to date, no formal process has commenced to adopt the document as SPG. Notwithstanding this, it is a material consideration in this appeal.

Little Donegall Street Car Park/Social Housing (Reason 1)

27. Policy RD1 of the PS 'New residential developments' states that planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal satisfies a number of criteria one of which is criterion (a) which requires that the proposal will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas. In this case, the Council contends that the appeal proposal, by reason of its scale, height and massing, would prejudice delivery of mixed-tenure housing on the adjacent Little Donegall Street Car Park. The third parties were also concerned at the potential failure to deliver social housing on this site.

28. As detailed above, draft BMAP is a material consideration. In it, the current Little Donegall Street Car Park site is zoned for social housing (ref CC 06/05 – Land between Carrick Hill and Stephen Street (Upper Library Street)). At the hearing, the Council confirmed that, to date, no proposals for the development of the land for social housing have been submitted. Whilst the Council went on to contend that *'it is very likely that proposals will come forward for social housing'*, they could not provide any certainty as to when any such proposal would be submitted to the Council for planning permission.

29. At the hearing, I heard from both the Council and third parties that there is considerable housing need in North Belfast, particularly in Carrick Hill and in North Belfast alone, there are some 2,200 applicants for social housing and some 1800 persons in housing stress.

30. In assessing a proposal at appeal, the Commission can only consider it in the evidential context of what exists/is 'on the ground'. The Commission cannot take into consideration what may or may not happen at an undefined point or time in the future. Whilst it is evident from the figures stated above that there is undoubted housing need and stress experienced in this part of North Belfast, I therefore must consider the appeal proposal solely in the context of the current use of the adjacent site, that is, as a surface level car.

31. In light of the above and the fact that there is no extant planning permission for social housing on this site and no related approved housing layout against which my assessment can be made, I am unable conclude that the appeal proposal would prejudice delivery of social housing on the adjacent site. Moreover, as I must consider the appeal proposal on its own merits, I have no persuasive evidence that, were a proposal for social housing to come forward, it could not be designed to sit satisfactorily alongside the appeal proposal within its urban context. I have therefore not been persuaded that the height, scale and massing of the proposed approval of the appeal proposal would have a significant and over-dominating impact on the adjacent site zoned for social housing nor would it preclude the development of a suitably designed housing scheme on the site. For these reasons, I conclude that the appeal proposal would comply with Policy RD1 of the PS in so far as stated and the related design Policies DES1, DES2 and DES3 of the PS. Accordingly, the Council has not sustained its first reason for refusal. The third parties related objections have also not been sustained.

The Inner North West Masterplan and delivery of Public Open Space (Reasons 2 & 7)

32. Policy CC1 of the PS 'Development opportunity sites' states that the Council will support mixed use development within the development opportunity areas that is consistent with a number of principles. Criterion (a) states that new developments shall be directed towards sites within development opportunity areas one of which is sub-criteria (2) - the Inner North West. Criterion (b) states that master plans, urban design and landscape frameworks and developer's briefs shall be prepared, and these shall be agreed by the Council's Planning Service. Criterion (c) states that master plans, urban design and landscape frameworks and developer's briefs, shall be required to demonstrate a comprehensive approach to the planning and regeneration of the development opportunity area and shall be consistent with the LDP objectives and policies. Criterion (d) states that development proposals shall

be required to deliver the identified land uses, the design principles for quality buildings and the public realm for sites in the development opportunity areas' masterplan agreed by the Council's Planning Service prior to planning applications being submitted for individual site.

33. The Justification and Amplification (J&A) to Policy CC1 includes Figure 8.4 titled 'Existing City Centre Master Plan Areas' which highlights a number of areas within the City Centre which are subject of Masterplans. One of these areas, identified as No. 2 in Figure 8.4, is identified as being the subject of the Inner North West Masterplan (INWMP). Whilst Figure 8.4 is broadly illustrative and does not include road/street names which would assist the reader to clarify the extent of each Masterplan area, I note there was no dispute between the parties that the appeal site falls within the area served by the INWMP.

34. In this case, the Council and Third Parties contend that the appeal proposal would prejudice delivery of public open space for new housing in the area. In addition, the Council also contend that the appeal proposal does not satisfy Policies SP5 'Positive placemaking' and SP8 'Green and blue Infrastructure network' of the PS which requires that development maximises the core principles of good design and positive placemaking in the creation of successful and sustainable places and that the Council will support the development of a green and blue infrastructure network, designating and safeguarding sites and accesses required for the green and blue infrastructure network across the plan area.

35. In the introduction to the INWMP, it states that it proposes a new city centre neighbourhood that incorporates a mix of uses, including residential, commercial, retail and leisure all integrated through a strong and cohesive public realm. It goes on to state that the masterplan seeks to:

- provide a coherent quarter in the city centre's urban fabric connected to the surrounding residential neighbourhoods and city quarters;
- invigorate the historically vibrant economy of the Inner North West area;
- promote city centre living, with its social and environmental benefits;
- celebrate the identity of this part of the city and its rich and layered history;
- take into consideration the heritage of the area and the historic urban grain;
- promote sustainable development and habitat creation; and
- deliver the ambitions of the Belfast Agenda.

36. Paragraph 6.8 'Union Street – Public Space' of the INWMP states that *'new open space will complete the network of public spaces in the INW area. If proposals are brought forward for residential-type of uses it is important there is the provision of well-designed public space. Union Street provides opportunity for such a space within the context of the wider development in the area'.* I note that Paragraph 6.8 of the INWMP also includes an illustrative map of the appeal site in which a triangular area of open space is shown at the junction of Union Street/Little Donegal Street.

37. In respect of the appeal proposal, I note that Drawing Number 100-04 Rev. A. 'Proposed Site Plan' read alongside Drawing Number 7488-L-1000 'Landscape Proposals' show a central courtyard and event space of some 1,300 sq m. around which the PBMSA buildings would be formed. I note that this area would be

accessed via two entrances, one sited along Library Street and one sited at the junction of Union Street and Little Donegall Street. Whilst I note that the appellant provided no quantum for this space in their evidence, from my own assessment both map-based and on the ground, I consider that the proposed courtyard and event space would be of a reasonable size to accommodate sizeable events with a large number of attendees. I also consider it to be well designed and accessible to all and not just the residents of the development. In addition to this, I note that a number of public realm improvements to the public footpaths around the perimeter of the appeal site also form part of the overall PBMSA proposal.

38. Whilst the INWMP is a material consideration in this appeal, it is not yet SPG, therefore the policies in the PS carry greater weight in the assessment of development proposals, including the appeal proposal, than the provisions of a non-statutory masterplan.

39. In his evidence, the appellant refers to Policy HOU12 'Large scale purpose built managed student accommodation' of the PS and contends that the policy provisions do not require PBMSA to provide public open space. Whilst the Council acknowledged at the hearing that the provision of public open space is excluded from the policy criteria, they contended that the PS however must be read as a whole. In that regard, they contended that Policies CC1 and DES 2 'Masterplanning approach for major development' had greater weight and required a masterplanning approach, which would include the provision of public open space as expressed illustratively at Paragraph 6.8 of the INWMP, to meet the regeneration objectives of the area.

40. It is evident from the foregoing that in the particular circumstances of this case, there exists a policy tension between Policy HOU12 and Policies CC1 and DES 2 of the PS. Whilst I agree with the appellant that the provision of public open space is not, in itself, a policy criteria within Policy HOU12 of the PS, I note that in this case, the appellant has nonetheless included the provision of a central courtyard and event space and public realm works as an integral part of the appeal proposal's overall design. This assists the appellant's case.

41. At the hearing, the Council did not provide a quantum of public open space which it considered is required for new housing in the area. I also note that the illustrative map at Paragraph 6.8 of the INWMP does not provide a quantum of open space in respect of this triangular area. In the absence of such information, I have no persuasive evidence before me to suggest that the quantum of space provided by the proposed courtyard and event space and the related public realm works is unacceptable.

42. At Paragraph 4.6 of the INWMP, I note it states that PBMSA supports regeneration. When combined with the proposed provision of public realm detailed above, I consider that, when assessed in its entirety, the appeal proposal would deliver a successful and comprehensive masterplanning approach for the site and positive placemaking in the context of the immediate and wider area. For these reasons, the appeal proposal therefore complies with Policy CC1 of the PS in so far as stated and Policies DES2 and SP5 of the PS.

43. The Council also contended that appeal proposal would not safeguard the site for the green infrastructure network for this part of the city centre in accordance with

Policy SP8 ‘Green and blue infrastructure network’. The J&A to Policy SP8 includes Figure 5.5 titled ‘Belfast’s Green and Blue Infrastructure Plan which highlights major parks and open spaces, primary and secondary green and blue infrastructure axis and key green and blue infrastructure connectors. Similar to my comments in respect to Figure 8.4 of Policy CC1 above, Figure 5.5 is broadly illustrative and does not include road/street names which would assist the reader to clarify the appeal site and its associated open space provision in the context of the plan area shown.

44. Notwithstanding this, it is evident from the appeal proposal as detailed above that a proposed courtyard and event space and public realm improvements form an integral part of the appeal proposal. Given this, and given its accessibility both in the context of the immediate area of the appeal site and its close proximity to other public spaces, for example, Buoy Park and Writers Square, which are within reasonable walking distance of the appeal site, I conclude that the appeal proposal would support the development of a green infrastructure network in this part and across the wider Belfast City. As such the proposal complies with Policy SP8 of the PS such that the Council’s concerns in this regard are not sustained.

45. For the reasons given, I conclude that the appeal proposal would deliver PBMSA and public realm/open space which would further the INWMP intention of creating a new city centre neighbourhood that incorporates a mix of uses, including residential, commercial, retail and leisure all integrated through a strong and cohesive public realm as stated in the introduction to the INWMP. Whilst the appeal proposal is not, in itself, a mixed-use development which Policy CC1 supports, it does however include a number of ancillary uses such as a café, gym and laundrette, which when considered in the round does not offend Policy CC1 of the PS. Accordingly, the Council’s second and seventh, reasons for refusal and the third parties associated concerns are not sustained.

Design Considerations (Reasons 3 & 5)

46. Policy DES1 ‘Principles of urban design’ of the PS states that ‘planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking subject to compliance with a number of criteria. Paragraph 4.27 of the SPPS also refers to the need for good design and states that Planning Authorities will reject poor designs, particularly proposals that are inappropriate to their context, including schemes that are clearly out of scale or incompatible with their surroundings. In this case, both the Council and third parties concerns relate to criteria (a) and (b) of Policy DES1.

47. Criterion (a) of the policy requires that the development responds positively to local context and character through architecture and urban form that addresses matters such as height, scale, massing proportion, plot width, building lines, rhythm, roofscape, materials and any impact on built and natural heritage whilst criterion (b) requires that it positively reinforces a sense of place by demonstrating that locally distinctive features have been identified, incorporated and enhanced where appropriate. In this case, both the Council and third parties consider that the proposed development would be a dominant structure of inappropriate height, scale, mass and design by comparison to the domestic scale of development within the Carrick Hill area to its west and Stephen Street to its south-west.

48. Aligned to this, the Council and Third Parties also contend that the appeal proposal fails to comply with criterion (a) of Policy DES3 'Tall Buildings' of the PS which requires that tall buildings are of a height and scale that is sensitive to the context of their surroundings and are proportionate to their location. The policy headline defines a tall building as any building 35m above ordnance datum (AOD) or taller or those which are significantly higher than their surroundings

49. Herein, the crux of the Council's and Third Parties concerns primarily relate to the fact that when viewed from both Carrick Hill and Stephen Street, the appeal proposal, which at its highest is 41.140m AGL, would rise above the existing housing such that when viewed cumulatively with the developments approved by the Commission under references 2016/A0202 and 2016/A0044, it would have a significantly overwhelming impact on the cityscape and character and appearance of the area.

50. Paragraph 7.2.8 of the Justification and Amplification (J&A) to Policy DES1 of the PS, states that local distinctiveness encompasses the unique physical, social and economic characteristics of a place. It goes on to state that it encapsulates those elements that set a place apart from others and includes those elements that contribute to its character, individual sense of place and local identity.

51. As detailed above, at the hearing, both the Council and Third Parties referred to the social and economic characteristics of this part of North Belfast and the Carrick Hill area in particular in respect of the housing need and stress experienced by the community. In respect to the physical characteristics of the area, the Council contend that the appeal site lies within an established residential area and therefore is contrary to Policy HOU12 of the PS. However, from my site visit, I observed this part of North Belfast to be predominantly mixed use in character comprising commercial, ecclesiastical, professional services and residential uses and therefore I disagree with the Council's assessment. In respect of residential development in the immediate area, whilst Stephen Street is characterised by terraced two storey dwellings and Nos. 57 – 85 Carrick Hill, which front onto Carrick Hill (B126), comprise a mix of two storey semi-detached and a four-storey apartment, the area also includes PBMSA similar to that of the appeal proposal in terms of height, scale, massing, design and appearance.

52. The remainder of residential dwellings which comprise Carrick Hill are sited further to the west from the appeal site and are separated from it by the B126 which is a 4-lane carriageway. Whilst this particular area of residential dwellings, in itself, could display the characteristics of an established residential area, given the degree of separation between it and the appeal proposal by the B126, on the ground it does not read as being within the appeal sites localised context. However, even if I did conclude that it was within the local context of the appeal proposal, because of the absence of any inter-linkage and visual appreciation between these elements due to the physical separation distance, I am not persuaded that the appeal development would result in an overwhelming built form which would be detrimental to the character of the area when viewed from the direction of Carrick Hill, even if it would rise above the ridge of Nos. 57 – 85 Carrick Hill in this view.

53. The appellant provided a series of contextual elevations along the Union Street, Stephen Street, Little Donegall Street and Library Street frontages (Drawing

Number 300-03 Rev. B.) which show the appeal proposal, in respect of its height, scale, design and appearance, within its local context. I note that these were not disputed by the Council or third parties.

54. Having regard to these and also from my on-site observations, I do not consider that that the scale, form and massing of the appeal building would represent a discordant feature in the local context. Whilst I agree with the Council that it is taller that some elements of the immediate built context, namely the five storey 'Frames' building on Union Street, the two storey warehouse and the six storey building known as The Factory on Little Donegall Street and the two storey residential dwellings at Stephen Street, it is flanked and read in views and approaches with the 2No. existing PBMSA's which are of a similar height. Moreover, notwithstanding that the residential dwellings at Stephen Street are off-set from the appeal proposal, the ridge of the nearest part of the appeal proposal to these dwellings at the junction of Stephen Street and Library Street would in any event be lower than the ridge of the Alma Place building directly opposite.

55. In respect of the host building's design and appearance, I consider that the use of architectural elements including stepped elevational profiles, varying rooflines, proportionate solid to void ratios, emphasised vertical fenestrations and detailing and ground floor active frontages when set against a materials palette which takes its cues from the surrounding streetscape, when considered as a whole, would create a building design which would respond positively to the local context and character. Moreover, and when read against the aforementioned contextual elevations detailed on Drawing Number 300-03 Rev. B, I consider that the appeal proposal would be both proportionate to its location and sensitive to its surroundings including the setting of the Grade B1 Listed 'Frames' building.

56. The intention of Policy DES1 when read with criterion (a) of Policy DES3 of the PS is to create a high-quality sustainable design that makes a positive contribution to placemaking quality residential environments. As I do not consider that the appeal development would be a dominant structure of inappropriate height, scale, mass, design or appearance, the proposal therefore complies with criteria (a) and (b) of Policy DES1 and criterion (a) of Policy DES3 of the PS and the related provisions of the SPPS in so far as stated.

57. The Council contend that the appeal proposal would also fail to comply with criterion (d) of Policy DES3 which requires that it would contribute to a cluster or an interesting skyline when grouped together.

58. At the hearing, the Council failed to qualify what they considered constituted an 'interesting skyline'. Notwithstanding this, I consider this to comprise a variety of building heights, form, detailing and roof profiles such that the overall skyline is not of a monotonous visual appearance or character. Given my findings above in respect of the host building's height and design, I consider that the appeal building, when grouped together, would positively add to the existing skyline of this part of North Belfast, when viewed from all directional approaches to the appeal proposal. Furthermore, given that, in the main, it would be set below the B126 and that it would be enveloped by the existing built development in the local context which would include the two existing PBMSA buildings, I also consider that it would not unacceptably protrude above or dominate the existing skyline to the

detriment of its visual appearance or quality. For these reasons, the proposal therefore complies with criterion (d) of Policy DES3 of the PS.

59. The Third Parties contended that noise and odour from the 2No. ground floor café/retail outlets and the bin store would have an unacceptable negative impact on residential amenity. In his evidence, the appellant submitted both a noise impact assessment and an odour impact assessment. I note that the Council's Environmental Health Department did not object to the respective conclusions in each report. I am also satisfied that appropriate noise and odour mitigation measures can be secured by planning condition to protect residential amenity.

60. The Third Parties also raised concerns regarding the loss of residential amenity for future residents at the adjacent site at Little Donegall Street Car Park by reason of overshadowing and loss of privacy. As detailed previously, given that there is no extant planning permission for social housing on this site and no related approved housing layout, I have no persuasive evidence that, were a proposal for social housing to come forward, it could not be designed to sit satisfactorily alongside the appeal proposal within its urban context or that approval of the appeal proposal would preclude development of a suitably designed scheme on the housing site. For all these reasons, the Third Parties concerns are not sustained.

61. I have previously concluded in respect of criterion (a) of Policy DES2 of the PS for the reasons given above. As I have also found that the appeal proposal complies with Policies DES1, DES2 and DES3 and the related provisions of the SPPS, the Council's third reason for refusal is not sustained. The associated concerns of third parties are also not sustained. Moreover, as the appeal proposal is not located within an Established Residential Area for the reasons stated above, the Council's fifth reason for refusal based on Policy HOU12 of the PS is also not sustained.

Provision of Amenity Space (Reason 4)

62. Turning to the fourth refusal reason, criterion (d) of Policy RD1 of the PS requires that new residential development provides appropriate open space. This is mirrored in the guidance in Creating Places (CP) which states at Paragraph 5.20 that in the case of apartment of flat developments, such as the appeal proposal, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens and that this should range from 10 sqm per unit to 30 sqm per unit. It goes on to state that generally developments in inner urban locations and other high-density areas, such as this, will tend towards the lower figure.

63. The Council contended that the appeal proposal would provide a sub-standard level of private communal amenity space and public open space having regard to the guidance in CP and therefore would create a deficient living environment for residents, contrary to the principles of good place making. However, I note that the appeal proposal would provide 1,300 sqm of external amenity space in the form of a central courtyard and event space. It will also provide some 837 sqm of internal space comprised of a gym, cinema room, break out space, study space and associated kitchen area.

64. The appellant referred to some 16No. PBMSA developments that had been granted planning permission with varying amounts of private amenity space by the

Council, the former Department of the Environment or the Planning Appeals Commission. I note that some 14No. of those PBMSA had amenity space provision less than the 2.57 sqm per bed provision of the appeal proposal whilst in the case of the 2No. PBMSA which had a greater provision, one of which was granted permission by the Planning Appeals Commission under 2016/A0202 to the north east of the appeal site, such provision was only marginally greater than that provided by the appeal proposal (2.66 and 3.03 sqm per bed provision). When assessed in this context, the provision of amenity space within the appeal proposal compares favourably albeit that it is nonetheless below the guidance amount stated in CP.

65. The appellant also referred to the Planning Committee report wherein Officers stated that *'given the sites inner city context and the number of communal dining areas on each floor this level of provision is considered acceptable'.* Be that as it may, I attach limited weight to this given that the final corporate decision of the Council was to refuse planning permission for the appeal proposal.

66. At the hearing, the Council also raised concerns regarding the general quality of the amenity space. In his evidence, the appellant referred to the supporting Design and Access Statement (DAS). In respect of the proposed central courtyard and event space, the DAS states that the courtyard design would create a space that can have multiple uses such that the space would provide flexibility for relaxation, study and play. It goes on to state that the use of hard materials have been selected for their environmental performance credentials and that limited solar potential for the space has been acknowledged with planting varieties selected accordingly and that the planting would soften the hard nature of the space whilst providing seasonal interest and attractors for pollinators. Furthermore, the proposed artificial grass area extends the potential variety of uses through the winter months thereby ensuring that the space is not reliant on weather and that it would also assist in the reduction of noise levels. The DAS concludes by stating that a range of furniture including foldaway tables, chairs, table tennis tables would animate the space and could be removed and stored away whilst not in use to make way for larger scale events, promotions or demonstrations. It states that the infrastructure would include support post construction to support canopy structures when required and also bib tap facilities and external pop-up power points for staging events for subsequent power and lighting requirements. Finally, the DAS states that the courtyard design acknowledges the historic alignment of the now demised Charles Street that once ran through the site development.

67. From my own assessment, both map-based and on the ground, I consider that the proposed space is both useable in its size, form and function and that it is accessible to all persons and not just those students who would reside at the PBMSA. I consider that the proposed materials palette, including the use of astroturf, would not only avoid large amounts of maintenance but would encourage all year round use of the space thereby avoiding it from becoming redundant particularly during the winter months. The proposed planting schedule, as detailed on Drawing Number 7488-L-1000 would assist to soften the environment both physically and visually. Given its central position within the appeal proposal, I also consider that it will have adequate surveillance to ensure a safe environment for users of the space and whilst the space would be surrounded by the taller physical buildings of the PBMSA, nonetheless I am not persuaded that this would in itself create a sense of being hemmed in or overbearing for users of the space. For all

these reasons, therefore, I disagree with the Council and find that the quality of the space is acceptable in terms of its position, function, use, visual appearance and accessibility.

68. Notwithstanding my conclusions in respect of the quality of the amenity space above, in terms of the quantum, the appeal proposal does not provide the minimum amount for apartments as stated in the guidance in CP. Notwithstanding this, I consider that in the particular circumstances of this case, this must be weighed against the following pertinent points -
(i) the 14No. permissions granted previously by the Council, the former Department of the Environment and the Commission, where lower levels of amenity space were deemed acceptable;
(ii) the close walking distance to the University of Ulster campus and to other areas of amenity space, for example, Buoy Park and Writers Square;
(iii) the accessibility of the amenity space to all persons and not just the students who reside at the PBMSA; and
(iv) the general nature of student living compared to conventional residential living with their likely lesser needs of amenity space.

69. Given the foregoing, which weigh in favour of the proposal, combined with the wider acceptability of the appeal proposal in policy terms, I conclude that in this case, the shortfall in the provision of amenity space is not determining. Accordingly, the Council's fourth reason for refusal based on Policy RD1 of the PS and the related guidance in CP is not sustained.

Sustainable Design (Reason 6)

70. The Council is of the view that there is no evidence that the proposed development incorporates sustainable design features where feasible and accordingly is contrary to Policies SP6, SP8, ENV2, ENV3 and ENV5 of the PS and associated Sustainable Drainage Systems SPG.

71. Policy SP6 'Environmental resilience' of the PS states that the Council will support development where it helps to reduce greenhouse gas (GHG) emissions and is adaptable in a changing climate to build environmental resilience. This is supported by Policy ENV 2 'Mitigating environmental change' which states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce GHG by promoting sustainable patterns of development; Policy ENV 3 'Adapting to environmental change' of the PS which states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development; and Policy ENV5 'Sustainable drainage systems (SuDS) which states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. In addition, and as detailed above, Policy SP8 states that the Council will support the development of a green and blue infrastructure network, designating and safeguarding sites and accesses required for the green and blue infrastructure network across the plan area.

72. From the evidence, I note that the design of the appeal proposal progressed iteratively from the initial Pre-Application Discussion (PAD) stage to the application

submission. Whilst I note that the PAD process was not concluded before the application submission, nonetheless the Council was party to the proposal's design evolution from its infancy. During this time, I note that the Council raised no objection to the proposal's resource or energy efficiency credentials.

73. At the hearing, the appellant stated that the sustainability target for the scheme design was to achieve BREEAM (Sustainable Building Certification) in respect of the environmental performance of the building. The appellant subsequently detailed a number of measures which are included within the host building's design to achieve BREEAM including, the provision of low energy lighting, the construction of an insulated façade, the use of optimised windows and the use of low temperature water systems heated by air source heat pumps.

74. The appellant also referred to the Technical Booklet F2 'Conservation of Fuel and Power of Buildings other than Dwellings' (TB) which provides guidance with respect to the technical requirements of the Building Regulations (Northern Ireland) 2012 (as amended) in respect of, for example, the conservation of fuel and power, the use of high-efficiency alternative systems such as heat pumps and target carbon dioxide emission rates.

75. Referencing the TB, the appellant quoted a number of measurements/calculations in respect of the host building which, he contended, demonstrated that the host building exceeded the relevant F2 energy efficiency requirements in respect of the proposed roof, door and window specifications, the building's air permeability, that is, the air leakage rate, its Building carbon dioxide emissions rate and its G-value, which is used to measure the transmittance of solar gain through glazing. In total, the appellant stated that the host building would achieve a total co^2 saving of some 59.5 tonnes which would be a 7.7% reduction over carbon limits. I note that the Council did not dispute these figures.

76. In addition, the appellant also stated that the satisfactory management of surface water on site and surface water run-off can be achieved by planning condition, and I agree.

77. Having regard to the above, given that I was not provided with any robust persuasive evidence from the Council to refute the appellant's calculations/measurements, I therefore have not been persuaded that the host building would not be resource and energy efficient in accordance with prevailing statutory Regulations. Therefore, in the evidential context, I conclude that the Council has not sustained the sixth refusal reason in relation to Policies SP6, SP8, ENV2, ENV3 and ENV5 of the PS.

Other matters

78. The Third Parties raised other matters. In respect to car parking, I have been given no persuasive evidence that the appeal proposal would generate any unacceptable level of parking. I also note the appellant submitted a Transport Assessment Form (TAF) and a Travel Plan (TP) in his evidence. The TP details action plan initiatives to support both walking and cycling and the availability of existing public transport infrastructure services in proximity to the site. The implementation of the TP can be secured by planning condition.

79. The Third Parties also raised concerns regarding the concentration of students in this area of North Belfast such that it could lead to similar issues experienced in the Holylands area of South Belfast. I note that a management plan was submitted by the appellant at application stage which detailed a number of measures to manage student behaviour and protect residential amenity. I am satisfied that, subject to a planning condition requiring the implementation of the management plan prior to occupation, this could address the Third Parties concerns in respect of the management of student behaviour.

80. In line with the wording of the transitional arrangements in the 2015 LDP Regulations, as there is no conflict arising when reading both the DDP and the PS together, the appeal development accords with the LDP.

81. As the Council has not sustained its reasons for refusal the appeal succeeds, and full planning permission is granted subject to the following conditions.

82. A condition relating to any new contamination risks identified during construction, including those to groundwater, and remediation is required given the previous land use of the site and its inner-city location. Verification reports in respect of any remediation works undertaken would also be necessary. Whilst the conclusions of the appellant's Air Quality Impact Assessment stated that it would be unlikely that central combustion plant such as biomass and CHP would be used for energy provisions at the appeal development, a condition is necessary in the event that such plant is installed to ensure that there would be no exceedance of Air Quality Strategy objectives at relevant human receptor locations associated with the operation of the proposed combustion plant and with the overall development. A condition is necessary for the provision of a Construction Environmental Management Plan (CEMP) to safeguard the amenities of the area. A condition is required for the provision of final details of works to the external public realm areas in the interests of the character and appearance of the area and to enhance connectivity to and from the development. Furthermore, conditions are required for the provision of a final window schedule, the alternative means of ventilation and the separation walls and concrete slab between the ground floor and first floor units detailing the sound reduction specification and measures in the interests of residential amenity.

83. A condition is necessary to ensure appropriate foul and surface water drainage of the site. A condition is required for the submission of a sample of the external brick to be used in the construction of the PBMSA in the interests of the character and appearance of the area. Conditions are also required for the provision of a final waste management plan to provide for provision of refuse and recycling storage and removal in the interests of the area and a final service management plan in the interests of amenity, road safety and convenience of road users. A condition is also required for the provision of a final travel plan to promote sustainable transport modes and reduce dependency on travel by private car. A condition is necessary for the provision of landscaping and for continuing maintenance and replanting where necessary in the interest of visual amenity. A condition is also necessary for the required for the protection of the existing tree on Little Donegal Street during construction. A programme of archaeological mitigation works and monitoring, with access provision for a nominated archaeologist, would be necessary given the site's location within a part of the city with a longstanding

industrial heritage. At the hearing, the Appellants indicated no objection to these conditions.

Conditions

1. If during the development works, new contamination and 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). 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 the satisfaction of the Planning Authority.

2. Following completion of the remediation works under Condition (1.) and prior to occupation of the approved development, a Verification Report shall be submitted in writing to the Planning Authority and agreed. This report shall be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of those works in managing the risks and achieving the remedial objectives.

3. Prior to the use becoming operational, a system for the suppression or dispersal of cooking odours shall be installed in accordance with plans and specifications to be submitted to, and approved in writing, by the Council. The approved installation(s) shall be permanently retained and maintained to the satisfaction of the planning authority.

4. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service would request that an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior EB463 2336 to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development.

5. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing, by the Council. The CEMP shall be developed by the appointed contractor and outline the site-specific methods to be employed to minimise any noise, vibration and dust impacts associated with the phased construction operations demonstrating the use of ‘best practicable means’.

The plan must pay due regard to BS 5228:2009+A1:2014 Code of practice for Noise and vibration on construction and open sites, and incorporate the recommendations outlined within Chapter 6 of Irwin Carr Consulting, Air Quality Impact Assessment, Purpose-Built Student Accommodation, Library Street, Belfast (21 June 2022) throughout the duration of the construction phase of the development.

The CEMP should also include arrangements for liaising with any nearby sensitive premises, both residential and commercial and measures to control noise, dust, vibration and other nuisance during the demolition/construction phase. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Final Environmental Construction Management Plan.

6. No development shall take place until a final window schedule detailing the sound reduction specification has been submitted to, and approved in writing, by the Council. The development hereby approved shall not be occupied until the approved windows are in place and the approved windows shall be retained thereafter.

7. Prior to occupation of the development hereby approved, a verification report shall be submitted to, and approved in writing, by the Council to demonstrate that the approved windows under Condition (6) have been installed as approved.

8. Prior to occupation of the development hereby approved, a report detailing the sound reduction specification of the alternative means of ventilation verification and /or any mechanical means of ventilation shall be submitted to, and approved in writing, by the Council. The report shall demonstrate that internal noise levels in habitable rooms will be achieved in line with BS8233:2014 ‘Guidance on sound insulation and noise reduction for buildings’.

9. Prior to occupation of development hereby approved, the alternative means of ventilation approved under Condition (8) shall be installed to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014 and shall be retained thereafter.

10. Prior to occupation of the development hereby approved, a verification report shall be submitted to, and approved in writing, by the Council to demonstrate that the alternative means of ventilation approved under Condition (8) have been installed as approved.

11. Prior to occupation of the development hereby approved, the sound reduction measures of the separating walls and a 200mm concrete slab between the ground floor and first floor units as detailed in Table 12 in an email from Irwin Carr Consulting to the Council titled ‘LA04/2022/1284/F’ and dated 31/10/2022 shall be installed, as approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014. The approved separating walls and a 200mm concrete slab between the ground floor and first floor units shall be retained thereafter.

12. Prior to occupation of the development hereby approved, a verification report shall be submitted to, and approved in writing, by the Council to demonstrate that the sound reduction measures of the separating walls and a 200mm concrete slab between the ground floor and first floor units as detailed in Table 12 in an email from Irwin Carr Consulting to the Council titled 'LA04/2022/1284/F' and dated 31/10/2022 and approved under Condition (11) have been installed as approved. The report shall comprise a written declaration from the contractor / installers of the walls and floor construction confirming that the walls and floor have been installed as approved. Documentary evidence such as in-situ photographs should be taken during construction where possible and submitted to the Council in the report to support verification.

13. No development shall take place until a final plan detailing works to the external public realm areas has been submitted to, and approved in writing, by the Council. The report shall include the following details:
    - Surface materials;
    - The design and provision of underground ducting; and
    - Arrangements for long term management and maintenance.

    The development hereby approved shall not be occupied or operated until the approved public realm works are in place. The public realm shall be managed and maintained in accordance with the approved details.

14. No development shall take place until detailed proposals for disposal of storm water and foul sewage, have been submitted to, and approved in writing, by the Council. The development hereby approved shall not be occupied until the approved arrangements are in place.

15. No development shall take place until a sample of the brick to be used in the construction of the external fabric of the PBMSA building hereby approved has been submitted to, and approved in writing, by the Council. Thereafter, the development shall be carried out in accordance with the approved external finishes.

16. No development shall take place until a final Waste Management Plan has been submitted to, and approved in writing, by the Council. The development hereby approved shall not be occupied until the approved arrangements are in place.

17. No development shall take place until a final Service Management Plan has been submitted to, and approved in writing, by the Council. The development hereby approved shall not be occupied until the approved arrangements are in place.

18. No development shall take place until a final Travel Plan has been submitted to, and approved in writing, by the Council. The Final Travel Plan shall incorporate the following:
    - Objectives and targets for reducing private car use;
    - Measures to promote sustainable transports;
    - Appointment and identification of a Travel Plan Co-ordinator;

- Means of funding of the travel plan including Travel Plan Co-ordinator;
- Implementation timetable including the responsible body for each action; and
- Mechanisms for monitoring and review.

The development hereby approved shall not be occupied until the approved arrangements are in place.

19. The hard and soft landscaping and planting schedule detailed in Drawing Number 7488-L-1000 titled 'Landscape proposals' received by the Commission on 15 December 2023 shall be carried out prior to the operation of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.

20. No development shall take place until a Tree Protection Plan ("TPP") to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to, and approved in writing, by the Council. The TPP shall detail the methods of tree protection to the existing tree on Little Donegall Street and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

21. No development shall take place on the site until a programme of archaeological mitigation works prepared by a qualified archaeologist has been completed in accordance with a brief approved by the Planning Authority.

22. No development or site works of any nature shall take place until arrangements have been submitted to, and agreed in writing by the Council for archaeological surveillance of topsoil stripping and site preparation and for the recording of any archaeological remains that may be identified. These arrangements shall also include provision for access to the site at any reasonable time for an archaeologist nominated by the Council or Department to observe operations and monitor implementation or archaeological requirements. The arrangements shall be implemented as agreed.

23. Prior to the commencement of operation of the approved development, the applicant must submit a Final Management Plan to be agreed, and approving in writing, by the Council. Evidence must be provided that the Management Plan will be delivered by a competent Purpose Built Student Accommodation operator with a proven track record in this management of this type of accommodation. The Final Management Plan must demonstrate compliance with 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.

The Final Management Plan shall detail arrangements to address:

- noise control and tenant behaviour;
- measure for controlling hours of use and potential noise disturbance from the approved gym, cinema room and social space(s);
- proposed liaison arrangements with the relevant educational institutes, the Council and the Police Service Northern Ireland in relation to tenant behaviour;
  general management operations; and
- servicing, security features, CCTV, lighting, intercom system and soundproofing.

The development hereby approved shall not be occupied until the approved arrangements are in place.

24. The development shall be begun before the expiration of five years from the date of this permission.

This decision is based on the following drawings:

Drawing No.	Title	Scale	Received by the Commission
1806 01 100 01	Site Location Plan	1:1250	15 December 2023
1806 01 100 02	Existing Site Plan	1:250	15 December 2023
1806 01 100 03	Demolition Site Plan	1:250	15 December 2023
1806 01 100 04a	Proposed Site Plan	1:250	15 December 2023
1806 01 200 01b	Proposed Ground Floor Plan	1:500	15 December 2023
1806 01 200 02b	Proposed First Floor Plan	1:500	15 December 2023
1806 01 200 03b	Proposed Second Floor Plan	1:500	15 December 2023
1806 01 200 04b	Proposed Third Floor Plan	1:500	15 December 2023
1806 01 200 05b	Proposed Fourth Floor Plan	1:500	15 December 2023
1806 01 200 06b	Proposed Fifth Floor Plan	1:500	15 December 2023
1806 01 200 07b	Proposed Sixth Floor Plan	1:500	15 December 2023
1806 01 200 08b	Proposed Seventh Floor Plan	1:500	15 December 2023

1806 01 200 09b	Proposed Eighth Floor Plan	1:500	15 December 2023
1806 01 200 10b	Proposed Ninth Floor Plan	1:500	15 December 2023
1806 01 200 11b	Proposed Tenth Floor Plan	1:500	15 December 2023
1806 01 200 12	Proposed Roof Plan		
1806 01 300 01b	Union Street and Stephen Street Elevations	1:200	15 December 2023
1806 01 300 02b	Little Donegall and Library Street Elevations	1:200	15 December 2023
1806 01 300 03b	Proposed Contextual Elevations	1:500	15 December 2023
7488-L-1000	Landscape Proposals	1:200	15 December 2023

COMMISSIONER KEVIN GILLESPIE

List of Appearances

Planning Authority:-	**Ms Denise Kiley KC** **Mr Ed Baker** **Mr Michael McErlean** **Ms Nora Largey** **Ms Deborah Kelly**
Appellants:-	**Mr Stewart Beattie KC** **Dr Michael Gordon** **Mr Philip Stinson** **Mr Andrew Heasley** **Mr Arthur Park** **Mr Colin Davidson** **Ms Fiona Hughes**
Third Parties:-	**Ms Caral Ni Chuilin MLA** **Mr Frank Dempsey** **Mr Gerard Brophy** **Dr Louise O'Kane** **Mrs Claire Rea**

List of Documents

Planning Authority:-	**"A1" Belfast City Council - Statement of Case**
Appellants:-	**"B1" Turley (Agent) - Statement of Case**
Third Parties:-	**"C1" Ms Caral Ni Chuilin – Statement of Case**
	"C2" Carrick Hill Residents Association – Statement of Case