

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

12th June, 2025

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room, City Hall on Tuesday, 17th June, 2025 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Minutes
- (c) Declarations of Interest

2. Committee Site Visits

- (a) Note of Committee Site Visits (Pages 1 - 2)
- (b) Schedule of Committee Site Visits (Pages 3 - 4)

(c) Pre-emptive Committee site visit:

LA04/2024/0569/F - Outline planning permission with all matter reserved for independent living (Use Class C3) units and up to 62no. assisted living units (Use Class C1), associated internal access roads, communal open space, revised access from Castlevue Road, associated car parking, servicing, amenity space and landscaping (amended description and plans). - Stormont hotel, 587 Upper Newtownards Road

(d) Pre-emptive Committee site visit:

LA04/2024/0570/F - Change of use of from hotel, conference centre and offices (sui generis) to a 97-bed care home (Use Class C3(b) and 1,559sqm diagnostic medical facility (Use Class D1(a), associated access, car parking, landscaping and open space. - Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castlevue Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and Summerhill Park (nos. 37 & 39).

(e) Pre-emptive Committee site visit:

LA04/2025/0288/F - Change of use from taxi passenger terminal, cafe, office and newsagent to a Homeless Day Centre, Category D1(B).
The centre will provide meals, washing and changing facilities and an internal social amenity area for users. The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4:00 pm up until 10:00 pm (Amended Description) - Existing taxi passenger terminal and former retail unit located within 35a King Street

3. **Notification of Vesting Order**

(a) Lands at Woodbourne Crescent (Pages 5 - 10)

4. **Planning Appeals Notified** (Pages 11 - 14)

5. **Planning Decisions Issued** (Pages 15 - 38)

6. **Live Applications for Major Development** (Pages 39 - 42)

7. **Committee Decisions that have yet to issue** (Pages 43 - 50)

8. **Miscellaneous Reports**

(a) **LA04/2023/4194/F** - 2 Storey side and rear extension with single storey flat floor flat roof extension to rear and additional site works. - 2 Lead Hill Park, Belfast, BT6 9RW. (Pages 51 - 66)

(b) Pre-Determination Hearings - Verbal Report

- (c) **LA04/2023/2890/F** - Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works - Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurray, BT17 0TG. - Use of Financial Developer Contribution. (Pages 67 - 96)
- (d) Local Applications subject to NI Water Objections (Pages 97 - 102)

9. **Planning Applications previously considered**

- (a) **LA04/2022/1046/F** - Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking (amended description). - 18 Annadale Avenue (Pages 103 - 140)
- (b) **LA04/2024/1466/F** - Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans). - 41 Rosetta Road (Pages 141 - 160)
- (c) **LA04/2024/1584/F** - Subdivision of 6No. bed shared dwelling to provide 3No. self contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self contained flat. - 21 Skegoneill Avenue (Pages 161 - 174)
- (d) **LA04/2024/0267/F** - Change of Use from Dwelling to 6no bed/6person HMO (amended description) - 11 Friendly Way (Pages 175 - 188)
- (e) **LA04/2024/0095/F** - Change of use from Dwelling to Short term let (retrospective) - 3 Broadway Link (Pages 189 - 200)

10. **New Planning Applications**

- (a) **LA04/2024/1592/F** - Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (8 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. (amended description) - Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street (Pages 201 - 238)
- (b) **LA04/2024/2044/F** - Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions - Lands at 39 Corporation Street (Pages 239 - 268)

- (c) **LA04/2024/0211/F** - Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site. - Existing Football Stadium, The Oval, Parkgate Drive (Pages 269 - 296)
- (d) **LA04/2025/0535/F** - Variation of conditions 1, 2, 3, 4, 5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location. - Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane, Glanaulin, 137-143a Glen Road & Airfield Heights & St Mary's CBG School (Pages 297 - 314)
- (e) **LA04/2024/1654/F** - Change of use from a 7-bedroom dwelling house (C1) to a 7 bed/ 9 person House of Multiple Occupancy (Sui Generis) - 432 Falls Road (Pages 315 - 324)
- (f) **LA04/2024/1865/O** - 3no. detached dwellings part 2 storey part 3 storey (amended plans) - Land between No 22 Squires View and Nos 57 & 59 Squires Hill Road (Pages 325 - 336)
- (g) **LA04/2023/4543/F** - Proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting - 885 Shore Road (Pages 337 - 350)
- (h) **LA04/2025/0122/F** - Demolition of 4 no garages and erection of 2 no. semi-detached dwellings, part 2 storey part 3 storey (amended description) (additional plans) - Lands Between 14 and 16 Lancedean Road, Belfast, BT6 9QP (Pages 351 - 366)
- (i) ~~**WITHDRAWN: LA04/2022/1819/F** - Demolition of existing buildings and erection of 32 apartments in 3No. blocks (7@ 1no. bedroom & 25@ 2no. bedrooms) (6no. wheelchair adaptable) and associated site works - 39 Upper Dunmurry Lane~~
- (j) ~~**WITHDRAWN: LA04/2025/0242/F** - Erection of hotel (164 beds) including ground floor bar / restaurant; proposed heights of 8 storeys (c. 26.8m to parapet) at Donegall Pass, reducing to 5 storeys at Botanic Avenue and 4 storeys at Ratcliffe Street; and associated works including demolition of existing building - 2 - 10 Botanic Avenue~~
- (k) **LA04/2024/1761/RM** - Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details - Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O (Pages 367 - 388)

- (l) **LA04/2025/0399/F** - Additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development (planning permission ref: LA04/2022/0311/F) - Lands at Plot 4 of Kings Hall Healthcare Village, west of 25 Harberton Park and north of 27 Harberton Crescent (Pages 389 - 394)
- (m) **LA04/2024/1036/F** - Lagan Gateway Phase 2 - Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works - Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA (Pages 395 - 412)

11. **Restricted Items**

- (a) Building Control Outstanding Accounts (Pages 413 - 414)

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Planning Committee

PLANNING COMMITTEE SITE VISITS – NOTE OF MEETING

Wednesday 4th June, 2025

1. **LA04/2024/1584/F** - Subdivision of 6No. bed shared dwelling to provide 3No. self contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self contained flat. - **21 Skegoneill Avenue.**

Members Present: Alderman Rodgers; and
Councillor T. Brooks.

Officers in Attendance: Ms. L. Walshe, Principal Planning Officer
Mr. M. McErlean, Senior Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

The Members and the officers convened at 21 Skegoneill Avenue (12.20 p.m.) the for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 12:35 p.m.

2. **LA04/2024/0095/F** - Change of use from Dwelling to Short term holiday letting (retrospective) - **3 Broadway Link**

Members Present: Aldermen McCullough and Rodgers; and
Councillor T. Brooks.

Officers in Attendance: Ms. L. Walshe, Principal Planning Officer
Mr. M. McErlean, Senior Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

The Members and the officers convened at 3 Broadway Link (12.45 p.m.) the for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 1 p.m.

3. **LA04/2024/1466/F** - Ground floor extension and alterations to provide 1 No. retail unit. Side extension for new coffee shop. Two storey rear extension. Change of use at first and second floor level to 8-bed HMO and part change of use of ground floor to HMO. Front and rear dormers and landscaping. - **41 Rosetta Road**

Members Present: Alderman Rodgers; and
Councillor T. Brooks.

Officers in Attendance: Ms. L. Walshe, Principal Planning Officer
Mr. M. McErlean, Senior Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

The Members and the officers convened at 41 Rosetta Road (1:15 p.m.) the for the purpose of undertaking the site visit in respect of the above four applications and to allow the Members to acquaint themselves with the location and the proposals at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 1:25 p.m.

4. **LA04/2024/0267/F** - Change of Use from Dwelling to 6no bed/6person HMO (amended description) - **11 Friendly Way**.

Members Present: Alderman Rodgers; and
Councillor T. Brooks.

Officers in Attendance: Ms. L. Walshe, Principal Planning Officer
Mr. M. McErlean, Senior Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

The Members and the officers convened at 11 Friendly Way (1.35 p.m.) the for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 1.45 p.m.



Subject:	Schedule of Site Visits 2025
Date:	17th June, 2025
Reporting Officer:	Carolyn Donnelly, Committee Services Officer
Contact Officer:	Carolyn Donnelly, Committee Services Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input type="checkbox"/></p> <ol style="list-style-type: none"> Information relating to any individual Information likely to reveal the identity of an individual Information relating to the financial or business affairs of any particular person (including the council holding that information) Information in connection with any labour relations matter Information in relation to which a claim to legal professional privilege could be maintained Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction Information on any action in relation to the prevention, investigation or prosecution of crime 	
<p>If Yes, when will the report become unrestricted?</p> <div> <div> After Committee Decision After Council Decision Sometime in the future Never </div> <div> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </div> </div>	

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
	To advise the Committee of the proposed dates and times of future site visits of the Planning Committee between June and December 2024.

2.0	Recommendations
	The Committee is requested to approve the schedule of meetings as outlined.
3.0	Main report
	<u>Key Issues</u>
3.1	At its meeting in December 2023, the Committee requested that dates be set aside each month to facilitate future Committee site visits.
3.2	Accordingly, the following dates have been identified for Planning Committee site visits for the period from June to December, 2025:
3.3	<ul style="list-style-type: none"> • Tuesday, 24th June; • Tuesday, 19th August; • Tuesday, 23rd September; • Tuesday, 21st October; • Wednesday 19th November; and • Tuesday, 16th December. <p>All site visits to commence at 12.00 p.m.</p> <p><u>Financial & Resource Implications</u></p> <p>None associated with this report.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>None associated with this report.</p>
4.0	Appendices – Documents Attached
	None associated with this report.



Subject:	Notifications from statutory bodies
Date:	17 th June 2025
Reporting Officer:	Kate Bentley, Director of Planning & Building Control
Contact Officer:	Dermot O’Kane, Acting Planning Manager (Plans & Policy)

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To bring to the attention of the Planning Committee a notification received from the Department for Communities (DfC) (see Appendix 1) of their intention to make a Vesting Order relating to land at Woodbourne Crescent/Suffolk Road, Belfast.
2.0	Recommendation
2.1	The Committee is asked to note the notification correspondence received.
3.0	Main Report
3.1	The Council has received the following notification from DfC:
3.2	<p>Notice of Intention to vest land at Woodbourne Crescent/Suffolk Road, Belfast</p> <p>Received on 19th May 2025 this notification concerns a notice of intention to make a Vesting Order under The Planning (NI) Order 1991 and the Local Government Act (NI) 1972 to acquire four parcels of land totalling 247 square metres at Woodbourne Crescent/Suffolk Road (Appendix 1). The purpose of the Vesting Order is to facilitate the implementation of an Environmental Improvement Scheme which received planning approval from the Council in February 2020 (Application Ref. LA04/2019/1232/F).</p>
3.3	A previous notification relating to the vesting of four different parcels of land totalling 1,686 square metres at Woodbourne Crescent/Suffolk Road for the same purpose was brought to, and noted by the Planning Committee on 19 th September 2023.
3.4	In considering this notification other services within the Council were consulted – City & Neighbourhood Services, Estates and City Regeneration & Development and no issues or concerns were raised. There is no requirement for the Council to respond to this consultation and it is recommended that the Committee notes this report.

3.5	<u>Financial & Resource Implications</u> There are no resource implications associated with this report.
3.6	<u>Equality implications or Good Relations implications / Rural needs assessment</u> None.
4.0	Appendices – Documents Attached
	Appendix 1: Vesting Order Notice of Intention – Woodbourne Crescent



To whom it may concern

Building Successful Communities
Level 4
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

15 May 2025

RE: Land at Woodbourne Crescent, Belfast

I enclose for your information and attention a copy of a Notice of Intention to make a Vesting Order in relation to land at Woodbourne Crescent, Belfast, together with a map which outlines in red the area of land which the Department proposes to acquire.

The Notice of Intention to make a Vesting Order will be published in the three regional daily newspapers on 22 May 2025 and also on 29 May 2025.

Please contact BSCWoodbournevesting@communities-ni.gov.uk if you require any further information or clarification.

Yours faithfully

SEAMUS HILLOCK

Housing Investment – Building Successful Communities

DEPARTMENT FOR COMMUNITIES

THE PLANNING (NORTHERN IRELAND) ORDER 1991 THE LOCAL

GOVERNMENT ACT (NORTHERN IRELAND) 1972

NOTICE OF INTENTION TO MAKE A VESTING ORDER

WOODBOURNE CRESCENT/ SUFFOLK ROAD BELFAST

TAKE NOTICE that the Department for Communities ("the Department") in pursuance of the provisions of the above Act and Order intends to make an Order vesting the lands described in the schedule annexed hereto in the Department in accordance with and subject to the provisions of the above Act and Order; the Department desires to acquire the said lands otherwise than by agreement for the purpose of securing the treatment of the lands as a whole by development or redevelopment.

A map showing the lands proposed to be acquired may be inspected by appointment. E-mail your contact details to BSCWoodbournevesting@communities-ni.gov.uk and a department official will contact you to arrange an appointment.

Any objections to the proposed Order must be presented in writing setting out the grounds thereof to Department for Communities, Housing Investment Branch, Building Successful Communities, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG or via email to BSCWoodbournevesting@communities-ni.gov.uk, on or before 30 June 2025.

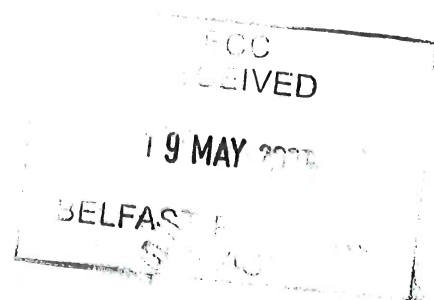
Information you provide in your response, including personal information, could be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR). For further details on confidentiality and FOIA please refer to www.ico.org.uk.

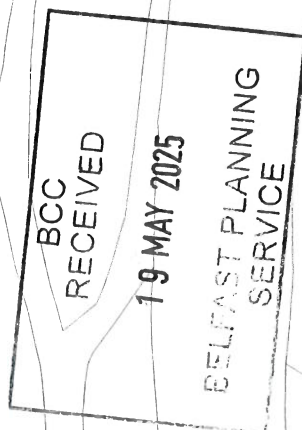
For information regarding the Departmental Privacy Notice following the introduction of UK GDPR please go to the Department website at www.communities-ni.gov.uk/dfc-privacy-notice or phone the Data Protection Officer on 028 9082 9200.

Dated this 22 day of May 2025

HELOISE BROWN

**A Senior Officer of
the Department for Communities**





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Agenda Item 4

PLANNING COMMITTEE – 17 JUNE 2025

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO	1	PAC REF	2025/E0010
PLANNING REF:	LA04/2022/0223/CA		
APPLICANT:	Conway Estates Ltd		
LOCATION:	Land or premises at 11-19 Corporation Street, (accessed from Tomb Street), Belfast, BT1 3AS		
PROPOSAL:	Alleged unauthorised change of use of vacant land for a car park extension (sui generis) The Planning (Use Classes) Order (NI) 2015 without the benefit of planning permission		
PROCEDURE:			
ITEM NO	2	PAC REF	2025/A0017
PLANNING REF:	LA04/2024/1118/F		
APPLICANT:	Ms Paula Durbano		
LOCATION:	90 Maryville Street, Belfast, BT7 1AE		
PROPOSAL:	Retrospective Change of Use (CoU) for one bedroom from permanent residential use (Class C1) to short term let accommodation (STLA) (Sui Generis). Appeal against Condition 2: The short-term let use hereby permitted may not operate unless the bedrooms as annotated on Drg 02B are occupied by a person as their primary, permanent residence.		
PROCEDURE:			
ITEM NO	3	PAC REF	2025/A0022
PLANNING REF:	LA04/2023/4482/F		
APPLICANT:	Mrs Jayne Hughes		
LOCATION:	Apartment 7 City Gate, 2 Sussex Place, Belfast, BT2 8LN		
PROPOSAL:	Retrospective change of use from apartment to short-term let		
PROCEDURE:			

APPEALS NOTIFIED (CONTINUED)

ITEM NO	4	PAC REF	2025/A0024
PLANNING REF:	LA04/2023/3101/F		
APPLICANT:	Enagh Investments Ltd		
LOCATION:	22 Wolseley Street, Belfast, BT7 1LG		
PROPOSAL:	Change of use from 3 No HMO flats (14 No total bedrooms) to 7 No one bedroom short-term stay flats including internal and external alterations		
PROCEDURE:			
ITEM NO	5	PAC REF	2025/A0025
PLANNING REF:	LA04/2024/1623/F		
APPLICANT:	Mr Paul Kennedy		
LOCATION:	49 Woodcot Avenue, Belfast, BT5 5JB		
PROPOSAL:	Change of use from 4 bed dwelling (C1) to 4 bed House of Multiple Occupancy (Sui Generis)		
PROCEDURE:			
ITEM NO	6	PAC REF	2025/A0026
PLANNING REF:	LA04/2024/0086/F		
APPLICANT:	Mr Venugopal Bhaskaran		
LOCATION:	Apartment 3, 1 Utility Street, Belfast, BT12 5JS		
PROPOSAL:	Retrospective application for the conversion of a flat to short-term let accommodation		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2024/A0087
PLANNING REF:	LA04/2024/1139/A		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Martin Heatley		
LOCATION:	Rear of 88 Great Victoria Street, Belfast, adjacent to Bruce Street car park, Belfast, BT2 7JD		
PROPOSAL:	1 Digital Advertising Sign (Retention)		
ITEM NO	2	PAC REF:	2022/A0052
PLANNING REF:	LA04/2021/2300/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Ms Claire Hamilton		
LOCATION:	25 Laganview Court, Belfast, BT5 4AR		
PROPOSAL:	Retrospective change of use application from residential to short term holiday let accommodation		
ITEM NO	3	PAC REF:	2024/A0101
PLANNING REF:	LA04/2024/0214/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Rajith Atapattu		
LOCATION:	5 Ashburne Place, Belfast, BT7 1SE		
PROPOSAL:	Retrospective application for material change of use from C1 (residential) to short term let (sui generis)		

APPEAL DECISIONS NOTIFIED (CONTINUED)

ITEM NO 4 PAC REF: 2023/A0015
PLANNING REF: LA04/2022/1821/F
RESULT OF APPEAL: ALLOWED
APPLICANT: Ms Toni Rooney
LOCATION: 31 Castle Gardens, Belfast, BT15 4GB
PROPOSAL: Appeal against Condition 02 of planning permission LA04/2022/1821/F: The wall on the northern boundary of the balcony and frosted privacy screen at the rear, shown on drawing 04A shall be erected within 3 months from the date of this permission

ITEM NO 5 PAC REF: 2024/A0118
PLANNING REF: LA04/2023/2297/F
RESULT OF APPEAL: ALLOWED
APPLICANT: Cornerstone UK
LOCATION: On footpath adjacent to Wandsworth Drive, c.27m east of No 186 Belmont Road, Belfast, BT4 2AD
PROPOSAL: 17.5m telecommunications column with 6 No antennae, 3 No RRU's, 2 No radio dishes and 1 No equipment cabinet and associated ancillary works

ITEM NO 6 PAC REF: 2023/A0081
PLANNING REF: LA04/2023/2922/F
RESULT OF APPEAL: ALLOWED
APPLICANT: Artemis Development Ltd
LOCATION: Site bounded by Glenalpin Street, wellwood Street and Norwood Street, Belfast
PROPOSAL: Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354 No units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping

Planning decisions issued May 2025 - No.154

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2022/0612/F	MAJ	Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast.	Residential scheme of 53 no. dwellings comprising 34 no. semi-detached and 4 no. detached) and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed), amenity space, bin and bicycle storage, landscaping, access, car parking and all associated site works.(revised description & amended plans).	Permission Granted
LA04/2019/0081/F	LOC	Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.	Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	Permission Granted
LA04/2020/2325/F	LOC	Lands at Former Maple Leaf Club 41-43 Park Avenue Belfast.	Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	Permission Granted
LA04/2022/0907/PAD	LOC	Site at 194-294 Kingsway Dunmurry Belfast BT17 9AD	Mixed use development - coffee shop on ground floor 13 apartments on upper levels	PAD Concluded

LA04/2022/2214/F	LOC	Units 2 and 3 Block A, 332-338 Ormeau Road, Belfast, BT7 2GE.	Modification to approval LA04/2018/1415/F involving the reconfiguration and extension of approved restaurant use into Unit 3 and associated part change of use from retail. Alterations to elevations to install ventilation equipment.	Permission Granted
LA04/2023/2537/F	LOC	1A Derryvolgie Avenue, Belfast, BT9 6FL	Extension and alteration to Listed Building. Change of use from church to community and cultural use in connection with a Musical Theatre academy, with provision for education and amateur dramatics theatre under use classes D1 (community and cultural uses) and D2 (assembly and leisure).	Permission Granted
LA04/2023/2535/LBC	LOC	1A Derryvolgie Avenue, Belfast, BT9 6FL	Extension and alteration to Listed Building Change of use from church to community and cultural use in connection with a Musical Theatre academy, with provision for education and amateur dramatics theatre under use classes D1 (community and cultural uses) and D2 (assembly and leisure).	Consent Granted

LA04/2023/2753/PAD	LOC	Site of the Former Dunmurry Cricket Club 23 Ashley Park, Dunmurry, Belfast, BT17 0QQ	Redevelopment of the former Dunmurry Cricket Groups, to provide a mixed use development, comprising residential development, community parkland with play area, walking routes and associated landscaping and sports facility including a basketball court, and associated works.	PAD Concluded
LA04/2023/3487/F	LOC	92 & 94 Sandy Row, Belfast, BT12 5EX	Demolition of existing building and replacement of new 3 storey building with cafe to ground floor and 3no. apartments on the first and second floor.	Permission Granted
LA04/2023/4148/F	LOC	15 GALWALLY PARK GALWALLY BELFAST DOWN BT8 6AG	Housing development for 3no. dwellings	Permission Granted
LA04/2023/4263/PAD	LOC	49-57 Ladas Drive, Belfast, BT6 9FR	Proposed erection of 38no. apartments (4 blocks)	PAD Concluded
LA04/2024/0024/PAD	LOC	Remaining vacant 3no. listed pavilions at former Belvoir Park Hospital site. Land 80 - 150m to the east and 170m south east of West House, Belvoir Park	Conversion of 3no. vacant listed building pavilions to residential dwellings and associated development	PAD Concluded
LA04/2024/0143/F	LOC	42 Deramore Park, Belfast, BT9 5JU	Proposed 2 storey extension to side and rear of dwelling. Proposed front porch and associated front boundary wall alterations.	Permission Granted
LA04/2024/0463/F	LOC	484 Upper Newtownards Road, Belfast, BT4 3GZ	Section 54 application to remove Conditions 7, 8 and 9 of LA04/2022/0061/F	Permission Granted

LA04/2024/0549/F	LOC	34 Knockdene Park, Belfast, BT5 7AD	Addition of single storey extension to side and rear and changes to elevations (amended plans).	Permission Granted
LA04/2024/0762/DCA	LOC	34 Knockdene Park, Belfast, BT5 7AD	Demolition of existing single storey attached outbuilding located to rear party wall. Removal of return wall ground floor yard elevation Enlargement of existing rear window opening. Formation of door opening to return side elevation ground floor. Removal and blocking up of existing window opening to return side elevation ground floor.	Consent Granted
LA04/2024/0840/F	LOC	377 Woodstock Road, Belfast, BT6 8PU	Erection of external staircase to access upper floors of the property	Permission Granted
LA04/2024/1081/PAD	LOC	St Malachys College, Antrim Road, BT15 2AE	Refurbishment and Extensions to existing 4 storey seminary block to provide accommodation for technology hub to include demolition of existing first floor link to listed school building and construction of new double height link to listed school buildings	PAD Concluded

LA04/2024/1138/F	MAJ	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	Permission Granted
LA04/2024/1141/DCA	LOC	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses	Consent Granted
LA04/2024/1207/F	LOC	18 Hamel Court, Belfast, BT6 9HX	New entrance wall, gates and side walls to carpark, carpark lighting and associated works.	Permission Granted
LA04/2024/1256/F	LOC	Apartment 1, 31 Eglantine Avenue, Belfast, BT9 6DW	Retrospective single storey rear extension including partial demolition of external store and fenestration changes to existing facade	Permission Granted
LA04/2024/1239/F	LOC	The Phoenix Bar, 179 Antrim Road, Belfast, BT15 2GW	Removal of existing ground floor frontage and replacing with a traditional tiled finish frontage, retractable awning and fenestration changes (Part Retrospective)	Permission Granted

LA04/2024/1260/F	LOC	The rooftop of Stranmillis University College Central Building, Belfast, BT9 5DY	Removal of 3no. 4m wall mounted support poles and replacement with 2no. (3.5m) and 1no. (6m) proposed tripods. The removal and replacement of 6no. antennas for 18no. proposed antennas. installation of 1no. GPS modules and the relocation of 1no. GPS module. Installation of 2no. 300mm and 2no. 600mm dishes, and all ancillary works thereto.	Permission Granted
LA04/2024/1261/LBC	LOC	The rooftop of Stranmillis University College Central Building, Belfast, BT9 5DY	Removal of 3no. 4m wall mounted support poles and replacement with 3no. proposed 6m tripods. The removal and replacement of 6no. antennas for 18no. proposed antennas. installation of 1no. GPS modules and the relocation of 1no. GPS module. Installation of 2no. 300mm and 2no. 600mm dishes, and all ancillary works thereto.	Consent Granted
LA04/2024/1328/F	LOC	8 Pims Avenue, Belfast, BT4 1PJ	Proposal of conversion from a 4 bedroom dwelling house (C1) to a 5 bedroom/ 5 person HMO property (Sui Generis). (Additional Documents)	Permission Granted
LA04/2024/1419/F	LOC	6 Bladon Drive, Belfast, BT9 5JL	Replacement dwelling, to include demolition of existing dwelling, development of a new dwelling house and garage with associated site works.	Permission Granted

LA04/2024/1428/F	LOC	17 Fitzwilliam Street, Belfast, BT9 6AW	Change of use from Offices to 6no. Short-term Stay Apartments including 3 storey rear extension, replacement ground floor bay and internal alterations.	Permission Granted
LA04/2024/1577/DC	LOC	Blacks Gate, Blacks Road, Belfast, BT10	Discharge of Condition 30 of planning approval Z/2013/1434/F, Phase 1- Noise Verification Report.	Condition Partially Discharged
LA04/2024/1588/F	LOC	43 Airfield Heights, Belfast, BT11 8QU	Proposed two storey side extension and single storey rear sunroom extension.	Permission Granted
LA04/2024/1665/F	LOC	46 Hillfoot Street, Belfast, BT4 1PR	Change of use from 2 bedroom dwelling (C1) to 5 bedroom 5 person House of Multiple Occupancy (Sui Generis) with extension over existing garage and alterations to the existing dwelling. (Amended Description)	Permission Granted
LA04/2024/1777/LBC	LOC	Cathedral Buildings 62-64 Donegal Street, Belfast, BT1 2GT	Amendments to previous approval (LA04/2023/3174/LBC) to include revisions to roof covering, proposed new gable wall windows, replacement of existing staircase, revisions to door types and placements; ground floor build up; room orientations; wall finishes and additional fireplace and associated works. (AMENDED DESCRIPTION)	Consent Granted
LA04/2024/1788/PAD	LOC	Land to the west and south of the Church of the Nativity, Bell Steel Road, Dunmurry, Belfast, BT17 0PB	Residential development comprising of c. 46 no. units including a mix of dwellings and apartments, car parking, landscaping and associated site and access works	PAD Concluded

LA04/2024/1783/DC	LOC	Former Visteon Factory Blacks Road, Belfast BT10	Discharge of Condition 30 of planning approval Z/2013/1434/F Phase 5 - Noise Verification Report.	Condition Partially Discharged
LA04/2024/1819/F	LOC	23 Knockvale Park, Belfast, BT5 6HJ	Single storey extension to side and new porch to front of dwelling.	Permission Granted
LA04/2024/1862/A	LOC	7 University Road, Belfast, BT7 1NA	1 Projecting sign, 9 Other - Parking sign, 4 Other - Hotel advertisement signage, 14 Other - Informative Signage (Retrospective)	Consent Partially Granted
LA04/2024/1906/F	LOC	Riddel's Warehouse 87-91 Ann Street, Belfast, BT1 3GH	Restoration of the ground floor of the property to the front of building and change of use from offices to include use as offices and event space. (Amended Description).	Permission Granted
LA04/2024/1883/LBC	LOC	Riddel's Warehouse 87 Ann Street, Belfast, BT1 3GH	Restoration of the ground floor of the property to the front of building and change of use from offices to include use as offices and event space. (Amended Description).	Consent Granted
LA04/2024/1915/DC	LOC	16 College Square North, Belfast, BT1 6AS	Discharge of Condition 16 of Planning Approval LA04/2018/1719F - Updated Sound Insulation Report and Window Glazing Configuration and Sound Performance	Condition Discharged
LA04/2024/1921/DC	LOC	Former Visteon Factory Blacks Road, Belfast BT10	Discharge condition 30 of application Z/2013/1434/F Noise Verification Report. Phase 6	Condition Partially Discharged
LA04/2024/1954/F	LOC	4 Malone Park, Belfast, BT9 6NH	Single storey side extension	Permission Granted
LA04/2024/1955/DCA	LOC	4 Malone Park, Belfast, BT9 6NH	Demolition of existing single storey side extension, rear wall and rear chimney.	Consent Granted

LA04/2024/1968/F	LOC	13 Wynchurch Walk, Belfast, BT6 0JS	Single storey extension to side and rear. New windows in side elevation and roof extension to change hip to gable with dormer to rear and replacement garage. (Amended Plans)	Permission Granted
LA04/2024/1996/F	LOC	27 Stormont Park, Belfast, BT4 3GW	Demolition of existing carport and construction of garage. (Amended Proposal Description)	Permission Granted
LA04/2024/1998/A	LOC	Pearl Assurance House, Retail unit 1, 1 Donegall Square East, Belfast, BT1 5HB	Four external illuminated signs, one internal illuminated sign and one projecting sign	Consent Granted
LA04/2024/2059/F	LOC	50 Parkmount Street Belfast BT15 3DX	Change of use from 3 bed dwelling (C1) to 4 bed/4 person HMO (Sui generis)	Permission Granted
LA04/2024/2079/F	LOC	13 Waterloo Park South, Belfast, BT15 5HX	2-storey extension to side of existing dwelling	Permission Granted
LA04/2024/2103/NMC	LOC	28 Malone Park, Belfast, BT9 6NJ	Non Material Change to Planning Application LA04/2019/1819/F- Internal and external alterations, Floor levels lowered, roof alterations, addition of chimney pots, hard and soft landscaping alterations.	Non Material Change Granted
LA04/2024/2128/F	LOC	Beaufort House, 31 Wellington Place, Belfast, BT1 6GS	Proposed change of use from offices (Class B1) to mixed-use apart-hotel (Sui Generis) comprising 98 beds on the upper floors, ancillary apart-hotel reception, services and retail/restaurant at ground floor as well as proposed elevation changes and all associated works (amendment to planning approval LA04/2022/1657/F).	Permission Granted

LA04/2024/2131/F	MAJ	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Section 54 planning application to revise the wording of the planning condition numbers 13 and 15 (Relating access gradient and visibility splays) of planning approval LA04/2023/3778/F.	Permission Granted
LA04/2024/2137/PAD	LOC	Washington House 14-18 High Street, Belfast, BT1 2BD	Proposed refurbishment and extension of 14-18 High Street and change of use from office space and upper floor conversion to a 36 no. bed hotel, with all associated site works.	PAD Concluded
LA04/2024/2148/DCA	LOC	Beaufort House, 31 Wellington Place, Belfast, BT1 6GS	Demolition of concrete columns, railing, pitched roof, glazed sections and windows to front façade and windows to rear and side elevations.	Consent Granted
LA04/2025/0019/F	LOC	1 Glenbawn Park, Belfast, BT17 0TS	Single storey side extension.	Permission Granted
LA04/2025/0035/F	LOC	Ulster Bank House, 140-142 Great Victoria Street Shaftsbury Square Belfast, BT2 7DL	Change the use of the ground floor office space to retail space (charity shop) and community drop in centre. Also, change of use of the first and second floors from office space to community use to include classrooms, games and social areas.	Permission Granted
LA04/2025/0036/F	LOC	2 Aberfoyle Park, Belfast, BT10 0DY	Single storey rear extension with roof light.	Permission Granted
LA04/2025/0044/F	LOC	20 Wynchurch Road, Belfast, BT6 0JH	Rear dormer with hip to gable extension	Permission Granted
LA04/2025/0039/DC	LOC	415 Holywood Road, Belfast, BT4 2GU	Discharge of Condition 4 LA04/2021/2833/F - Noise verification report	Condition Discharged

LA04/2025/0043/DC	LOC	30, 32 & 34 Corrib Avenue, Belfast, BT11 9JB (OFF THE SHAWS ROAD)	Discharge of condition 8 & 9 LA04/2020/1126/F- Drainage assessment and sewage disposal	Condition Discharged
LA04/2025/0051/LBC	LOC	Pearl Assurance House, Retail Unit 1, 1 Donegall Square East, Belfast, BT1 5HB	Four individual external illuminated signs, each with 1.2 mm folded stainless steel letters, side-finished in RAL 9005 Jet Black and faced with 5 mm Apal 050 acrylic. Additionally, one internal illuminated roundel sign with fret-cut lettering and logo, also faced with 5 mm Apal 050 acrylic and i Internal fit-out of coffee shop (Retrospective)	Consent Granted
LA04/2025/0067/DC	LOC	Apartment 1, 157 Falls Road, Belfast, BT12 6AF	Discharge of condition 4 and 6 LA04/2019/2836/F- Construction Management Plan and Boundary Treatment	Condition Discharged
LA04/2025/0087/F	LOC	202 Upper Malone Road, Belfast, BT17 9JZ	Two Storey Replacement dwelling and Garage with all associated site works.	Permission Granted
LA04/2025/0101/F	LOC	1 Gortgrib Drive, Belfast, BT5 7QX	Single storey side/rear extension	Permission Granted
LA04/2025/0120/F	LOC	1 Ravensdene Park Gardens, Belfast, BT6 0DD	Single storey rear and side extension	Permission Granted
LA04/2025/0119/F	LOC	4 Balmoral Park Gardens, Finaghy, Belfast, BT10 0FA	Single storey rear and side extension to existing dwelling including internal alterations	Permission Granted
LA04/2025/0127/F	LOC	7 William Alexander Park, Belfast, BT10 0LW	Single storey extension to rear of dwelling with associated raised patio.	Permission Granted
LA04/2025/0170/A	LOC	Bus Shelter set 22 metres South of No. 115-119 North Street Belfast.	1 Digital sign on bus shelter	Consent Granted

LA04/2025/0152/F	LOC	28 Downshire Park South, Belfast, BT6 9JT	Single storey extension to side/rear. Extended patio area to rear with steps. Existing Garage reduced in size. (Amended description).	Permission Granted
LA04/2025/0151/F	LOC	35 Orby Gardens Ballyrushboy Belfast BT5 5HS	Single storey extension to rear of dwelling.	Permission Granted
LA04/2025/0161/F	LOC	35 Osborne Park, Belfast, BT9 6JP	New rear glazed extension and terrace, new stair access and roof extension to existing loft and new side entrance into utility space.	Permission Granted
LA04/2025/0162/DCA	LOC	35 Osborne Park, Belfast, BT9 6JP	New rear glazed extension and terrace, new stair access and extension to existing loft and new side entrance into utility space.	Consent Granted
LA04/2025/0171/F	LOC	51 Alliance Avenue, Belfast, BT14 7PJ	Single storey extension to rear.	Permission Granted
LA04/2025/0179/F	LOC	90 Upper Newtownards Road, Belfast, BT4 3EN	Single-storey rear kitchen extension. Addition of a rear window to existing rear extension. Demolition of existing walls at the rear of the property. Removal of 2 windows and patio doors. (AMENDED DESCRIPTION).	Permission Granted
LA04/2025/0181/F	LOC	Aisling House, 50 Stranmillis Embankment, Malone Lower, Belfast, BT9 5FL	Installation of a photovoltaic array on the roof and an EV charging point to the front elevation at Aisling House, Belfast. LBC Application LA04/2025/0183/LBC	Permission Granted
LA04/2025/0183/LBC	LOC	Aisling House, 50 Stranmillis Embankment, Malone Lower, Belfast, BT9 5FL	Installation of a photovoltaic array on the roof and an EV charging point to the front elevation at Aisling House, Belfast. Full Application LA04/2025/0181/F	Consent Granted

LA04/2025/0249/F	LOC	Dwelling to the rear of no.46 Myrtlefield Park, Belfast (change of address)	Part demolition of boundary walling, formation of additional vehicular access and car parking along with formation of new internal boundary treatment (landscaping) and minor works to dwelling.	Permission Granted
LA04/2025/0250/LBC	LOC	Dwelling to the rear of no.46 Myrtlefield Park, Belfast (change of address)	Part demolition of boundary walling, formation of additional vehicular access and car parking along with formation of new internal boundary treatment (landscaping) and minor works to dwelling.	Consent Granted
LA04/2025/0198/F	LOC	8 Old Coach Lane, Belfast, BT9 5PS	Retrospective 2 storey extension and alterations to dwelling	Permission Granted
LA04/2025/0200/F	LOC	Holy Evangelist Primary School Glasvey Drive Belfast BT17 0DB	Proposed single storey extension to rear of building and school meals dining extension to front	Permission Granted
LA04/2025/0223/NMC	LOC	Our Lady of Lourdes Primary School 700 Antrim Road, Belfast, BT15 5GQ	proposed alterations to LA04/2022/0594/F - Alteration to the window design, comprising the introduction of an additional transom to reduce opening vent sizes.	Non Material Change Granted
LA04/2025/0239/F	LOC	21a Cyprus Avenue, Belfast, BT5 5NT	Renewal of LA04/2019/2651/F - Demolition of existing garage, carport, porch and roof to dwelling. Single storey extension to side and rear. Porch extension to front, new roof creating a new ridge level and associated site works.	Permission Granted
LA04/2025/0240/DCA	LOC	21a Cyprus Avenue, Belfast, BT5 5NT	Renewal of LA04/2019/2628/DCA - Demolition of existing garage, carport, porch and roof to dwelling.	Consent Granted

LA04/2025/0227/CLOPUD	LOC	88 Knock Eden Park, Belfast, BT6 0JG	Re-building of existing single storey, pitched roof rear return to improve thermal performance. Single storey flat roof extension.	Permitted Development
LA04/2025/0266/NMC	LOC	Lands to the south of Wolfhill Avenue and Ligoniel Road, Belfast.	Omission of previously approved landscape planting plan under LA04/2017/0923/F and replaced with the updated landscape planting plan.	Non Material Change Granted
LA04/2025/0252/F	LOC	22 Mount Merrion Avenue, Belfast, BT6 0FR	Single storey rear extension with fenestration changes.	Permission Granted
LA04/2025/0261/F	LOC	3 Greystown Park, Belfast, BT9 6UN	Proposed two storey rear extension including fenestration changes	Permission Granted
LA04/2025/0263/F	LOC	68 Stewartstown Park, Belfast, BT11 9GN	Single storey extension to side and rear of dwelling	Permission Granted
LA04/2025/0256/F	LOC	197 Belmont Road, Belfast, BT4 2AE	Demolish existing garage and single storey rear return and replace with a new single storey rear and side extension	Permission Granted
LA04/2025/0281/F	LOC	14 Mount Prospect Park, Belfast, BT9 7BG	Demolition of single-storey rear extension. Addition of two-storey rear extension.	Permission Granted
LA04/2025/0272/F	LOC	32 Gortin Park, Belfast, BT5 7EP	Rear single storey extension with fenestration changes, replacement raised terrace and steps.	Permission Granted
LA04/2025/0319/F	LOC	40 Belmont Church Road, Belfast, BT4 3FF	Roofspace conversion including rear dormer	Permission Granted
LA04/2025/0539/F	LOC	1 Airport Road, Belfast, BT3 9DY	Creation of 2 external windows on the South and East elevation.	Permission Granted
LA04/2025/0334/LBC	LOC	89-91 Royal Avenue, Belfast, BT1 1FE	Painting, maintenance and repair works to external elevations.	Consent Granted
LA04/2025/0343/F	LOC	Lands at Instonians Rugby, Cricket and Hockey Clubs, Milltown Road, Belfast BT8 7XP	Erection of two 4.2 x 33m metal screens	Permission Granted

LA04/2025/0330/A	LOC	Block E, The Arc, Abercorn Basin, Titanic Quarter, Queens Road, Belfast	External shop signage comprising of 3no slimline illuminated badge box sign and 2 projecting box sign	Consent Granted
LA04/2025/0447/F	LOC	Former Europa Buscentre 10 Glengall St, Belfast, BT12 5AH	Temporary change of use of the former Europa Bus Station, comprising vacated bus yard area and station building, connecting to the existing Europa Hotel to provide a hospitality use to include retail, food and beverage market, outdoor seating, landscaping, and entertainment space for a period of 5 years.	Permission Granted
LA04/2025/0339/F	LOC	12 Knocklofty Park, Belfast, BT4 3NA	Part demolition and erection of two storey extension to front and rear. Associated site works.	Permission Granted
LA04/2025/0357/NMC	LOC	44 Lagmore Dale, Dunmurry Belfast BT17 0TQ	Non-material change to planning application LA04/2024/1712/F - Extension mirrored to right hand side to minimize land to be retained, existing patio doors reduced to window.	Non Material Change Refused
LA04/2025/0360/DC	LOC	Site of the former Finlay's Factory south east of Ballygomartin Road, north of Moyard Crescent, northwest of Springfield Heights and Springfield Park, Belfast BT13 3QZ	Discharge of Condition 6 of planning approval LA04/2023/2338/F - Environmental Monitoring Plan (EMP)	Condition Discharged
LA04/2025/0364/DC	LOC	1-21 Castlereagh Road, Ballymacarret, Belfast, BT5 5FB	LA04/2023/2763/F condition 4- specification of materials.	Condition Discharged
LA04/2025/0391/F	LOC	Unit 75, 20 Wellwood Street, Belfast, BT12 5GE	Change of Use from office to single residential flat	Permission Granted

LA04/2025/0446/F	LOC	Belfast Grand Central Station fronting Durham St and Grosvenor Rd, Belfast.	Installation of 1338 no. photovoltaic (PV) panels and ancillary development to roof of Belfast Grand Central Station.	Permission Granted
LA04/2025/0409/F	LOC	36 Corrina Avenue, Belfast, BT17 0HR	Single Storey Rear Extension. Conversion of Existing Garage to Garden Room and W.C.	Permission Granted
LA04/2025/0410/F	LOC	48 Ashton Park Belfast, Belfast, BT10 0JQ	Single storey side and rear extension	Permission Granted
LA04/2025/0402/F	LOC	26 Rosehead Belfast, Belfast, BT14 7BD	Single storey rear extension	Permission Granted
LA04/2025/0424/F	LOC	The Ewart, 17A Bedford Street, Belfast BT2 7GP	Proposed installation of kitchen extraction plant on roof associated with planning approval LA04/2024/0617/F along with internal minor alterations to each floor level.	Permission Granted
LA04/2025/0417/LBC	LOC	The Ewart, 17A Bedford Street, Belfast BT2 7GP	Proposed installation of kitchen extraction plant on roof associated with planning approval LA04/2024/0617/F along with internal minor alterations to each floor level.	Consent Granted
LA04/2025/0415/F	LOC	13 Old Coach Avenue Belfast, Belfast, BT9 5PY	Single storey front extension to existing garage and conversion to recreation room	Permission Granted
LA04/2025/0419/F	LOC	17 Beechmount Link, Ballymagarry, Belfast, BT12 7NQ	Single storey rear and side extension.	Permission Granted
LA04/2025/0516/CLEUD	LOC	Flat 2 108 Cromwell Road, Belfast, BT7 1JY.	HMO (House in multiple occupancy).	Permitted Development
LA04/2025/0483/CLEUD	LOC	12 Strandview Street, Belfast, BT9 5FF	Change of use to House in Multiple Occupation (HMO)	Permitted Development

LA04/2025/0439/F	LOC	Unit 3-5 Curzon Building, 306-310 Ormeau Road, Belfast, BT7 2GE	Variation of condition No. 3 of LA04/2023/3130/F to amend the odour extraction system in line with new odour impact assessment and installation of odour extraction system.	Permission Granted
LA04/2025/0441/F	LOC	12 Lagmore View Manor, Belfast, BT17 0YL	Proposed single storey rear extension and roof space conversion creating a dormer to the rear of the dwelling.	Permission Granted
LA04/2025/0445/CLEUD	LOC	Flat 1, 23 Eglantine Gardens, Belfast, BT9 6EZ	Change of use to House in Multiple Occupation (HMO)	Permitted Development
LA04/2025/0460/DC	LOC	53 Crumlin Road Gaol - A Wing Crumlin Road, Belfast, BT14 6ST	Discharge condition 2 of LA04/2024/1392/LBC- structural report	Condition Discharged
LA04/2025/0459/NMC	LOC	23 St Johns Park, Belfast, BT7 3JG	Relocate rear extension on boundary and relocate it to the side gable of dwelling.	Application Withdrawn
LA04/2025/0465/CLEUD	LOC	63 Rugby Road, Belfast, BT7 1PT	Change of use to House in Multiple Occupation (HMO).	Permitted Development
LA04/2025/0492/F	LOC	26 Norfolk Drive, Belfast, BT11 8AE	Conversion of an existing detached garage to create a self-contained granny annex.	Permission Granted
LA04/2025/0485/A	LOC	Unit UG30/31 Victoria Square, Belfast, BT1 4QG	1 High level Fascia sign and 2 external tray signs to front elevation.	Consent Granted
LA04/2025/0487/CLOPUD	LOC	139 Old Holywood Road, Belfast, BT4 2HQ	Rear single storey extension to existing bungalow and incorporating existing attached garage.	Application Withdrawn
LA04/2025/0512/CLEUD	LOC	4 Rathcool Street, Belfast, BT9 7GA	Change of use to House In Multiple Occupation (Existing HMO Use)	Permitted Development
LA04/2025/0511/CLOPUD	LOC	Mental Health Unit Belfast City Hospital, Belfast, BT9 7YG	Installation of new water source heat pumps at the Belfast City Hospital Mental Health Unit.	Permitted Development

LA04/2025/0515/CLEUD	LOC	47 Brookland Street, Belfast, BT9 7FZ	Change of use to House in Multiple Occupation (HMO)	Permitted Development
LA04/2025/0525/F	LOC	7 Marmont Park, Belfast, BT4 2GR	Single storey side extension.	Permission Granted
LA04/2025/0521/NMC	LOC	1 Hospital Road, Belfast, BT8 8JP	Non-material change to planning application LA04/2024/0026/F- Revised parking layout, amendments to the elevations to include an entrance canopy, change to window fenestration and change to front entrance door. Relocation of cycle storage and bins store to rear of apartments. Addition of low profile solar PV Panels to rear roof. Boundary treatment amended to increase privacy to rear garden area.	Application Withdrawn
LA04/2025/0532/F	LOC	120 Hawthorn Glen, Hannahstown, Belfast, BT17 0WH	Single storey rear extension	Permission Granted
LA04/2025/0543/CLEUD	LOC	41 Donegall Pass, Belfast, BT7 1DQ	House Multiple Occupancy (HMO)	Permitted Development
LA04/2025/0544/F	LOC	110 Haypark Avenue, Belfast, BT7 3FF	Single storey rear extension and associated site works.	Permission Granted
LA04/2025/0552/F	LOC	11 Neill's Hill Park, Belfast, BT5 6FL	Rear single storey link extension to adjoin garage conversion with fenestration changes.	Permission Granted
LA04/2025/0560/NMC	LOC	89 White Rise, Belfast, BT17 0XD	Non-material change to planning permission LA04/2024/0680/F- Reducing size of approved extension, removal of side facing windows, new rear facing window, changes to rear fence and relocating shower room to original property.	Non Material Change Granted
LA04/2025/0596/F	LOC	Subway, 40 Fountain Street, Belfast, BT1 5EB	Installation of new roller shutter to Fountain Street elevation	Permission Granted

LA04/2025/0599/F	LOC	26 Lagmore Dale, Dunmurry, Belfast, BT17 0TQ	Single storey rear kitchen extension	Permission Granted
LA04/2025/0602/LBC	LOC	71- 75 University Road, Belfast, BT7 1NF	Listed Building Consent for refurbishment of windows, repairs to section of railing and broken plinth wall.	Consent Granted

LA04/2025/0634/WPT	LOC	44 Myrtlefield Park, Belfast, BT9 6NF	<p>The applicant desires to remove two large leyland cypresses from the front of their property and replace them with smaller trees. Due to a tree falling on the adjacent road in the recent storms, the applicants are concerned that something similar may occur with these: however, their height and location could result in major damage and possible risk to life if they were to fall towards the house.</p> <p>Furthermore, the large size of these trees both partially obscures the view of the property from the street and prevents sunlight from reaching certain parts of the house. Smaller trees would give a better view of the house's unique architecture from the road and contribute to the openness of the property, thus coming more in line with the character of the Malone Conservation Area (sub-area G).</p> <p>Work Specification: The trees will be dismantled in sections by a qualified professional to avoid damage to any nearby property.</p> <p>The remaining stumps will be mechanically ground to minimise any disruption to the surrounding</p>	Works to TPO Granted
LA04/2025/0616/F	LOC	16 St Judes Crescent, Belfast, BT7 2GW	Single storey rear extension and dormer to rear.	Permission Granted

LA04/2025/0618/F	LOC	79 South Parade, Belfast, BT7 2GN	2 Single storey extensions to rear	Permission Granted
LA04/2025/0627/DC	LOC	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Discharge Condition 17 LA04/2024/0344/F - Piling Risk Assessment	Condition Discharged
LA04/2025/0648/DC	LOC	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Discharge Condition 2 LA04/2024/0344/F - Written Specification of Materials	Condition Discharged
LA04/2025/0650/DC	LOC	721-739 Lisburn Road, Malone Lower, Belfast, BT9 7GU	Discharge of condition 15 LA04/2021/0789/F- Piling Risk Assessment	Condition Discharged
LA04/2025/0640/F	LOC	25M Harberton Park, Malone Upper, Belfast, BT9 6TW	New entrance canopy	Permission Granted
LA04/2025/0663/A	LOC	Unit 2, 300 - 310 Ormeau Road, Belfast BT7 2GE	1 Shop sign	Application Withdrawn
LA04/2025/0672/CLOPUD	LOC	48 Owenvarragh Park, Belfast, BT11 9BE	Single storey rear extension	Permitted Development
LA04/2025/0675/DC	LOC	Belfast City Council City Hall Belfast City Hall 2 Donegall Square North, Belfast, BT1 5GS	Discharge of condition 3 LA04/2025/0140/LBC- Window design.	Condition Discharged
LA04/2025/0680/CLEUD	LOC	22 Agincourt Street, Belfast, BT7 1RB	Existing House of Multiple Occupancy (HMO)	Permitted Development
LA04/2025/0679/CLEUD	LOC	42 Stranmillis Park, Belfast, BT9 5AU	Change of Use to HMO (House in multiple occupation)	Permitted Development
LA04/2025/0715/WPT	LOC	38 Cleaver Park, Belfast, BT9 5HY	As per attached Tree Survey Report. Please note, the work is proposed as a result of a dispute between neighbours. The agreed compromise, and proposed work, is outlined in the addendum section of the attached report.	Works to Trees in CA Agreed
LA04/2025/0691/WPT	LOC	66A Kings Road, Belfast, BT5 6JL	Tree Surgery	Works to Trees in CA Agreed

LA04/2025/0724/CLOPUD	LOC	72/72a Cedar Avenue, Belfast, BT15 5AT	Domestic use to short term let of two apartments	Application Withdrawn
LA04/2025/0740/WPT	LOC	41 Derryvolgie Avenue, Belfast, BT9 6FP	Reduction of overall size, as per recommendations in attached arboricultural survey.	Works to TPO Granted
LA04/2025/0709/PRELIM	LOC	Lighthouse Building, 1 Cromac Place, Gasworks Business Park, Ormeau Road, Belfast, BT7 2JB	Proposed Mixed Developement	PAD Concluded
LA04/2025/0716/WPT	LOC	1 Knockdene Park North, Belfast, BT5 7AA	Trim back overhanging branches from fir tree interfering with gutter over house and trim laurel bush.	Works to TPO Granted
LA04/2025/0717/WPT	LOC	2A Fruithill Park, Belfast, BT11 8GD	request to reduce the branches of a tree by approx 3.5 mtrs. this measurement was given by Belfast City Council a few years back at time of original application. works wer never carried out and original approval has now lapsed.	Works to TPO Granted
LA04/2025/0790/WPT	LOC	Unit 12 Kilwee Business Park, Upper Dunmurry Lane, Belfast, BT17 0HD	Removal of trees hanging over building and damaging roof crown reduction of trees close to building crown lift to 6m trees along road to provide VHC	Works to TPO Granted
LA04/2025/0803/NMC	LOC	19 Oldpark Avenue, Belfast, BT14 6HH	LA04/2023/4226/F- change in material from red brick to render.	Non Material Change Granted

LA04/2025/0809/F	LOC	Apartment 1-9 134 University Avenue, Belfast, BT7 1GZ	Change of use of the existing building comprising 9 apartments (Class C1 dwellinghouses) to short-term holiday accommodation (Airbnb). No physical alterations or demolition works are proposed. The building will continue to be used for residential purposes but will operate as short-term lets. Existing access arrangements and ancillary facilities will remain unchanged. The site is not located within a designated conservation or demolition area.	Application Withdrawn
				<u>Total Decisions 154</u>

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Live Major Applications not previously considered by Committee @ 10.06.25

Number	Application No.	Category	Location	Proposal	Date Valid	Target Date	Status
1	LA04/2022/0809/F	Major	Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews Belfast.	Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 94 No. dwellings and associated and ancillary works.	21-Apr-22	17-Nov-22	Under Consideration
2	LA04/2023/2633/F	Major	St Teresa's GAC, 2 Glen Road Heights, Belfast BT11 8ER	Proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 4G training pitch with integrated ball walls. Proposed annex building with club store and matchday shop. Site works including increased parking, fencing, catch nets, floodlighting, dugouts, paths, and other associated amenities.	14-Mar-23	10-Oct-23	Under Consideration
3	LA04/2023/3799/F	Major	Vacant lands (partial site of the former Wolfhill Flax Spinning Mill) located to the south, of Wolfhill Manor, north of Wolfhill Grove and west of Mill Avenue, Ligoniel Road, Belfast, BT14 8NR	New single storey 10-class based primary school, separate nursery school accommodation and school meals accommodation to facilitate the relocation of St. Vincent De Paul Primary School and Nursery from existing site on Ligoniel Road, Belfast. Proposal includes new pedestrian and vehicular accesses onto Mill Avenue, car parking, covered cycle storage area and hard play areas. Hard and soft landscaping including wildlife walkway, fencing, retaining walls, underground drainage system to include the reinstatement of underground storm sewer and headwall into adjacent DFI River wayleave. Includes temporary contractors compound and all associated site works.	09-Oct-23	06-May-24	Under Consideration
Page 39	LA04/2023/4181/F	Major	Lands comprising the existing Sydenham Wastewater Pumping Station west of Park Avenue, Connswater River and King George V Playing Fields, to the south of the Sydenham By-Pass, east of The Oval football stadium, north and east of Parkgate Gardens and north of Parkgate Crescent, Parkgate Parade and Mersey Street, Belfast	Demolition of existing Wastewater Pumping Station (WwPS) with reinstatement of site as a landscaped area. Construction of a replacement WwPS including associated control building and hardstanding, the raising of site levels, in-channel works, provision of new rising main, other ancillary buildings, the creation of an access road on lands within the King George V Playing Fields to serve the facility, landscaping and other ancillary works. Provision of a temporary working area on lands within the King George V Playing Fields, the creation of a temporary access road from Mersey Street to facilitate construction traffic on lands to the rear of 1-35 Parkgate Gardens, the creation of a temporary footway adjacent to 88 Park Avenue and other ancillary development and landscaping restoration works.	14-Nov-23	11-Jun-24	Under Consideration
5	LA04/2024/0015/F	Major	Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4	Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works (amended description and plans).	22-Dec-23	19-Jul-24	Under Consideration
6	LA04/2024/0211/F	Major	Existing Football Stadium The Oval Parkgate Drive Belfast BT4 1EW.	Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site.	15-Mar-24	11-Oct-24	Under Consideration
7	LA04/2024/0570/F	Major	Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castleview Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and Summerhill Park (nos. 37 & 39).	Change of use of from hotel, conference centre and offices (sui generis) to a 97-bed care home (Use Class C3(b) and 1,559sqm diagnostic medical facility (Use Class D1(a), associated access, car parking, landscaping and open space.	04-Apr-24	31-Oct-24	Under Consideration
8	LA04/2024/0569/O	Major	STORMONT HOTEL 587 UPPER NEWTOWNARDS ROAD BALLYCLOGHAN BELFAST BT4 3LP	Outline planning permission with all matter reserved for independent living (Use Class C3) units and up to 62no. assisted living units (Use Class C1), associated internal access roads, communal open space, revised access from Castleview Road, associated car parking, servicing, amenity space and landscaping (amended description and plans).	04-Apr-24	31-Oct-24	Under Consideration

9	LA04/2024/0910/F	Major	70 whitewell Road, Newtownabbey, BT36 7ES Site at Hazelwood Integrated College	Redevelopment of Hazelwood Integrated College to include demolition of existing building and development of new school campus, new sports pitch, outdoor play areas, car parking, hard and soft landscaping and retention and refurbishment of the Listed Building (Graymount House) and other associated site works including a temporary mobile village during the construction process.	23-May-24	19-Dec-24	Under Consideration
10	LA04/2024/1121/F	Major	The Kings Hall And RUAS Site South Of Upper Lisburn Road/Balmoral Avenue West Of Harberton Park And North-east Of Balmoral Golf Club Belfast BT9 6GW	Vary of condition 6 of planning application LA04/2020/0747/F to extend timing of works from 3 years to 5 to accommodate design changes to elevations and vary of condition 7 of planning application LA04/2020/0747/F to accommodate design changes to the roof.	26-Jun-24	22-Jan-25	Under Consideration
11	LA04/2024/1592/F	Major	Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street, Belfast BT1 3GG	Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (8 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. (amended description)	20-Sep-24	18-Apr-25	Under Consideration
12	LA04/2024/1761/RM	Major	Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O.	Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details	15-Oct-24	13-May-25	Under Consideration
13	LA04/2024/1836/F	Major	Lands between Ballygomartin Road and Upper Whiterock Road and to the west (rear) of Moyard Parade and New Barnsley Crescent, Belfast Co. Antrim BT13 3QZ	Proposed development of new walking trails linking Black Mountain Shared Space Project building (approved under LA04/2022/0853/F) on the Ballygomartin Road with the Upper Whiterock Road and Moyard Parade. Proposal to include gated accesses, stockproof fencing, seated areas, information signage, landscaping and associated site works.	25-Nov-24	23-Jun-25	Under Consideration
Page 40	LA04/2024/2044/F	Major	Lands at 39 Corporation Street, Belfast, BT1 3BA	Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions	26-Nov-24	24-Jun-25	Under Consideration
15	LA04/2024/2026/RM	Major	Royal Ulster Agricultural Society the Kings Hall, 488-516 Lisburn Road, Belfast, BT9 6GW	Multi Storey Car Park with ground floor units for local retail uses, restaurant and cafe uses, leisure and gym facilities at Plot 8, new public realm and amenity open space including a central plaza in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details	29-Nov-24	27-Jun-25	Under Consideration
16	LA04/2024/2024/RM	Major	Royal Ulster Agricultural Society, the Kings Hall, 488-516 Lisburn Road, Belfast, BT9 6GW	41no. retirement living apartments at Plot 6, parking and landscaping in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details	18-Dec-24	16-Jul-25	Under Consideration

17	LA04/2025/0012/F	Major	Lands at the Waterworks Park, located off the Cavehill Road; and lands at Alexandra Park, located between Castleton Gardens and Deacon Street; extending along Castleton Gardens and Camberwell Terrace to the road junction approximately 30 metres to the north west of 347 Antrim Road, Belfast, BT15 2HF	<p>Refurbishment and safety work to the Waterworks upper and lower reservoirs, and Alexandra Park Lake reservoir, to be complemented with wider environmental, landscape and connectivity improvements.</p> <p>The reservoir works comprise of a new overflow structure with reinforcement and protection of the return embankment parallel to the by-wash channel at Waterworks Upper reservoir. Repairs to the upstream face of Waterworks Lower reservoir with the addition of wetland planting to reduce the overall capacity of the reservoir.</p> <p>Removal of an existing parapet wall and embankment reinforcement at the Alexandra Park Lake reservoir.</p> <p>Improvements at Waterworks Park comprise the demolition of the existing Waterworks Bothy and replacement with a new building to include public toilets, Changing facilities, multi-purpose community room and kitchenette. Extension to existing Cavehill Road gatehouse building. Entrance improvements, new events space including multipurpose decking; resurfacing of footways; new pedestrian lighting along key routes; a dog park; replacement platforms and viewing area. New 3-on-3 basketball court; replacement surface to existing small sided 3G pitch; and upgrades to existing Queen Mary's playground.</p> <p>Improvements at Alexandra Park include the resurfacing of footways; new pedestrian lighting along key routes; new reinforced grass event space; new lake viewing area; new public toilets and changing places; entrance improvements. 2no existing bridges replaced; new pedestrian entrance; reimagined peace wall; new multi-sport synthetic surface with cover; and upgrades to existing play parks.</p> <p>Streetscape improvements along Camberwell Terrace and Castleton Gardens include resurfacing of footways with new kerbs; resurfaced carriageways and new tactile paving at pedestrian crossings; and all associated works.</p>	20-Dec-24	18-Jul-25	Under Consideration
18	LA04/2024/2134/F	Major	Site of the former Dunmurry Cricket Club, Ashley Park, Dunmurry, Belfast BT17 0QQ, located north of 1-10 Ashley Park and south of 1-20 Areema Grove and Areema Drive, Dunmurry.	Mixed use scheme for new community recreational facilities, including basketball court, parkland and residential development comprising 40no social/affordable housing units with landscaping and associated works.	21-Dec-24	19-Jul-25	Under Consideration
19	LA04/2024/2145/F	Major	Lands at North Foreshore / Giant's Park Dargan Road, Belfast, BT3 9LZ	Creation of a new Adventure Park comprising a community / visitor hub building including café, creche, flexible exhibition / community space, ancillary office space and maintenance yard. Development includes community gardens, bmx track, crazy golf, dog park, walking/running/cycle paths, outdoor amphitheatre, bio diversity zones, and recreational facilities. Associated landscaping and infrastructure (drainage, lighting, car / coach parking, WC block etc).	15-Jan-25	13-Aug-25	Under Consideration
20	LA04/2024/2077/F	Major	Adelaide Business Centre 2-6 Apollo Road, Belfast, BT12 6HP	Proposed change of use from office space to Bowling Alley, Restaurant, Indoor Golf, Children's Soft Play, VR Zone & Amusements, Smoking Area, Car Parking and Associated Site Works.	29-Jan-25	27-Aug-25	Under Consideration
21	LA04/2025/0184/O	Major	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Mixed-use development comprising Use Class B1 (c): Business, Research & Development and Use Class, D1: Community and Cultural Uses, including landscaping, parking, and servicing.	10-Feb-25	08-Sep-25	Under Consideration
22	LA04/2025/0535/F	Major	Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane, Glanaulin, 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast	Variation of conditions 1, 2, ,3, 4 ,5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location.	27-May-25	09-Sep-25	Under Consideration
23	LA04/2025/0242/F	Major	2 - 10 Botanic Avenue, Belfast, BT7 1JG	Erection of hotel (164 beds) including ground floor bar / restaurant; proposed heights of 8 storeys (c. 26.8m to parapet) at Donegall Pass, reducing to 5 storeys at Botanic Avenue and 4 storeys at Ratcliffe Street; and associated works including demolition of existing building	13-Feb-25	11-Sep-25	Under Consideration

24	LA04/2025/0088/F	Major	Lands adjacent and south west of Monagh By-pass, north west of Nos. 17, 19 and 22 Black Ridge Gardens and c.150 metres south east of Nos. 38 to 70 (evens) Black Ridge View (part of the wider Glenmona mixed-use development), Belfast	Proposed mixed use development (in lieu of the previously approved employment zone under LA04/2020/0804/F) comprising 36 no. Category 1 (over 55's) social housing apartments and 7 no. Class B1/B2 Business/Light Industrial Units. Development includes 2 no. access points, car parking, landscaping and all associated site works	17-Feb-25	15-Sep-25	Under Consideration
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Planning Applications Discussed at Committee Between 01 Apr 2019 and 10 Jun 2025

Decision Description	Totals
	16
Consent Granted	2
Consent Refused	
Permission Granted	7
Permission Refused	
Total	25

Application No.	Location	Proposal	Category	Date Valid	Delegated Committee	Committee Date	Weeks between Valid date and Comm date	Weeks Since Committee	Weeks between Comm Date and Issued Date 2	Decision	Issue date	Todays Date	Reason decision not issued
LA04/2022/2059/F	Lands south of 56 Highcain Drive Belfast BT13 3RU Site located at junction between Highcain Drive and Dunboyne Park Belfast.	Proposed Social Housing Development Comprising of 12 no. 3p/2b semi-detached dwelling houses with incurtilage parking and associated site works. (amended description and site location plan)	LOC	04-Nov-22	C	29/06/2023	33	101	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2020/1858/F	Hillview Retail Park Crumlin Road Belfast.	Proposed residential development of 18 no. social housing units, comprising two terraces. Development includes associated car parking, gardens, landscaping, site access and all other site works. (amended plans uploaded to the Planning Portal on the 5th April 2023 that revise the proposed access and road layout, including the introduction of a traffic island).	LOC	08-Jan-21	C	14/11/2023	148	82	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2021/2016/F	21-29 Corporation Street & 18-24 Tomb Street Belfast.	Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received).	MAJ	26-Aug-21	C	16/01/2024	124	73	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement

LA04/2020/2105/F	1-5 Gaffikin Street Belfast BT12 5FH	Residential development comprising 55no. apartments comprising 12 no social, and 43 no private apartments and associated site works.	MAJ	21-Oct-20	C	19/03/2024	177	64	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2022/0612/F	Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast.	Residential scheme of 53 no. dwellings comprising 34 no. semi-detached and 4 no. detached) and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed), amenity space, bin and bicycle storage, landscaping, access, car parking and all associated site works.(revised description & amended plans).	MAJ	15-Apr-22	C	18/06/2024	113	51	49	Permission Granted	30 May 2025	10/06/2025	Decision Issued
LA04/2024/0483/F	34-44 Bedford Street and 6 Clarence Street, Belfast	Proposed change of use from Office (B1) and restaurant (Sui Generis) to Hotel comprising of 88 no. bedrooms, two storey rooftop extension, restaurant and bar offerings, gym facilities, including new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works.	MAJ	19-Mar-24	C	15/10/2024	30	34	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2024/0480/DCA	34-44 Bedford Street and 6 Clarence Street, Belfast	Part demolition of existing buildings (stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.	LOC	29-Mar-24	C	15/10/2024	28	34	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement

LA04/2024/0393/F	ECIT Building Queen's Road, Queen's Island, Belfast, BT3 9DT	Proposed 5 storey extension to the East of the ECIT Building (Institute of Electronics, Communications and Information Technology), and 3 storey extension to the West, to provide additional research and development space with associated landscaping and site works	MAJ	21-Mar-24	C	12/11/2024	33	30	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2024/0369/F	Lands at Former Monarch Laundry site, and Broadway Hall Site, No's 451 - 457 Donegall Road, Belfast, BT12 6HD.	Proposed Specialist Nursing and Residential Care Facility comprising approximately 158 no. beds, day/dining rooms, treatment rooms, staff rooms, office/store rooms, including car parking provision, cycle parking, refuse storage, landscaping, and associated site and access works.	MAJ	08-Feb-24	C	12/11/2024	39	30	No Issue Date	Decision To Be Issued		10/06/2025	Applicant required to provide updated land contamination information
Page 45 LA04/2024/1744/LBC	Belfast City Hall, 2 Donegall Square North, Belfast, BT1 5GS	Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall	LOC	16-Oct-24	C	10/12/2024	7	26	No Issue Date	Decision To Be Issued		10/06/2025	Deferred for Site Visit
LA04/2024/1138/F	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	MAJ	16-Oct-24	C	10/12/2024	7	26	24	Permission Granted	30 May 2025	10/06/2025	Decision Issued

LA04/2024/1141/DCA	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses	LOC	28-Jun-24	C	10/12/2024	23	26	24	Consent Granted	30 May 2025	10/06/2025	Decision Issued
LA04/2024/0754/F	Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known at North Foreshore/Giants Park), Belfast.	Retrospective application for the construction of a landscaped earth mound, new fencing, the reconfiguration of internal access arrangements to provide a new turning head, and associated site works. (Amended description and plans)	LOC	26-Apr-24	C	21/01/2025	38	20	19	Permission Granted	04 Jun 2025	10/06/2025	Decision Issued
LA04/2020/2325/F	Lands at Former Maple Leaf Club 41-43 Park Avenue Belfast.	Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	LOC	06-Nov-20	C	11/02/2025	222	17	13	Permission Granted	13 May 2025	10/06/2025	Decision Issued
LA04/2019/0081/F	Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.	Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	LOC	04-Oct-24	C	11/02/2025	18	17	13	Permission Granted	13 May 2025	10/06/2025	Decision Issued

LA04/2024/1869/F	The Edge, 48-52 York Street, Belfast, BT15 1AS	Temporary Change of Use of 92 No. Student Bedrooms to Short Term Let Accommodation	LOC	01-Nov-24	C	18/03/2025	19	12	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2024/0626/F	1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB .	Erection of 104no. social rented residential units (comprising a mix of General Social Housing and Category 1 over 55's accommodation) across two detached blocks [ranging between 3 and 5 storeys], landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works	MAJ	17-Apr-24	C	18/03/2025	47	12	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
Page 47 LA04/2022/1046/F	18 Annadale Avenue Belfast BT7 3JH	Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking (amended description).	LOC	04-May-22	C	15/04/2025	153	8	No Issue Date	Decision To Be Issued		10/06/2025	Deferred for Further Viability Information regarding options to retain original building
LA04/2024/0675/F	The Arches Centre 11-13 Bloomfield Avenue, Belfast, BT5 5AA	Change of Use of first and second floor to 39 No. apartments; extension to second floor for 6 No. apartments and erection of new third floor for 19 No. apartments (all social housing dwellings, 64 No. in total), and ancillary/associated works. Solar panels on roof (amended plans and description).	MAJ	13-May-24	C	15/04/2025	48	8	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement

LA04/2024/1385/F	Olympic House, Titanic Quarter, 5 Queens Road, Belfast, BT3 9DH	Amendment to planning permission Z/2013/0931/F to permit occupation for Class B1(a) office and/or Class B1(c) research and development. (amended description and information)	MAJ	09-Aug-24	C	15/04/2025	35	8	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting Section 76 Agreement
LA04/2025/0239/F	21a Cyprus Avenue, Belfast, BT5 5NT	Renewal of LA04/2019/2651/F - Demolition of existing garage, carport, porch and roof to dwelling. Single storey extension to side and rear. Porch extension to front, new roof creating a new ridge level and associated site works.	LOC	13-Feb-25	C	15/04/2025	8	8	4	Permission Granted	14 May 2025	10/06/2025	Decision Issued
LA04/2025/0240/DCA	21a Cyprus Avenue, Belfast, BT5 5NT	Renewal of LA04/2019/2628/DCA - Demolition of existing garage, carport, porch and roof to dwelling.	LOC	11-Feb-25	C	15/04/2025	9	8	4	Consent Granted	14 May 2025	10/06/2025	Decision Issued
LA04/2025/0305/F	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Section 54 application to amend condition 8 of planning approval LA04/2023/3778/F relating to the submission of foul and surface water drainage details.	MAJ	20-Feb-25	C	15/04/2025	7	8	No Issue Date	Decision To Be Issued		10/06/2025	Awaiting issuing
LA04/2024/2131/F	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Section 54 planning application to revise the wording of the planning condition numbers 13 and 15 (Relating access gradient and visibility splays) of planning approval LA04/2023/3778/F.	MAJ	31-Jan-25	C	15/04/2025	10	8	5	Permission Granted	20 May 2025	10/06/2025	Decision Issued

LA04/2024/0058/F	68 Fortwilliam Park, Belfast BT15 4AS	Demolition of existing 31 no. bed private nursing home and erection of 20 no. sheltered housing units (3 storey building) for the elderly; warden accommodation; communal facilities; landscaping; car parking and site works.	LOC	20-Dec-23	C	13/05/2025	72	4	No Issue Date	Decision To Be Issued		10/06/2025	Outstanding consultation
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Subject:	LA04/2023/4194/F - 2 Storey side and rear extension with single storey flat floor flat roof extension to rear and additional site works. - 2 Lead Hill Park, Belfast, BT6 9RW
Date:	17 June 2025
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number ☐

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

1.0	Purpose of Report/Summary of Main Issues
1.1	To update Members on Planning permission LA04/2023/4194/F which was granted on 31 March 2025 under delegated authority.
2.0	Recommendation
2.1	<p>The Committee notes the contents of the report, the status of the permission and the requested call in and determine whether:</p> <ol style="list-style-type: none"> 1. The Committee is satisfied with the assessment of the application and the issuing of the permission and therefore no further action is required. 2. The Committee is not satisfied with the assessment of the application and the issuing of the permission and therefore wishes to revoke the permission under s.68 of the Planning Act (NI) 2011 or 3. The Committee is not satisfied that proper procedure have been followed or with the assessment of the application and issuing of the permission and therefore wishes to apply to the High Court for Judicial Review seeking an order to quash the permission and return the application to the Council for fresh consideration. <p>Members are also asked to note the revised call-in procedures set out in the report.</p>
3.0	Main Report
3.1	<p><u>Planning application LA04/2023/4194/F</u></p> <p>Planning application LA04/2023/4194/F was initially received in October 2023, with revised plans submitted in January 2024. Neighbour Notifications were issued on the 22 January 2024 and the press advert published on the 19 January 2024.</p>
3.2	The application took some time to progress with further minor alterations made to the proposals to address concerns from objectors and officers throughout 2024. Whilst a total number of 13 objections were received to the application, these were all from 3 individuals (or their representatives).
3.3	Under the Council's scheme of delegation, the application could be determined under delegated authority. The Development Management Officer Report is included in Appendix 1. The application was determined, and the permission issued on the 31 March 2025. The Decision Notice is included in Appendix 2 and includes a number of conditions to minimise and mitigate the impact on the residential amenity of nearby properties.
3.4	<p><u>Request for call-in</u></p> <p>The Council's Scheme of Delegation sets out:</p> <p><i>"3.8.1 An elected Member of the Council may request that an application that relates to a site within their District Electoral Area or within an adjoining District Electoral Area or within the City Centre [Footnote 1] is referred to the Planning Committee provided that the request is made in writing or by email to Democratic Services within 28 days of either: the date that the application is publicly advertised in the newspaper; or the date of Neighbour Notification, whichever is the later. The Member shall clearly state their reason/s for requesting referral of the application to the Planning Committee, which must be material planning considerations. The Strategic Director of Place and Economy shall determine whether the reason/s are material planning consideration/s and of sufficient importance for consideration by the Planning Committee. Democratic Services will advise the relevant Member of their decision. If the decision is not to refer the application to the Planning Committee, then the decision</i></p>

	<p><i>shall be delegated to the Strategic Director of Place and Economy. Democratic Services will notify the Member that made the request of the outcome of their request to refer the application to the Planning Committee. Where the application is to be referred to the Planning Committee, Democratic Services will notify all Members. Where an application is referred to the Planning Committee under this provision the planning service shall notify the applicant at least five calendar days before the application is discussed by the Planning Committee."</i></p>
3.5	<p>On the 26 September 2024, an elected member emailed the Director of Planning and Building Control and requested that the application come before Committee <i>"as I believe that the planning would have an negative impact on street scene or on the amenity and privacy of neighbouring properties."</i></p>
3.6	<p>Whilst the request had been made significantly beyond the 28 of the newspaper advert and neighbour notification, the request was acknowledged, and the Director of Planning and Building Control responded that they would get an update on the application from the planning team. A number of emails were then exchanged between officers outlining the request for a call in and giving updates on the processing of the application.</p>
3.7	<p>The call-in request however was not confirmed with the elected member and was not recorded on the back-office system. The application therefore moved to be determined under delegated authority on the 31 March 2025.</p>
3.8	<p>Just before the application was determined and the Decision Notice was issued the same elected member emailed to enquire on a matter of processing detail for the application and neighbour notification. The call-in request was not reiterated at that time or followed up.</p>
3.9	<p>Whilst it is unfortunate that the call-in request was neither formally confirmed or refused, it should be noted that the request was made out of time and that the matters raised by the elected members are considered to be addressed in the delegated report and through the conditions attached to the permission. Any call-in request is also subject to consideration by the Strategic Director who shall determine whether the reason/s given by the elected member for call-in are material planning consideration/s <u>and</u> of sufficient importance for consideration by the Planning Committee. A request for a call-in does not therefore automatically mean that an application will be considered by Committee.</p>
3.10	<p>For application LA04/2023/4194/F the issues raised by the elected member in the call-in request would have been material, but the importance of the issues raised may not have warranted consideration by the Planning Committee.</p>
3.12	<p><u>Possible courses of action</u></p> <p>Given that the requested call-in was neither confirmed or refused, the Committee should consider three possible courses of action:</p> <ol style="list-style-type: none"> 1. Members may consider that the decision taken under delegated authority is appropriate as all material considerations and representations to the application were considered before the decision was made. This decision would require no further action from the Council and the planning permission would remain. 2. Members may consider that they may have determined the application differently if it had come before Committee. A decision could therefore be made to revoke the permission under S.68 of the Planning Act (NI) 2011. The Council would have to serve Notice on the land owner affected and they would have the opportunity to oppose the revocation. If they choose to oppose the revocation, then a hearing will be scheduled before the Planning Appeals Commission and there are costs implications for the Council and no guarantee that the Order will be granted.

	<p>3. Members may consider that the Council has not followed its own procedures and that they may have determined the application differently if it had come before Committee. A decision could therefore be made to apply to the High Court for Judicial Review seeking an order to quash the permission and return the application to the Council for fresh consideration. The Council would have to serve Notice on the applicant affected of the Council's intention to seek to quash the permission and they may seek to challenge the Council's application which would result in a hearing before the Judicial Review Court. There are costs implications and no guarantee that an Order quashing the permission would be granted.</p>
3.13	<p><u>Revised call-in procedures</u></p> <p>The ability for elected members to call-in applications to Committee that would normally be determined under delegated authority is an important part of how the Planning Service operates. Following the missed call-in officers have been considering how to ensure the call-in process is as robust as it can be and that call-in requests are considered and confirmed or refused in a timely manner.</p>
3.14	<p>There are currently a number of ways that elected members request a call-in; whether that is by emailing the case officer, the Director of Planning and Building Control or Committee Services. It is considered that this is a potential weakness of the system and that requests must be sent to one place which would have contingency cover and follow up processes in place.</p>
3.15	<p>Officers are currently revising the internal call-in procedures and revised instructions including a pro-forma for members to use will be circulated in the coming weeks.</p>
3.16	<p><u>Financial and Resource Implications</u></p> <p>The report sets out that any action to revoke the permission or apply to the High Court for Judicial Review could have cost implications for the Council.</p>
3.17	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no equality or good relations implications associated with this report.</p>
4.0	Appendices - Documents Attached
	<p>Appendix 1 – Case Officer Report</p> <p>Appendix 2 – Decision Notice LA04/2023/4194/F</p>

Delegated Application

Development Management Officer Report	
Case Officer: Cealan O'Neill	
Application ID: LA04/2023/4194/F	
Proposal: 2 storey side and rear extension with single storey flat roof extension to rear + additional site works.	Location: 2 Lead Hill Park, Belfast, BT6 9RW
Applicant Name and Address: Darryl and Heather Stacey 2 Lead Hill Park Belfast BT6 9RW	Agent Name and Address: Richard Burnside 41 Dromona Road Cullybackey BT42 1NT
Date of last Neighbour Notification:	22 January 2024
Date of Press Advertisement:	19 January 2024
Letters of Support	0
Letters of Objection	13
Petitions	0
Signatures	0
Summary of Issues: <ul style="list-style-type: none"> Scope of Proposal Design, Character and Appearance Amenity Representations 	

Site Location Plan:

Date of Site Visit: 05/08/2024

Characteristics of the Site and Area

The application site is located at No.2 Lead Hill Park, a two-storey residential dwelling located in East Belfast. The host property is finished in red brick with a hip roof profile. To the front of the property is a small, paved area of amenity space and in-curtilage parking that runs from the front along the side of the property. Boundary treatments to the front and side comprise 1.7m – 2m wooden fencing. The site comprises an irregular plot and slopes significantly from front to rear. The rear of the property includes a generous garden which sits approximately 2m below the finished floor level of the house. This is characteristic of plots in the vicinity when moving south along Lead Hill Park as the gradient increases along this stretch of built form. The character and design are broadly similar within the surrounding area.

The site is not zoned and has no specific designations as detailed within the draft Belfast Metropolitan Area Plan 2015 (dBMAP) (version 2004 & 2014).

Description of Proposal

The proposal seeks to erect a two-storey side and rear wrap-around extension to the north and east facing elevations. The proposal includes an additional single storey rear extension which also projects from the east facing (rear) elevation. To the rear of the site, a raised patio area set within a privacy wall and raised planter bed are proposed with steps down to the rear

garden. Other additional site works include the erection of a new boundary wall along the northern boundary and privacy wall where an existing detached garage is to be demolished.

Planning Assessment of Policy and Other Material Considerations

1.0 Site History

There is no site history linked to this site address.

2.0 Policy Framework

- **Belfast Local Development Plan 2035: Plan Strategy**
 - Policy RD2: Residential extensions and alterations
 - Policy TRAN 8: Car parking and servicing arrangements
- **Strategic Planning Policy Statement for Northern Ireland (SPPS) 2015**
 - Paragraphs 4.24 – 4.30

3.0 Statutory Consultations

There were no consultation requirements for this proposal.

4.0 Non-Statutory Consultations

There were no consultation requirements for this proposal.

5.0 Representations

The application has been advertised in local press and relevant neighbours have been notified. There have been 13no. objections to this proposal from 4no. people. All representations have been considered and a summary of the key points are set out below.

- Overshadowing / loss of light to key habitable rooms.
- Extension higher than boundary treatments.
- Issues with application details as misleading or false.
- Privacy and overlooking to adjoining neighbour.
- Structural integrity of adjoining retaining wall and fencing / health and safety / dog owners.
- Building Control issues.
- Overlooking and reduced privacy.
- Not in-keeping with neighbouring design and materials.
- Existing detached garage to be removed will have asbestos health issues.
- Over dominance.
- Property damages, costs, and maintenance issues, responsibility for owner or neighbour?
- Parking / delivery issues during construction time.
- Accuracy of design statement.
- Permission to access land for construction.
- Infringing on private amenity space of neighbours.
- Gradient and levels concerns.
- Lack of precedent in area.
- Inadequate drainage solutions.
- Inconsistency with plans.
- Render considered alien not in character to the surrounding area.

- Roof design not consistent with area / neighbours.
- North elevation opening does not annotate “non-opening” and would cause overlooking.
- Exacerbation of privacy and dominance due to levels differences.
- Proposed 2.4m boundary wall would create overbearing impact.
- Contrary to planning policy.

The representations have been fully considered as part of the overall assessment of this proposal.

6.0 Planning Assessment

6.1 Scope of Proposal

- 6.1.1 The proposal seeks to erect a two-storey side and rear wrap-around extension to the north and east facing elevations. The proposal includes an additional single storey rear extension which also projects from the east facing (rear) elevation. To the rear of the site, a raised patio area set within a privacy wall and raised planter bed are proposed with steps down to the rear garden. Other additional site works include the erection of a new boundary wall along the northern boundary and privacy wall where an existing detached garage is to be demolished.

6.2 Design, Character and Appearance

- 6.2.1 The two-storey side and rear extension will be constructed with a mix of red facing brick to match the existing finish material at ground floor and smooth render painted white on the first floor. The proposed privacy wall along the northern site boundary and surrounding the raised patio at the rear will utilise red brick to match existing. The choice of external finishes seeks to reflect the existing material (red brick) and complement the colour and design features of the site with smooth white render which are present within the cills and lintels found on the property and on surrounding dwellings. Three storey properties are not uncharacteristic within the area as demonstrated by the development at Hillside Court approximately 50m from the application site.
- 6.2.2 Paragraph 4.2.1 of the residential extensions and alterations supplementary planning guidance (SPG) states that “*A contrasting design for an extension or alteration may also be acceptable if its relationship with the existing property is shown to have been well considered and the design process convincingly demonstrated, resulting in an additional element or elements which are functional, expressing high aesthetic quality which is unobtrusive and which builds on sustainability in the sense that the design and choice of materials are durable and not appealing to passing trends*”. The site is designated as Whiteland within dBMAP and has no zoning which restricts character or materials. the presence of red brick is predominant in the area, however, it is considered that the materials and design would complement the host property.
- 6.2.3 Paragraph 4.2.4 of the SPG states “*the external finish of a proposal should aim to complement the type of materials, colour and finish of both the existing building and those of neighbouring properties, particularly where certain materials strongly predominate. Using similar or complementary materials to those of the existing property*”

is more likely to produce a successful extension or alteration". The mix of red brick which matches the existing property and surrounding properties, in with smooth white render complements the design and character of the area and therefore acceptable regarding Policy RD2 of the LDP.

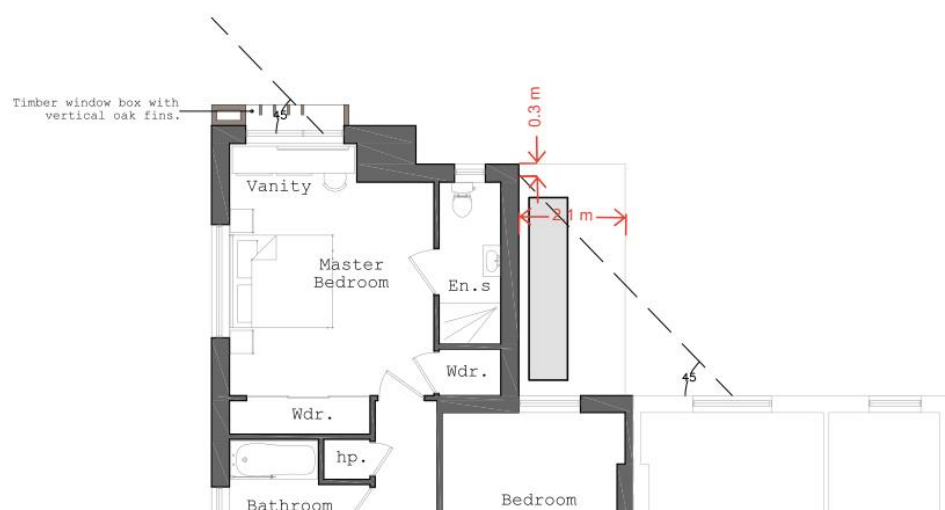
- 6.2.4 The existing dwelling floorspace is 109m² in area. The proposal seeks to erect a two-storey side and rear extension with an additional single storey extension at the rear. The finished floorspace will total 191m², an additional 82m². There is sufficient in-curtilage space within the site and 71m² of an amenity area will remain at the rear and no loss of amenity space will occur to the front amenity / parking area. The proposal remains subservient to that of the host building. The proposal adheres to criteria within the Residential Extension SPG pertaining to Policy RD2 regarding scale and massing as the extension is set back from the principal elevation by 2m, set down from the original roof ridge by 0.7m and a minimum of 1m is retained with the neighbouring boundary. There is a gap of 0.8m between the plot boundary and the patio wall to the rear of the site. On balance, this is appropriate as it will retain access to the rear for bin storage and site maintenance.
- 6.2.5 The proposal will introduce a pitched roof to the existing hip roof. This is in contrast to the host dwelling, however; as the proposal is subservient in scale and set back from the principal elevation, the two-storey side and rear element will broadly complement the context of the site. The single storey element has a flat roof profile and is wholly to the rear of the property screened from views from the street scene. The proposals are therefore acceptable regarding scale, massing and design and broadly compliant with Policy RD2 of the LDP.
- 6.2.6 The raised patio and privacy walls form part of the extension and provide an amenity area. The proposed materials are consistent with the existing dwelling and context. The privacy wall is located along the boundary in place of a detached garage which is to be demolished. This will provide additional privacy measures given topography. These elements will be discussed in further detail within the amenity section of this report. These elements are deemed acceptable regarding scale, massing and design. The character and appearance of the site and area is not considered to be compromised by the proposal given they will largely be screened from public viewpoints. On balance, the proposal is acceptable regarding Policy RD2 of the LDP.
- 6.2.7 There is no alteration to in-curtilage car parking availability, the site is assessable to public transport located on the Ballygowan Road which in close proximity to the site. These elements are compliant with criteria set out within Policy TRAN 8 of the LDP.

6.3 Amenity

- 6.3.1 The applicant has provided a 45-degree angles test at both ground and first floor level. Paragraph 4.3.27 of the SPG for residential extensions and alterations states "*the 'angles test' is not a rigid standard which must be met in every case. Rather, it is a tool which can be used to gauge the acceptability of proposals in terms of the overshadowing / loss of light impact upon neighbouring properties. However, other relevant factors will also be considered*". Based on the details submitted by the

applicant, the distance the single storey extension would fail/breach the 45-degree test would be 2.2m from the rear elevation.

- 6.3.2 Permitted development regulations would allow the applicant to extend out from the rear at single storey by 3m without the requirement for planning permission. The permitted development regulations are a material consideration. The 45-degree test fails at a length of 3.3m (0.3m beyond permitted development). The proposed extension is a total of 4.5m and in this case would breach the test by 1.2m. The height of the extension is 2.7m with a flat roof profile, permitted development regulations would allow a 2m high wall along this boundary without the requirement for planning consent (0.7m above permitted development). On balance, the 1.2m breach at single storey is deemed marginal. See screen grab below to illustrate.



- 6.3.3 As referenced in the SPG guidance, other relevant factors should also be considered. In this instance, No.4 Lead Hill Park is at a marginally increased gradient from the application site and the orientation of the rear elevations are east facing. Sun path analysis indicates that this proposal would have minimal impact regarding loss of light or over shadowing into No.4 Lead Hill Park. The additional 0.7m height above that of permitted development is deemed not to exacerbate the loss of light, over-shadowing or dominance. The two-storey rear extension is set 2.1m off the boundary with adjoining property at No.4 Lead Hill Park. This element marginally fails the 45-degree test by 0.3m and based on the details outlined above would not exacerbate the current site context. See above image of measurements illustrating the 0.3m breach and the 2.1m distance off the boundary.
- 6.3.4 With regards to the privacy of No.4 Lead Hill Park, the single storey element extends 4.5m from the rear elevation obscuring direct views to the immediate amenity area. The existing dense boundary treatment on site will be retained and also obscure views towards No.4 Lead Hill Park. The proposal includes a privacy wall around the rear patio which will protect privacy further.

6.3.5 The angles test is compliant with adjacent properties at Nos.02 & 04 Lead Hill. The key aspects to consider from this prospective is dominance and overlooking as both properties are at lower gradient levels from the application site.

6.3.6 No.4 Lead Hill, which is situated directly North of the application site sits on average 0.5m gradient below the application site at the closest datum points. There is an existing large, detached garage to the side of No.4 Lead Hill which screens views towards the application site. No.4 Lead Hill also has a limited amenity area to the rear. A hardstanding path links the front of the dwelling to the rear. The detached garage at No.4 Lead Hill does not appear to have planning permission on review of the site history, however it appears to be in place before 2008 which would render it immune from enforcement action. A site inspection on 5th August 2024, indicates that the rear elevation of this garage at No.4 Lead Hill has 2no. clear glass window openings which look directly into the neighbouring amenity area located at No.2 Lead Hill. See figure 1 below.



Figure 1. Dated: 05/08/2024 at 15:15pm – No.4 Lead Hill Rear Garage Elevation View.

6.3.7 Based on the site analysis and assessment of the proposed works, it is considered that there would be minimal amenity impact on No.4 Lead Hill. The proposed ground floor side elevation (north-facing) window openings have a centre point from the internal floor level of 1.7m. The proposed boundary treatment along this section of the site is a 2.4m wall. The combination of the boundary wall, detached garage and no usable amenity area to the rear of No.4 would indicate minimal impact. There would be no direct views into the rear openings of the main habitable rooms within No.4 Lead Hill. The extension is 11m from the main dwelling at No.4 Lead Hill and will not exacerbate dominance impacts given the context and orientation of the site. The 2no. first floor side elevation (North-facing) windows serve a bathroom and a main bedroom. These are

	also high-level and comprise obscure glazing to protect from overlooking into adjacent properties whilst providing natural light.
6.3.8	Currently the context of the site would indicate marginal levels of overlooking into the rear amenity area due to site orientation and levels differences between these sites. However, as referenced in paragraph 4.3.8 of the SPG for residential extensions and alterations <i>“in urban areas few households can claim not to be overlooked to some degree”</i> .
6.3.9	No.2 Lead Hill has a ground level of 50.81 to its immediate rear, the application site has a ground level of 52.46 where the rear extension is proposed. This is a levels difference of 1.65m.
6.3.10	A revised submission proposes a 2.4m boundary wall along the northern curtilage which will seek to protect direct views following removal of the detached garage. The rear patio is also within an enclosed privacy wall which is 2.25m above the finished patio surface level. As mentioned above, the 2no. windows on the side elevation at first floor are high-level obscured glazing which will be conditioned to be non-opening to increase privacy / overlooking towards No.2 Lead Hill. The applicant has also included a timber window box on the first-floor rear elevation window with vertical fins that obscure 45-degree views to the north towards No.2 Lead Hill. On balance, the applicant has demonstrated that these amendments will preclude immediate overlooking and provide betterment to what currently exists on site. The two-storey extension includes a 10m separation distance from the rear elevation on No.2 Lead Hill, the proposal is set down and subservient to the original dwelling and would not over dominate the neighbouring premises to an unacceptable level.
6.3.11	The separation distance between the proposed rear elevation and the rear private amenity area of No.25 Ballygowan Road is 20m. This is an adequate distance and direct views to the rear will be obscured by the privacy wall around the patio and new planting along the rear boundary. On balance the proposal complies with guidance set out in Policy RD2 of the LDP.
6.4 Representations	
6.4.1	As discussed in section 5 of this report, 13no. objections have been received by the council in relation to this proposal. The objections have been fully reviewed and considered within the assessment of this proposal. Section 6.2 covers the design, character and appearance elements and have sought to address / justify those aspects detailed in the objections via the assessment. Section 6.3 covers the amenity concerns raised within the objections. Matters of structural integrity, consent to enter land, health issues, dog ownership, construction costs / implications, are either civil matters outside the remit of planning or matters for the building control department, environmental health department or civil legal representatives to consider outside the remit of planning legislation and subject to separate legislative provisions.
Neighbour Notification Checked	
Yes	

Summary of Recommendation

The application has been fully assessed having regard to all relevant material considerations. On balance, the proposals are broadly compliant with Policy RD2 of the LDP. The proposal complies with Policy TRAN 8 of the LDP in that there will be no adverse impact on parking and that the site is accessible to public transport and provision is retained for future maintenance of the rear of the site.

Having considered this proposal and all material planning considerations, the recommendation of planning approval is put forward with conditions.

Conditions:

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. Notwithstanding the provisions of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the 2no. first floor side elevation windows shall at all times be non-opening and glazed with obscure glass to at least Privacy Level 3 (or equivalent).

Reason: To safeguard the privacy of adjacent properties.

3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

4. The raised patio to the rear of the building hereby permitted shall not be used as an amenity area unless the privacy walls have been provided in accordance with the approved plans. The privacy walls shall be retained at all times in accordance with the approved plans.

Reason: To safeguard the amenities of the adjacent property.

Case Officer Signature: Ceálán O'Neill

Date: 26 February 2025

Appointed Officer Signature: Lisa Walshe

Date: 31.03.2025

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PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: **LA04/2023/4194/F**

Date of Application: **12 October 2023**

Site of Proposed
Development:

**2 Lead Hill Park,
Belfast,
BT6 9RW**

Description of Proposal:

**2 storey side and rear extension with single storey flat roof
extension to rear + additional site works.**

Applicant: Darryl and Heather Stacey
Address: 2 Lead Hill Park
Belfast
BT6 9RW

Agent: RICHARD BURNSIDE
Address: Richard Burnside Architecture
41 Dromona Road
Cullybackey
BT42 1NT

Drawing Ref: 01, 04B, 05A, 06, 07, 08, 09

The Council in pursuance of its powers under the above-mentioned Act hereby

GRANTS PLANNING PERMISSION

for the above mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. Notwithstanding the provisions of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the 2no. first floor side elevation windows shall only be installed as non-opening windows and glazed with obscure glass to at least Privacy Level 3 (or equivalent) and thereafter be retained as such at all times.

Reason: To safeguard the privacy of adjacent properties.

3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

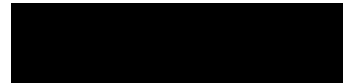
Reason: In the interests of visual amenity.

4. The raised patio to the rear of the building hereby permitted shall not be used as an amenity area unless the privacy walls have been provided in accordance with the approved plans. The privacy walls shall be retained at all times in accordance with the approved plans.

Reason: To safeguard the amenities of the adjacent property.

Dated: 31 March 2025

Authorised Officer:





Subject:	LA04/2023/2890/F Erection of 43 social housing units at Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurry – use of Financial Developer Contribution
Date:	17 th June 2025
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	No
If Yes, when will the report become unrestricted? After Committee Decision After Council Decision Some time in the future Never	

Call-in	
Is the decision eligible for Call-in?	Yes

1.0	Purpose of Report or Summary of Main Issues
1.1	To Committee is asked to note the intended use of the Financial Developer Contribution secured through planning application LA04/2023/2890/F, which granted planning permission for the erection of 43 social housing units on lands on and adjacent Christ the Redeemer Parish Hall, Lagmore Drive, Dunmurry.
1.2	It is proposed that the Developer Contribution (£27,140) is used towards the funding of a permanent building for the Lagmore Youth Project located within the grounds of the Christ the Redeemer Church.
2.0	Recommendation
2.1	The Committee is asked to note the report.

3.0	Main Report
	<u>Background</u>
3.1	At its 27 th March 2024 meeting, the Committee resolved to grant planning permission for 43 social housing units on lands on and adjacent Christ the Redeemer Parish Hall, Lagmore Drive, Dunmurry, subject to conditions and a Section 76 planning agreement (LA04/2023/2890/F).
3.2	The Section 76 planning agreement was required to secure the following: <ul style="list-style-type: none"> • 100% social housing; • open space management; • green travel measures; and • financial developer contribution which should be used to mitigate the impacts of the development and shall be flexible in terms of how it was used to mitigate the loss of community facility and/or loss of open space.
3.3	The Committee delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, use of the financial developer contribution and to deal with any other issues that might arise provided that they were not substantive.
3.4	The planning permission was subsequently issued on 11 th April 2024 following the completion of the Committee call-in process and Section 76 planning agreement.
	<u>Financial Developer Contribution</u>
3.5	The Section 76 planning agreement secured a range of planning obligations, listed at paragraph 3.2, including the payment of a Financial Developer Contribution of £27,140.
3.6	The purpose of the Developer Contribution is to mitigate either the loss of open space and/or loss of community facility resulting from the development. The assessment of these issues, including planning policy context, are set out at paragraphs 5.12 to 5.20 of the Addendum Report to the 27 th March Planning Committee (see Appendix 1).
3.7	The Developer Contribution was paid to the Council very shortly after the permission was issued. The approved development is currently under construction.
	<u>Use of the Financial Developer Contribution</u>
3.8	Officers have since been exploring the options for the use of the Developer Contribution. The original officer recommendation, set out in the appended Addendum Report, was for the monies to be used towards improving open space on lands at Twinbrook as part of the mitigation for the loss of open space (paragraph 5.16 of the Addendum Report). This included improvements to the access; boundary treatment; bins; lighting etc. The context for this recommendation was Policy OS1, which relates to the protection of open space
3.9	In considering the application, the Committee was also concerned about the loss of the parish hall as a community facility, having regard Policy CI1, which relates to protection of community infrastructure, and representations received in relation to this point.
3.10	The Committee therefore gave delegated authority to officers regarding how the Developer Contribution will be used, either to mitigate the loss of open space and/or community infrastructure.

3.11	<p>As reported in the Addendum Report, the parish hall was previously occupied by the Girl Guides and 'Little Saints Out of School' (after school and holiday club). Representations received to the application raised concerns about the loss of the parish hall community infrastructure for these groups. It is understood that the Girl Guides have since made alternative accommodation arrangements.</p> <p><u>Little Saints Out of School Club</u></p>
3.12	<p>Officers have been in dialogue with the Out of School Club and Church about the potential use of the Developer Contribution to help finance a mobile unit within the grounds of the Christ the Redeemer Church, which the Out of School Club would then occupy. It has in the meantime temporarily relocated to premises on Mosside Road, Derriaghy (approximately 2 miles / 6 minutes drive from their original premises at the parish hall, application site). It is keen to relocate back to the site to serve the locality as well as improve child capacity.</p>
3.13	<p>Officers advise that using the Developer Contribution towards a mobile unit for occupation by the Out of School Club would be complex. Firstly, it would only part fund the mobile unit with the remainder owned by the Out of School Club, a private business. The Developer Contribution would potentially have to be transferred to the Church as landlord and various restrictions imposed on the use of the monies, including how it would be paid back to the Council in the event that the Out of School Club business ended or relocated elsewhere. Other likely clauses would be to prescribe a minimum size and specification for the mobile unit, its maintenance and upkeep and making it availability to other community groups. The requirement for the Out of School Club to share the mobile unit with other groups could be logistically challenging because of the nature of the Out of School Club's facilities. It is also recognised that the Out of School Club is a private business, albeit one that provides a valuable service to the local community.</p> <p><u>Lagmore Youth Project</u></p>
3.14	<p>The Planning Service has been approached by Councillor Joe Duffy who has suggested an alternative use of the Developer Contribution to help fund a new permanent building for the Lagmore Youth Project. This group is currently based in temporary marquee accommodation within the grounds of the Church and is seeking a permanent building there.</p>
3.15	<p>The Lagmore Youth Project is described as providing a dedicated youth-led initiative committed to fostering leadership, resilience, and cross-community engagement among young people in this part of the city. The project offers structured programmes that support personal and social development through mentoring, peace-building activities, volunteering, and international service learning. With a strong emphasis on inclusion, good relations, and social justice, Lagmore Youth Project equips young people with the skills, confidence, and experience necessary to contribute positively to their communities and society as a whole.</p>
3.16	<p>The new building would provide a permanent base for youth work activities, after schools, parenting programmes as well as community cohesion while ensuring long-term sustainability and growth. It would include flexible activity rooms for workshops, training, and mentoring sessions; social space for informal engagement and relationship-building; office and meeting spaces to facilitate planning and professional support services; and outdoor areas designed to complement youth programmes and recreational activities.</p>
3.17	<p>The Lagmore Youth Project has submitted a planning application to the Council for the new youth centre building, which remains undetermined pending consideration of further information (LA04/2024/0496/F).</p>

3.18	The estimated total cost of the new building is £250k with £40k already understood to have been secured. The proposal would be to use the £27,140 Developer Contribution towards the funding of the building. The remainder of the funding is expected to come from a number of other sources including the Council, Community Regeneration as well as the Department for Communities and other external sources.
3.19	The Lagmore Youth Project states that the new building is expected to be completed within 3 years, subject to the granting of planning permission and securing funding. It is important that the Developer Contribution is committed and spent in a timely manner because the Section 76 planning agreement requires any monies that have not been committed or spent to be returned to the developer within 7 years (i.e. by March 2031). In order to minimise the risk of the Developer Contribution being returned (either whole or in part), it is recommended that appropriate provision is made for the return to the Council of any uncommitted or unspent monies with the suggestion that the allocation of the Developer Contribution reviewed at an appropriate juncture (for example within 5 years, i.e. by March 2029).
3.20	It is considered that the use of the Developer Contribution towards the funding of permanent accommodation for the Lagmore Youth Project would be appropriate and simpler than the alternative option of part funding the mobile unit for the Out of School Club and potentially other community groups for the reasons stated. <u>Other options for use of the Developer Contribution</u>
3.21	No suitable alternative options have been identified for use of the Developer Contribution to mitigate the loss of community infrastructure.
3.22	There remains the option to utilise the Developer Contribution for mitigating the loss of open space by improving the open space at Twinbrook. However, those lands are approximately 1.2 miles from the application site, whereas use of the monies for the Lagmore Youth Project would provide mitigation immediately adjacent the site, therefore, there is greater correlation between the impacts of the approved development and its mitigation. <u>Recommendation</u>
3.23	Having regard to the above assessment, it is proposed that the Developer Contribution is used to support the funding of a new permanent building for the Lagmore Youth Project.
3.24	Whilst officers have delegated authority in respect of the use of the Developer Contribution, it is considered appropriate to set out the proposal to the Committee to ensure that it is content.
3.25	The Committee is asked to note the report and provide any additional comments should it wish to do so.
4.0	Financial & Resource Implications
4.1	No significant impacts identified.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	None identified.
6.0	Appendices – Documents Attached
	Appendix 1 – Copy of Addendum Report to 27th March 2024 Planning Committee

Appendix 1 – Addendum Report to 27th March Planning Committee

ADDENDUM REPORT	
Committee Date: 27 th March 2024	
Application ID: LA04/2023/2890/F	
Proposal: Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.	Location: Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurray, BT17 0TG
Referral Route: Paragraph 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Newpark Developments (NW) Ltd 72-74 Omagh Road Dromore Co. Tyrone BT78 3AJ	Agent Name and Address: Donna Lyle Hamilton House, 3 Joy St, Belfast BT2 8LE
Background: This application was due to be discussed at the 19 th March 2024 Committee, however, it was deferred for a Committee Site Visit. The Site Visit is scheduled to take place on 26 th March. The application is reported back to the Committee following the Site Visit. This report should be read in conjunction with the report to the 19 th March Committee, appended. Recommendation Having regard to the development plan and other material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted subject to conditions and an appropriate mechanism to secure the development as social housing, open space management, green travel measures and Financial Developer Contribution. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and mechanism, and deal with any other issues that arise, including consideration of the outstanding DfI Roads consultation, provided that they are not substantive.	

Development Management Report

Summary	
Committee Date: 19 th March 2024	
Application ID: LA04/2023/2890/F	
Proposal: Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.	Location: Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurray, BT17 0TG
Referral Route: Paragraph 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Newpark Developments (NW) Ltd 72-74 Omagh Road Dromore Co. Tyrone BT78 3AJ	Agent Name and Address: Donna Lyle Hamilton House, 3 Joy St, Belfast BT2 8LE
Executive Summary: This application relates to Christ the Redeemer Parish Hall and lands immediately north and west of Lagmore Drive. The application seeks full planning permission for demolition of existing buildings and erection of a housing development comprising 43 social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works. The key issues for consideration of the application are set out below. <ul style="list-style-type: none"> • Principle of development • Protection of open space • Loss of community infrastructure • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Provision of new open space • Access and transport • Environmental protection 	

- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Section 76 planning agreement

There are no objections from statutory consultees. A further response is awaited from DfI Roads in relation to the amended Private Streets Determination (PSD) drawing.

98 objections have been received. These are set out in the main report.

The proposal would provide valuable social housing for which there is a significant unmet need in this part of West Belfast. The loss of open space under Policy OS3 and loss of a community facility under Policy CI1 are considered, on balance, acceptable given the substantial community benefits derived through the provision of the social housing and provision of a Financial Developer Contribution for improving open space facilities in the area. The design of the proposed housing is considered acceptable. Sufficient parking would be provided, and the proposal would not be detrimental to highway safety.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered, on balance, acceptable.

It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement to secure the development as social housing, open space management, green travel measures and Financial Developer Contribution.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding DfI Roads consultation, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Elevations Detached Houses:



Proposed Elevations Semi-detached Houses:



Proposed Elevations Apartments:



CGI:



1.0	Characteristics of the Site and Area
1.1	The site is located immediately west of Lagmore Drive and Christ the Redeemer Parish Hall, south of Nos 3-27 Lagmore Meadows and east of Nos 37-55 Lagmore Meadows, Belfast. The site is generally flat with a gradual fall towards its western boundary. Other than existing buildings on site it is generally grassland which has been cleared of vegetation, with more dense vegetation located to its south western boundary. A watercourse runs along the western boundary of the site which has been culverted.
1.2	The surrounding area is predominately residential and characterised by two storey detached and semi-detached properties located at Lagmore Meadows, Lagmore Drive, and Lagmore Downs located to the north and east of the site, respectively. Immediately south of the site is Christ the Redeemer Church and beyond the church is Christ the Redeemer Primary School.
1.3	The current buildings on the site include the Church Hall and a temporary building to the rear of it. They currently provide community facilities for the local Girl Guides and a childcare/after schools club, 'Little Saints out of School'. The building benefits from ample parking spaces to facilitate the current uses.
1.4	The site is located approximately 7 miles from Belfast City Centre and has easy access to various local amenities and services via walking, cycling, and public transport. Within 400m of the site there are 8 bus stops, including the G1 Glider route which is available on the Stewartstown Road.
1.5	Description of Proposed Development The application seeks full planning permission for demolition of existing buildings and erection of a housing development comprising of 43 social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.
1.6	The scheme is on the 2023/24 NIHE social housing programme. However, satisfactory amended plans were not submitted until 13 th March 2024 following issues first raised by the Planning Service in May 2023 then November 2023.
2.0	PLANNING HISTORY
2.1	Relevant planning history is summarised below. <ul style="list-style-type: none"> • S/2009/0906/F- Proposed new replacement church and associated car parking, 134 spaces in church ground and 50 spaces at primary school adjoining the church site to replace the existing church and removal of temporary buildings on completion. Permission granted.

3.0	<p>PLANNING POLICY</p>
3.1	<p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – Managing growth and supporting infrastructure delivery Policy SP2 – Sustainable development Policy SP3 – Improving health and wellbeing Policy SP5 – Positive placemaking Policy SP6 – Environmental resilience Policy SP7 – Connectivity Policy SD2 – Settlement Areas Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation Policy CI1 – Community infrastructure Policy DES1 – Principles of urban design Policy RD1 – New residential development Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy OS1 – Protection of open space Policy OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development</p>

	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – final response outstanding to confirm the acceptability of the PSD drawings.</p> <p>DfI River – no objection subject to conditions.</p> <p>DAERA – no objection subject to conditions.</p> <p>NI Water – No objection.</p>
4.2	<p>NIHE – supports the proposal, accepting the principle of a full social housing scheme.</p> <p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Planning Service Urban Design Officer – concerns raised about some aspects of the design of the proposal, which are addressed in the main assessment.</p> <p>Environmental Health – no objection subject to conditions.</p>
4.3	<p>Shared Environmental Services (SES) – no objection subject to conditions.</p> <p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>

4.4	<u>Representations</u>
4.5	<p>The application has been advertised in the newspaper and neighbours notified.</p> <p>Ninety-eight objections have been received from residents within the immediate area. Concerns are raised about the following issues:</p> <ul style="list-style-type: none"> • Traffic and congestion • Parking • Parking used by parents for school drop off will be removed • Child safety with regards to traffic • Anti-social behaviour • Area densely populated • Sewage capacity • Loss of privacy • Loss of after school's club through demolition of hall • Girl Guides can no longer use the existing hall • Impact on flora and fauna
4.6	A further email was received on from the owner/operator of Little Saints out of School stating that that the developer has asked them to vacate the church hall building on 7 Th April. They state that as it stands the childcare facility currently do not have a space to go to facilitate approximately 100 children.
5.7	These issues are addressed within the planning assessment section of the report.
5.0	PLANNING ASSESSMENT <p>Main Issues</p>
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development • Protection of open space • Loss of community infrastructure • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Provision of new open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Section 76 planning agreement

	<p>Development Plan Context</p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit and is ‘un-zoned’ or “white land”. To the west of the site there is a local Landscape Policy Area (LLPA) ‘Lagmore’ (ML 17).</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit and is ‘unzoned’ or “white land”.</p>

	<p><u>Principle of housing in this location</u></p>
5.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land – only part of the site is previously developed land with the remainder open space. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> a. The site is suitable for housing – the site is located within a residential area. Consideration of the loss of open space and a community use are discussed below. Subject to consideration of those issues, the proposal is considered to suitable for housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is located approximately 7 miles from Belfast City Centre and has easy access to various local amenities and services via walking, cycling, and public transport. Within 400m of the site there are eight bus stops, including the G1 Glider route which is available on the Stewartstown Road. The proposal is considered to satisfy this criterion. c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is considered to be in place other than the requirement for enhanced off-site open space to help mitigate for the loss of open space from the site. This is discussed in the following section of the report.
5.11	<p>The proposal largely complies with Policy HOU2 although the entire site is not previously developed land – part of the site is open space and this is considered in the following section of the report. Subject to consideration of the loss of open space and community facility below, the site is considered an acceptable location in principle for new housing.</p> <p><u>Protection of open space</u></p>
5.12	<p>Policy OS3 states that development resulting in the loss of open space on lands specifically identified for these uses in the LDP will only be considered in exceptional circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space.</p>
5.13	<p>Part of the site has previously been developed to provide a church hall with associated temporary buildings and car parking. Aside from these elements, there are open areas that currently appear to be unmanaged scrub areas generally located to the rear (north and west) of a palisade fence that crosses to the rear of the operational church. There is a smaller unmanaged open space area to the rear of the temporary buildings that is also proposed to be developed.</p>

5.14	Irrespective of their current condition, all areas of open space close to the western and northern boundaries of the site and to the rear of the temporary buildings are considered to be protected open space. In this regard, the Plan Strategy defines 'open space' as: <i>'...all open space and ancillary facilities of recreational, amenity or environmental value, including land and water bodies, irrespective of ownership or access. This includes a wide range of types of open space, such as amenity open space, natural and semi-natural spaces. etc'</i> . Approximately half of the site is considered open space and there is a policy presumption against its loss.
5.15	The proposal is for the provision of 100% social housing. A consultation response from Northern Ireland Housing Executive advises that there is a strong demand especially for family homes in the social housing sector within the Lagmore area (see Affordable Housing section of the report). The provision of Category 1 apartments for the elderly population offers the opportunity for households to move to more appropriate accommodation for their needs and in turn further support further provision of their previous homes to those in need.
5.16	In addition, as identified during the PAD process, the applicant has been requested to provide a Financial Developer Contribution for improving open space in the local area as part of the mitigation for the loss of open space from the site. An area of land at Twinbrook to the east has been identified by the Council's Landscape and Development team as benefiting from improvements including improvements to the access; boundary treatment; bins; lighting and so forth. It considers that those lands serve the wider locality and is a route to the east side of the A512 and Upper Dunmurry. The applicant has agreed to make a financial Developer Contribution of £27,500 towards these improvements (this sum will need to be index linked to the date of the Committee) and would need to be secured by means of a Section 76 planning agreement.
5.17	It is considered that the delivery of this quantum of social housing, in combination with the Financial Developer Contribution to improve open space amenity in the locality, would bring substantial community benefits that decisively outweigh the loss of open space, compliant with Policy OS1.
	<u>Loss Of Community Infrastructure</u>
5.18	Policy CI1 outlines a policy presumption against the development of existing community infrastructure or lands identified for such use for alternative uses. Proposals for alternative uses will require to demonstrate that the existing facility/designated site is no longer required and that alternative arrangements are in place to ensure no significant diminution of community infrastructure provision.
5.19	Lagmore Church Hall and the other associated buildings which are to be demolished as part of the proposal are currently occupied by the Girl Guides and 'Little Saints Out of School' which is a childcare facility/after school club. The applicant has stated that the developer, Newpark, has agreed to let the Girl Guides and childcare facility continue to make use of the hall until a determination has been made on the application. It is the applicants understanding that the Girl Guides have opportunity to access the other hall facilities on the Church site next door to the development proposal but are currently investigating potential use of

	the community forum building next door. The Childcare provider have apparently also been offered land adjacent to the Church by the Diocese for the establishment of the childcare facility.
5.20	<p>However, no clear evidence has been provided that alternative arrangements for the Girl Guides and childcare facility are in place. It is clear from the objection from the childcare provider that a need for the community building remains. The proposal is therefore contrary to Policy CI1. Notwithstanding, taking into account the substantial community benefit of social housing provision as a result of this application, and in the planning balance, it is considered that this outweighs the loss of the above community uses.</p> <p><u>Housing density</u></p>
5.21	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.22	<p>The site is located within outer Belfast and therefore, the average density band of 25-125 dwellings per hectare (dph) for Outer Belfast Character Area applies. Given the site area of around 1 ha, the proposed density equates to 41dph, demonstrating that it would make effective use of land. The density of the proposal is considered in keeping with the general character of the area and the proposal is considered to accord with Policy HOU4.</p> <p><u>Affordable housing</u></p>
5.23	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing. Therefore, the proposal is required to deliver at least 9 affordable homes (rounded up). The scheme seeks full permission for 43 social housing units, meeting the policy requirement.</p> <p><i>Tenure</i></p>
5.24	<p>However, the application is a 100% social housing scheme and the Affordable Housing and Housing Mix SPG seeks to avoid mono-tenure housing of this scale in the interests of sustainable and balanced communities. Notwithstanding, paragraph 4.4.14 of the SPG states that larger mono-tenure schemes (such as that proposed) may be considered having regard to the following considerations:</p> <ul style="list-style-type: none"> • <i>‘The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i> • <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and</i> • <i>Whether a scheme is proposed as ‘shared housing’</i>
5.25	<p>Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. NIHE advises that the housing needs assessment shows an unmet social housing need of 784 social housing units for Outer West Belfast. As of March 2023, there were 770 households in housing stress. NIHE has confirmed that the proposal is on its 2023/24 social housing programme.</p>

	<p>However, it has been advised that the application has been significantly delayed by the delays in the applicant providing satisfactory amended plans.</p>
5.26	<p>Turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community. Nevertheless, regard is had to NIHE's support for the proposal and that the scheme includes a large number of family homes for which there is a particular need in this location. Furthermore, regard is had to the longevity of the application, which was submitted in March 2023, prior to adoption of the Plan Strategy, and preceded by a Pre-Application Discussion (PAD) submitted in December 2021. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.</p> <p><u>Housing mix</u></p>
5.27	<p>Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities.
5.28	<p>The requirement for a mix of house types will not apply to single apartment developments such as the proposed apartments. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.</p>
5.29	<p>The proposal is considered to represent a reasonable housing mix with 1, 2 and 3 bedroom units, including family homes, which are welcomed in particular given the unmet need for larger social housing units. NIHE is supportive of the housing mix. Having regard to these factors, the proposed housing mix is considered acceptable.</p> <p><u>Adaptable and accessible accommodation</u></p>
5.30	<p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.</p>
5.31	<p>The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 5 wheelchair accessible units (over 10%) wheelchair units, including 2 apartments and 3 houses as set out at Appendix 1. It is considered that the proposal complies with the additional nine criteria g. to o. Policy HOU7 is therefore satisfied.</p>

	<p><u>Design and placemaking</u></p>
5.32	<p>The proposal has been assessed against the SPPS, and Policies SP5, DES1 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level.</p> <p><i>Housing Units:</i></p>
5.33	<p>The proposed layout is considered to be reflective of similar developments within the surrounding area and would not appear incongruous when viewed within the street scene. The layout follows the linear arrangement seen to the north and west of the site along Lagmore Meadows. There are a mix of detached and semi-detached dwellings, with both front and rear gardens, and associated parking with each dwelling. The associated material primarily comprises buff facing brick (stretcher and stack bond) alongside white framed windows with cills, which is reflective of those properties within the wider context.</p>
5.34	<p>The proposed height of the semi-detached dwellings is approximately 5.13m to the eaves and 7.70m to the ridge. The proposed height of the detached dwellings is approximately 5.15m to the eaves and 8.80m to the ridge. Each of the dwellings benefits from rear back gardens enclosed by timber fencing. To the front of each of the sites there are driveways to the side and front gardens with metal railings for a sense of enclosure and security. There is an exception of parking to the front of plots 18-21, however, on balance this is considered acceptable due the provision of green spaces and landscaping between each plot to minimise hardstanding.</p> <p><i>Apartments:</i></p>
5.35	<p>The proposed height of the apartment block is approximately 11.41m. The materials are to match those of the dwellings. Concerns were originally raised by officers in relation to overdevelopment, poor outlook and parking. Following negotiations with the applicant, amendments have been received, which overcome these concerns. The apartment building has been moved from the north-eastern boundary to increase the separation distance to 3.7m with the existing church site boundary. This has in turn resulted in the provision of windows and a more appropriate outlook for the apartments proposed on this part of the site.</p>
5.36	<p>The proposed parking layout has been amended to further increase green space and planting along the north facing elevation. Private defensible space has been provided for the ground floor apartments in the form of 1m high galvanised metal railing and low-level box hedging introduced to define defensible space. A green wall is proposed between the boundary of the church site and application site which is welcomed, however, further details are awaited. This can be dealt with by way of condition.</p>

5.37	<p>Following revisions, the design and layout of the proposal is considered acceptable, having regard to Policies SP5, DES1 and RD1, and relevant provisions of the SPPS.</p> <p><u>Climate change</u></p>
5.38	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p>
5.39	<p>The proposal includes various sustainable design features which seek to mitigate and adapt to environmental change. These measures include the orientation of all units to optimise solar gain, light and ventilation. Large windows openings have been introduced within facades to help flood internal spaces with natural light where achievable. Trickle vents are also incorporated into the windows to provide the required background ventilation calculations for each unit, and the overall scheme has been developed and based on the 'fabric first' approach, with 125mm cavities and high-quality full fill wall insulation proposed. Air tightness will be maximised across the units in line with Design Stage SAP Calculations and attenuation systems will be provided to control the flow of storm water from the site. These measures can be secured by condition.</p>
5.40	<p>Policy ENV2 seeks to re-use existing buildings where possible for environmental reasons. The proposal involves demolition of the existing church hall; this is considered acceptable in this case because of the overriding benefits of delivering social housing.</p>
5.41	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.</p>
5.42	<p>Whilst the proposal is not considered fully compliant with Policy ENV5, regard is had to the importance of progressing the application which is on the 2023/24 NIHE social housing programme and that further details of SuDS can be secured by way of condition.</p> <p><u>Residential quality and impact on amenity</u></p>
5.43	<p>Policies DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments. They also highlight that planning permission will be granted for proposals which create a quality and sustainable residential environment.</p>

5.44

There is a separation distance of over 20m from Units 1 to 18. From Units 19 to 23 the separation distance is between 17.5m to 19.5m to Lagmore Meadows. The rear gardens will benefit from timber fencing and tree planting along the boundary with Lagmore Meadows which will alleviate any concerns regarding overlooking or loss of privacy. The separation distances and location of the proposed houses also ensure there will be no loss of light or overshadowing onto neighbouring properties. The apartment block has been sited to ensure no issues relating to dominance or overlooking occur. It is considered that the design, layout and separation distances proposed are acceptable and would not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.

5.45

Creating Places advocates external private amenity space of between 10 and 30 sqm per residential unit for apartment buildings. The amenity space for the private amenity space associated with the apartments provides 41.65 sqm on average per dwelling. This is greater than the 10-30sqm recommended within *Creating Places*. Given the characteristics of the proposal and site, this is considered acceptable.

5.46

In terms of the houses, the gardens of Units 18, 19, 20 and 23 are below the space standards in *Creating Spaces* of 70 sqm. The garden sizes of these units are shown in the table overleaf. However, given the overall average garden size of 86 sqm, which exceeds the standard, together with the benefits of the scheme, on balance, the smaller garden size of these units is considered acceptable.

Houses

Location	Accommodation	Size (sqm)
Plot 18	3P2B	58.13
Plot 19	3B2B	59.75
Plot 20	3P2B	64.71
Plot 23	5P2B	54.85
TOTAL		1.978.12
AVERAGE		86 sqm

Garden space standards

Space standards:

5.47

The proposed residential units for both the housing units and apartments are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.

5.48

It is considered that the proposal meets the requirements of Policies RD1 and DES1.

	<u>Provision of new open space</u>
5.49	Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.
5.50	Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.
5.51	Approximately 10% of the total site area would be public open space provision for the enjoyment of future residents. This includes a children's playpark and a linear path which is throughout the site. Both elements are incorporated into the design of the development. It should be noted that an equipped play park is not a policy requirement for schemes of this scale and so its provision is welcomed.
5.52	The proposal complies to Policy OS3.
	<u>Access and transport</u>
5.53	In relation to Policy TRAN1, the site is a reasonably accessible location with access to public transport and local amenities. Cycle parking is to be provided for the apartment development.
5.54	Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes ease of access to reserved parking within the housing units. Within the apartment units, there are disabled parking spaces. The application is considered to be compliant to Policy TRAN 2.
5.55	Policy TRAN4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. The travel plan and green travel measures would be secured by means of a Section 76 planning agreement. The travel plan measures are considered acceptable having regard to Policy TRAN4 and DfI Roads have conditioned that the development shall operate in accordance with the Travel Plan.
5.56	In relation to Policy TRAN6, DfI Roads is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. The means of access to the development would be safe.

5.57	Turning to Policy TRAN 8, it is considered that adequate parking has been provided for the proposal. There are two spaces per dwelling apart from Units 19 and 20 which have one space. This is considered satisfactory. The apartment units have been provided with 16 spaces, including 2 disabled parking bays. Although this provision is not 1:1, DfI Roads has offered no objections to the provision of parking. It is considered adequate given the location and choice of other transport modes available and the Travel Plan, which will promote alternative forms of transport to the use of private cars.
5.58	The design of the car parking is considered satisfactory and compliant with Policy TRAN10.
5.59	DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. However, confirmation is awaited from DfI Roads on the acceptability of very recent amendments to the Private Streets Determination (PSD) drawing – delegated authority is sought to deal with this point. The proposal is considered acceptable having regard to Policies TRAN1, TRAN 2, TRAN4, TRAN6, TRAN 8 and TRAN 10.
	<u>Environmental protection</u>
5.60	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.
5.61	Environmental Health (EH) has advised that contamination risks can be dealt by way of conditions. It has not raised any concerns with regards to air quality or noise. Having regard to the advice from EH, the proposal is considered compliant with Policy ENV1.
	<u>Flood risk and drainage</u>
5.62	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The Council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.
5.63	DfI Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. DfI Rivers, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.

5.64	<p>DfI Rivers offer no objection, provided that there is a suitable maintenance strip in place up to 10m where considered necessary – DfI Rivers acknowledges a working strip for the culvert is to be retained. The proposal is considered to comply with Policy ENV4.</p> <p><u>Waste-water infrastructure</u></p>
5.65	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water offers no objection, advising that there is available capacity at the Wastewater Treatment Works and suitable network capacity. The proposal is acceptable having regard to Policy SP1Aa of the Plan Strategy.</p> <p><u>Natural heritage</u></p>
5.66	<p>Policy NH1 relates to the protection of natural heritage resources.</p>
5.67	<p>A consultation was sent to DAERA Natural Environment Division (NED) regarding protected badger setts. A response from NED has confirmed that they are content that the plans show no works occurring within the 25m protection zones and is therefore content that the proposed development is unlikely to significantly impact the local badger group. NED advises that a condition should be attached to the decision notice. NED is also content with the assessment of the bat roosting potential of the buildings proposed to be demolished. It notes that should evidence of roosting bats be found during works, all must stop and advise should be sought from NIEA Wildlife Team. An informative will be added to the decision notice to this effect.</p>
5.68	<p>NED notes that some vegetation may require removal and advises that the vegetation on the site may support breeding birds. All wild birds and their nests are protected. NED therefore advises that any removal of buildings/structures and vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31st August or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.</p>
5.69	<p>Subject to appropriate conditions, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.</p> <p><u>Section 76 planning agreement</u></p>
5.70	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of all 43 residential units as social housing as part of the off-set for the loss of open space and community facilities; • Management of the open space, play equipment and common parts of the site; • Travel Plan and green travel measures; • Financial Developer Contribution of £27,581 (index linked) towards enhanced open space amenities in the area.

6.0	Recommendation
6.1	The proposal would provide valuable social housing for which there is a significant unmet need in this part of West Belfast. The loss of open space under Policy OS3 and loss of a community facility under Policy CI1 are considered, on balance, acceptable given the substantial community benefits derived through the provision of the social housing and provision of a Financial Developer Contribution for improving open space facilities in the area. The design of the proposed housing is considered acceptable. Sufficient parking would be provided, and the proposal would not be detrimental to highway safety.
6.2	It is recommended that planning permission is granted.
6.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from DfI Roads, and deal with any other matters that arise, provided that they are not substantive.
7.0	<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No external facing or roofing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials. Reason: In the interests of the character and appearance of the area. 3. No development or works shall commence (including site clearance and site preparation) unless protection zones, which are clearly marked with posts joined with hazard warning tape, have been provided around each badger sett entrance at a radius of 25 metres as shown on Drawing number 02B published to the Planning Register on 26 October 2023. No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zones without a Wildlife Licence has been obtained from DAERA NIEA. The protection zones shall be retained and maintained in accordance with the requirements of this condition until all construction activity has been completed on site. Reason: To safeguard badgers, a protected species.

4. The development hereby approved shall not be occupied unless a scheme for the provision of play equipment to be provided as part of the open space have been submitted to and approved in writing by the Council. The play equipment shall be implemented in accordance with the approved details prior to occupation of the development and retained as such at all times.

Reason: To ensure that appropriate provision is made for children's play equipment.

5. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development, having regard to Policy ENV4 of the Belfast LDP Plan Strategy 2035. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

6. Notwithstanding the submitted details, no development shall commence unless final details of climate change measures to mitigate and adapt to climate change, including those relating to the design of the building and SuDS, have been submitted to and approved in writing by the Council. The development shall not be occupied unless the climate change measures have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

7. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details

Reason: In the interests of the character and appearance of the area.

8. Notwithstanding the submitted details, the development hereby permitted shall not be occupied until details of boundary walls including the living wall, fences or other means of enclosure have been submitted to and approved in writing by the Council. The development shall not be occupied unless the boundaries have been implemented in accordance with the approved details and shall be permanently retained as such thereafter.

Reason: In the interests of the character and appearance of the area and amenity.

9. The development hereby approved shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site.

10. No development shall commence on site (other than that required to fulfil this condition) unless the new access has been provided in accordance with the approved plans. The access shall be retained in accordance with the approved plans at all times.

Reason: To ensure safe and convenient access to the development.

11. No development shall commence on site (other than that required to fulfil this condition) unless the visibility splays have been provided in accordance with the approved plans. Within the visibility splays, there shall at no time be obstruction to visibility above 250mm as measured from ground level.

Reason: To ensure safe and convenient access to the development.

12. The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory and safe means of access.

13. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.

APPENDIX 1

Space standards

Housing:

Table 1

Accommodation Type	Specialised Housing Type	Size per unit (Sqm)	Number of Units
5 person 3 bedroom house	Wheelchair accessible	130.9sqm	3
5 person 3 bedroom house	General needs	93.46sqm	8
3 person 2 bedroom house	General needs	74.48sqm	12
Total			23

Apartments :

Table 2

Accommodation Type	Specialised housing type	Size per unit (Sqm)	Number of Units
3 person 2 bedroom apartments	Cat 1 Wheelchair accessible	86.73sqm	1
3 person 2 bedroom apartment	Cat 1	61.35sqm	16
2 person 1 bedroom apartment	Cat 1	65.16sqm	2
2 person 1 bedroom apartment	Cat 1 Wheelchair accessible	53.41sqm	1
Total			20

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Subject:	Delegation of Local applications with NI Water objections
Date:	17 th June 2025
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024, 24 th May 2024, 27 th June 2024, 13 th August 2024 15 th October 2024 21 st January 2025 18 th March 2025 15 th April 2025 and 13 th May 2025 it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other

	than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 260 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or

	<p>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p>
3.9	<p>In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.</p>
3.10	<p>However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.</p>
3.11	<p>Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.</p>
3.12	<p>In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.</p>
3.13	<p>The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided.</p> <p><u>Habitats Regulations Assessment</u></p>
3.14	<p>Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.</p>
3.15	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a "significant effect" on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case by case basis as required.</p> <p><u>Local applications for which delegated authority is sought to determine</u></p>
3.16	<p>The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at Appendix 1.</p>

3.17	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

Appendix 1 – Local applications with NIW objections (June 2025)

	DEA	REFERENCE	DATE RECEIVED	PROPOSAL	ADDRESS
1		LA04/2023/4245/F		Conversion of and extension to existing unused archways to comprise: (1) cafe and restaurant; (2) health and fitness facility; (3) B1 community offices and (4) associated environmental improvements including footway widening on Lanyon Place and creation of hard surface landscaping within DfI Roads and NI Transport Holding Company wayleaves parallel to East Bridge Street and Lanyon Place railway station with pedestrian access from Stewart Street and Lanyon Place.	Land within and adjoining the existing archways beneath East Bridge Street, Belfast
2		LA04/2025/0254/F		3 storey mixed use development comprising of ground floor retail and 16 residential apartments; covered car parking and other associated site works	Lands between 2 and 12 Parkgate Avenue
		LA04/2025/0463/F		Proposed change of use of Vacant Warehouse to indoor Padel Court Facility to include, Cafe, Spa, Changing rooms, Gym, Picklecourts and ancillary site development works	Decco Ltd 1-5 Redcar Street, Belfast, BT6 9BP
		LA04/2024/2073/O		2.5 storey development comprising 1 ground floor retail unit and 7 apartments	1 Orangefield Grove, Belfast, BT5 6DA

5	Court	LA04/2025/0531/F	28/03/2025	Change of use from taxi office to hot food takeaway with provision of odour abatement system / extraction flue.	276 Shankill Road, Belfast, BT13 2BN
6	Lisnasharragh	LA04/2025/0748/F	08/05/2025	Proposed erection of 36no. apartments and all associated site works	49-57 Ladas Drive

ADDENDUM REPORT 2	
Committee Date: 17 th June 2025	
Application ID: LA04/2022/1046/F	
Proposal: Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.	Location: 18 Annadale Avenue Belfast BT7 3JH
Referral Route: 3.8.2 (a) (i) a representation has been received which conflicts with the Planning Officer's recommendation.	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
Applicant Name and Address: Cregagh Developments Ltd 32a Grennan Road Newry BT34 2PJ	Agent Name and Address: Planning Permission Experts 32a Bryansford Avenue Newcastle BT33 0LG
Date Valid: 4 th May 2022	
Target Date: 17 th August 2022	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background: <ol style="list-style-type: none"> 1. This application was first reported to the 18th March 2025 Planning Committee meeting. The application was deferred for a further site visit and to give Members more time to consider the restricted viability information shared with them before the meeting. 2. The Committee previously undertook a visit to the site in March 2024. The further site visit took place on 8th April 2025. 3. The application was then reported to the 15th April 2025 Planning Committee meeting. The Committee deferred the application to allow the applicant opportunity to provide further viability information regarding options to retain the existing original building. 4. This report should be read in conjunction with the original report to Committee and Addendum Report 1, appended. 	
NI Water consultation: <ol style="list-style-type: none"> 5. As verbally reported to the 15th April 2025 Committee meeting, NI Water recommends refusal, advising that whilst there is capacity at the waste-water treatment works, there are network capacity concerns, which could present significant risks to the environment and impact on existing properties. NI Water recommends that the applicant further engages with it on this matter. 6. Officers advise that the issues raised by NI Water are already addressed in the Committee report. A condition is advised to require approval of foul and surface water drainage details prior to commencement of development. 	

Additional Representations:

7. Also as reported to the previous meeting, six further objections (21 objections in total) have been received, including from Claire Hanna MP and Matthew O'Toole MLA. The Ulster Architectural Heritage Society have submitted a further representation reiterating their previous objection which is addressed in the previous report. The points of objection are summarised below.
- Erosion of Victorian character of street. Inappropriate design and scale, not in keeping.
 - Loss of a Victoria building; existing building should be retained.
 - Increased traffic, traffic congestion and parking.
 - Impact on neighbour amenity – loss of light and during construction. Specific impacts on the nearby care home during construction.
 - Loss of green spaces and habitat.
 - Impact on boundary hedge.
 - Impact on trees and shrubs.
 - Environmental impact of demolition.
 - Devaluation of property.
8. Construction impacts can be mitigated through best practice and would not be reasonable grounds for refusal of planning permission. Devaluation of property is not a material planning consideration. The other issues have been dealt with in the previous reports.

Further Viability Information:

9. The applicant provided further viability information on 8th May 2025, which considers the viability of various options to retain the existing original building. The planning policy context to this issue is Policy ENV2, which states that *'Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible.'*
10. The applicant argues that it is not financially viable to retain the existing building as part of a redevelopment scheme. The further viability information provided by the applicant considers eight options to retain the existing building, summarised in the table below.

Option	Description of Proposal	Applicant's Viability Conclusion
1	Conversion of existing original building to single home + 4 semi-detached dwellings	Unviable
2	Conversion of existing original building to two homes + 4 semi-detached dwellings	Unviable
3	Conversion of existing original building to 5 apartments + 4 semi-detached dwellings	Unviable
4	Conversion of existing original building to office use + 4 semi-detached dwellings	Unviable
5	Conversion of existing original building to short-term lets + 4 semi-detached dwellings	Unviable
6	Demolition of existing original building, 9 new build apartments + 5 townhouses (application proposal)	Viable
7	Façade retention to existing original building, 9 new build apartments behind + 5 townhouses	Unviable
8	Conversion of existing original building to 5 apartments + 4 townhouses	Unviable

11. Naylor Devlin has assessed the viability of Options 3, 7 and 8 on behalf of the Council, with Option 3 being the least unviable of the original options previously put to the Committee, and Options 7 and 8 identified by the Committee (Naylor Devlin has previously advised the Council on viability issues relating to the provision of affordable housing, as set out in the previous Committee reports, appended). It should be noted that the viability information provided by the applicant do not include developer profit and Naylor Devlin has allowed for this in their independent appraisal.
12. For all three options, Naylor Devlin's agrees that the schemes are unviable, albeit less unviable than indicated by the applicant. Naylor Devlin also confirms that Option 6 (the application proposal) remains marginally unviable as previously advised.
13. On the basis of this independent appraisal, it is advised that the options to retain the existing building, including façade retention only, are unviable. The applicant has demonstrated that it is not feasible to retain the existing building from a viability perspective, in compliance with Policy ENV2 of the Plan Strategy.
14. In any event, as set out in the previous reports, it is considered that weight should be given to the longevity of the application, which was submitted in May 2022 with a PAD submitted in February 2021, significantly pre-dating adoption of the Plan Strategy in May 2023 and Policy ENV2. Moreover, for the reasons stated in the previous reports, retention of the existing original building would result in a "pinch point" between the building and No. 18A Annadale Avenue, restricting vehicular access to the rear, with unacceptable defensible space were the original bay window to be removed to increase the width of the access.
15. Taking account of all these factors, demolition of the building is considered acceptable in the context of Policy ENV2.

DfI Rivers Consultation Response:

16. An updated Drainage Assessment has been requested to deal with the DFI Rivers response. Delegated authority is therefore sought to deal with any issues raised in its consultation reply, provided that they are not substantive.

Recommendation:

17. Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement to secure a viability review. A list of draft conditions is provided in Addendum Report 1, appended. The draft Section 76 planning agreement has been agreed in principle, pending the decision of the Planning Committee.
18. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the further consultation with DFI Rivers and any other issues that may arise, provided that they are not substantive.

ADDENDUM REPORT 1

Committee Date: 15th April 2025

Application ID: LA04/2022/1046/F

Proposal: Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.

Location: 18 Annadale Avenue
Belfast
BT7 3JH

Referral Route: 3.8.2 (a) (i) a representation has been received which conflicts with the Planning Officer's recommendation.

Recommendation: Approval subject to conditions and a Section 76 planning agreement

Applicant Name and Address:

Cregagh Developments Ltd
32a Grennan Road
Newry
BT34 2PJ

Agent Name and Address:

Planning Permission Experts
32a Bryansford Avenue
Newcastle
BT33 0LG

Date Valid: 4th May 2022

Target Date: 17th August 2022

Contact Officer: Ed Baker, Planning Manager (Development Management)

Background:

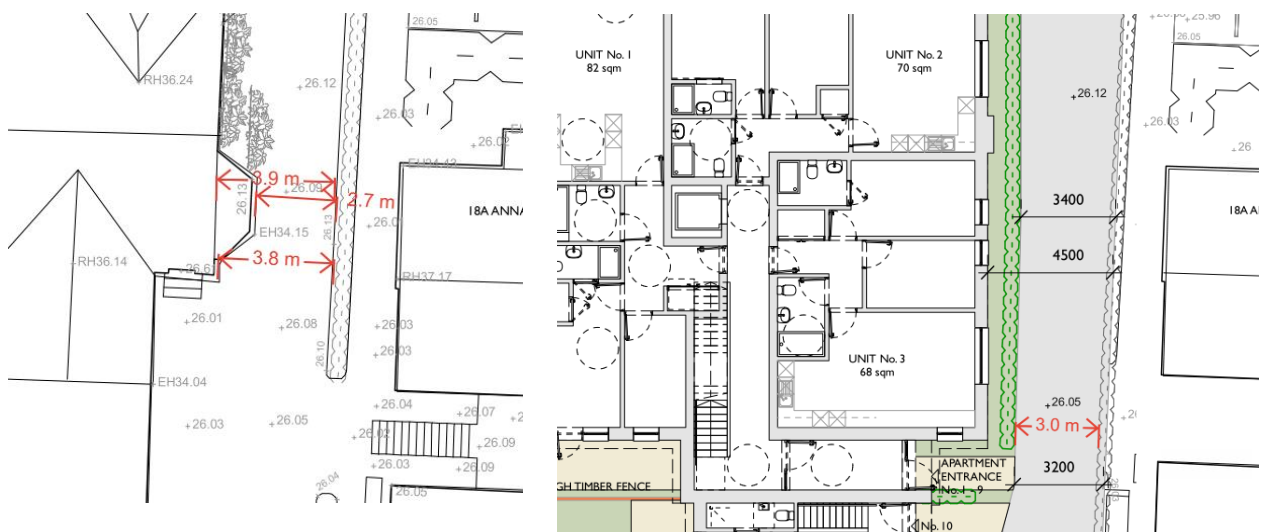
1. This application was reported to the 18th March 2025 Planning Committee meeting. The application was deferred for a further site visit and to give Members more time to consider the restricted viability information shared with them before the meeting.
2. The Committee previously undertook a visit to the site in March 2024. The further site visit took place on 8th April 2025.
3. This report should be read in conjunction with the original report to Committee, appended.

Applicant's justification for demolition of the existing building:

4. Policy ENV2 of the Plan Strategy states, in the interests of mitigating environmental change, that '*Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible.*'
5. The applicant has submitted further viability information regarding various potential options to retain and convert the existing building to other uses, making the case that retention of the existing building is not feasible. The different options explored are set out below:

Option 1	Conversion to single home + 4 semis	Unviable
Option 2	Conversion to two homes + 4 semis	Unviable
Option 3	Conversion to three apartments + 4 semis	Unviable
Option 4	Office use + 4 semis	Unviable
Option 5	Short term lets + 4 semis	Unviable
Selected Option	9 apartments + 5 townhouses	Viable

6. Based on the previous consideration of viability of the scheme as set out in the original report to the Committee, appended, officers have no reason to dispute the conclusions of this additional viability information. This reinforces the advice given by officers in the original report (pars. 5.31 to 5.39) that demolition of the building is acceptable.
7. Part of the applicant's justification for demolition is that the location of the existing building is problematic for vehicular access to the rear of the site. There is a "pinch-point" between the existing building and the boundary with No. 18a Annadale Avenue of 2.7 metres, whereas the minimum width of the proposed new access is 3.0 metres. The existing bay window could be removed, which would increase the width to 3.8 metres, however, this would not leave any defensible space in front of the ground floor bedrooms, which would be unacceptable. It considered that this would not provide a quality residential environment. A comparison of the different dimensions is shown in the plans below (existing building on the left and proposed scheme on the right).



8. An alternative position for the access to the west side of the building would be tight and problematic in that it would likely result in tree removal as well as the loss of the proposed amenity space at the front.

Recommendation:

9. Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement.
10. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the further consultation with DFI Rivers and any other issues that may arise, provided that they are not substantive.

DRAFT CONDITIONS

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No external facing panels or materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials.

Reason: In the interests of the character and appearance of the development.

3. The depth and detailing of the window recesses and reveals shall be as shown on the approved drawings.

Reason: In the interests of the character and appearance of the development.

4. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the **[TO BE SPECIFIED]** windows shall be obscure glazed to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves:

Reason: To safeguard the privacy of adjacent properties.

5. The development hereby approved shall not be occupied until the communal open space and private gardens have been provided in accordance with the approved plans. The open space shall be retained as such at all times.

Reason: To ensure that appropriate provision is made for open space.

6. The proposed open space and landscaping shall be managed and maintained in accordance with the approved management plan at all times.

Reason: To ensure that the open space and play equipment are properly managed and maintained.

7. The development hereby approved shall not be occupied unless the sustainable development measures have been implemented in accordance with the Plan Strategy Statement uploaded to the Planning Portal on 23rd June 2023. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

8. No development shall commence on site (including demolition) unless a scheme for reclaiming and re-using materials in the existing building has been submitted to and approved in writing by the Council. The development shall not be undertaken unless in accordance with the approved details.

Reason: To mitigate environmental change.

9. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans.
- Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.
10. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. The parking areas shall be permanently retained.
- Reason: To ensure acceptable parking facilities on the site.
11. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.
- Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
12. The development shall not be occupied unless in accordance with the approved Travel Plan.
- Reason: To encourage alternative modes of transport to the private car.
13. No windows shall be installed unless a final window schedule detailing the sound reduction specification has been submitted to and approved in writing by the Council. The windows shall be designed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023. The windows shall not be installed unless in accordance with the details so approved.
- Reason: In the interests of residential amenity.
14. Prior to occupation of the development hereby permitted, a Verification Report that demonstrates that the windows have been installed as required by condition 12 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the windows confirming that the alternative means of ventilation have been installed as approved.
- Reason: In the interests of residential amenity.
15. Prior to installation of any alternative means of ventilation, the sound reduction specification of the alternative means of ventilation shall be submitted to and approved in writing by the Council. The specification 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'. The means of ventilation shall be installed in accordance with the approved details and retained as such at all times.
- Reason: In the interests of residential amenity.
16. Prior to occupation of the development hereby permitted, a Verification Report that verifies that demonstrates that the alternative means of ventilation has been installed in line with details approved pursuant to condition 14 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the alternative means of ventilation confirming that the alternative means of ventilation have been installed as approved.
- Reason: In the interests of residential amenity.

17. Prior to occupation of the development hereby permitted, a Verification Report that verifies that an acoustic fence has been constructed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023 shall be submitted to and approved in writing by the Council. The acoustic fence shall be permanently retained in accordance with the approved details at all times.

Reason: In the interests of residential amenity.

18. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

19. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

20. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

21. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

Development Management Report

Summary	
Committee Date: 18 th March 2025	
Application ID: LA04/2022/1046/F	
Proposal: Proposed demolition of existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.	Location: 18 Annadale Avenue Belfast BT7 3JH
Referral Route: 3.8.2 (a) (i) a representation has been received which conflicts with the Planning Officer's recommendation.	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
Applicant Name and Address: Cregagh Developments Ltd 32a Grennan Road Newry BT34 2PJ	Agent Name and Address: Planning Permission Experts 32a Bryansford Avenue Newcastle BT33 0LG
Date Valid: 4 th May 2022	
Target Date: 17 th August 2022	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Executive Summary:</p> <p>This application relates to land at No. 18 Annadale Avenue within close proximity of the Ormeau Road. The application seeks full planning permission for demolition of the existing building (former children's nursery) and erection of 14 residential units (including 9 apartments and 5 dwelling houses).</p> <p>The proposal consists of a three-storey frontage building containing 9 x two bedroom apartments and two-storey rear return containing 5 x two bedroom terrace dwellings. A mix of private and communal amenity space is proposed for the apartments while the dwellings contain private rear gardens. On-site parking provision is provided to the front of the apartment block and within the rear of the site.</p> <p>The application has been subject to design amendments to address concerns raised by officers. Further amendments were then made to the scheme following adoption of the Belfast LDP Plan Strategy in response to its new policies.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Affordable housing • Demolition of Existing Building • Housing Density • Housing Mix 	

- Adaptable and Accessible Accommodation
- Design and Placemaking
- Impact on Heritage Assets
- Climate change
- Residential Quality and Impact on Amenity
- Access and transport
- Environmental Protection
- Flood risk and Drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Section 76 Planning Agreement

The site is un-zoned “white land” in the Belfast Urban Area Plan 2001 and both versions of draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014).

The site is located on Annadale Avenue within close proximity of the Ormeau Road which is a designated City Corridor. The site is within an established residential area within the development limit of the city. It is a sustainable location with good access to shops, jobs, services, amenities and public transport. The site is considered a suitable location for housing; the proposal would make effective use of previously developed land and is of an appropriate density.

No affordable housing is provided due to viability. The applicant has submitted a Viability Assessment which has been independently appraised, which concludes that the proposal is unviable with the inclusion of any affordable housing provision or commuted sum. However, the applicant has agreed to a Viability Review prior to commencement of development and this would be secured through a Section 76 planning agreement. Officers confirm that the planning agreement has been agreed in principle without prejudice to the Committee’s decision.

The design, height, scale and massing of the proposed buildings are considered in keeping with the surrounding character and not considered to impact the surrounding listed buildings.

Fifteen third party objections have been received including one from Councillor Brian Smyth and two objections from Paula Bradshaw MLA, these are addressed within the report.

DFI Rivers and NI Water object to the proposals. An updated Drainage Assessment has been requested and delegated authority is sought to re-consult DFI Rivers and deal with any matters arising from the response providing they are not substantive. The objection from NI Water is addressed in the main body of the report.

The Committee previously undertook a visit to the site in March 2024.

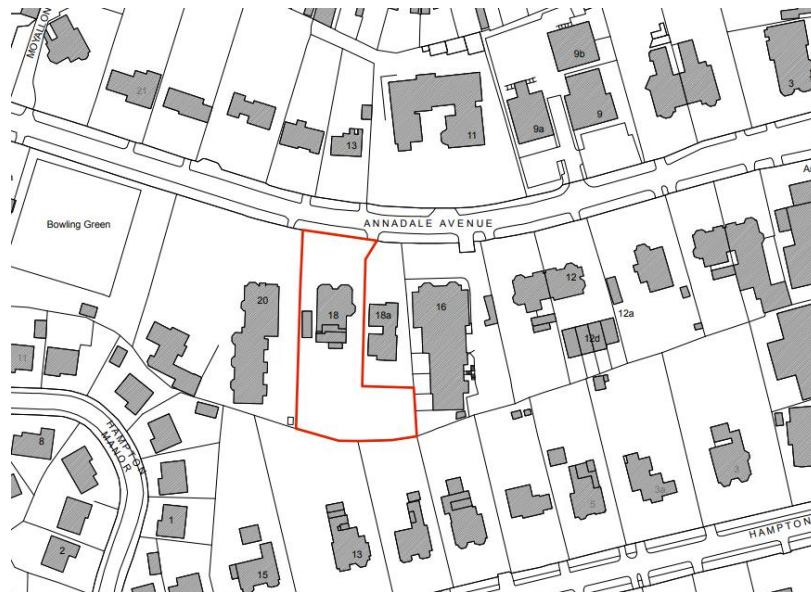
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement.

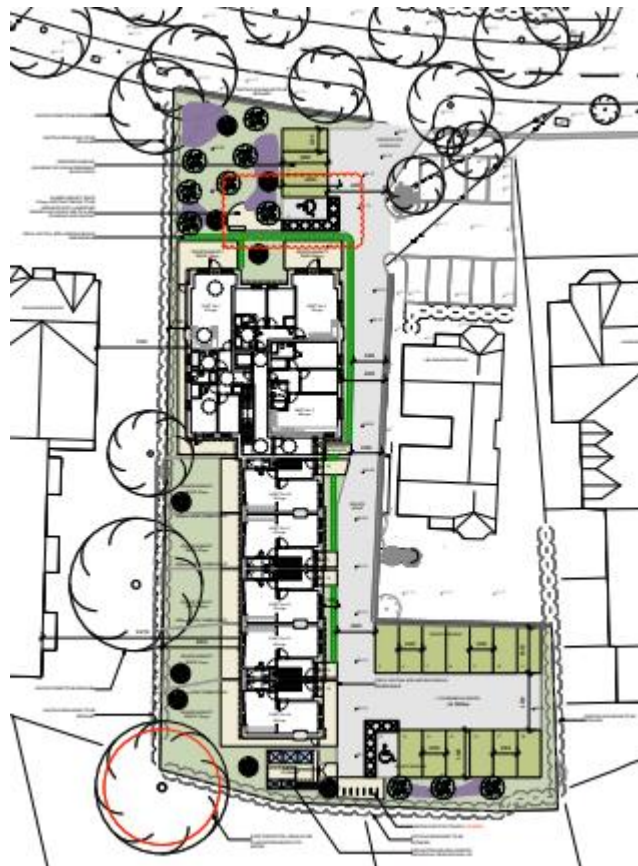
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the further consultation with DFI Rivers and any other issues that may arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Block Plan



Architectural drawings of four proposed building elevations for the 1000 block of Broadway. The drawings show various building styles, including multi-story structures with gabled roofs and modern designs with flat roofs. A vertical dashed line separates the existing buildings from the proposed ones. A table on the right lists the building names and their corresponding elevations.

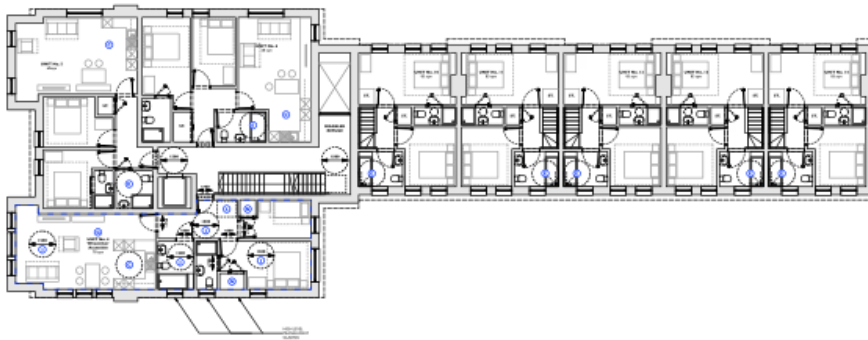
Building Name	Elevation
1000 Broadway	Elevation 1000
1002 Broadway	Elevation 1002
1004 Broadway	Elevation 1004
1006 Broadway	Elevation 1006

[illegible]

PROPOSED SOUTH FACING ELEVATION
1:100 @ A1

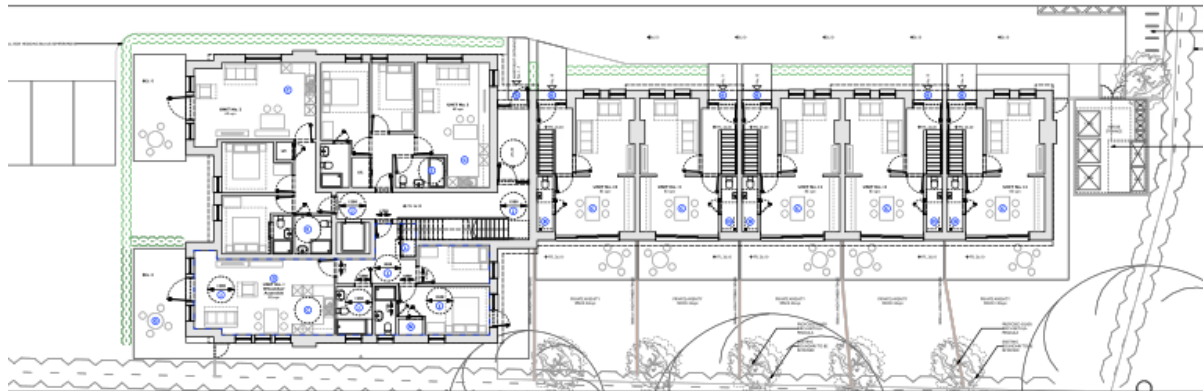


Ground and First Floor Plans:

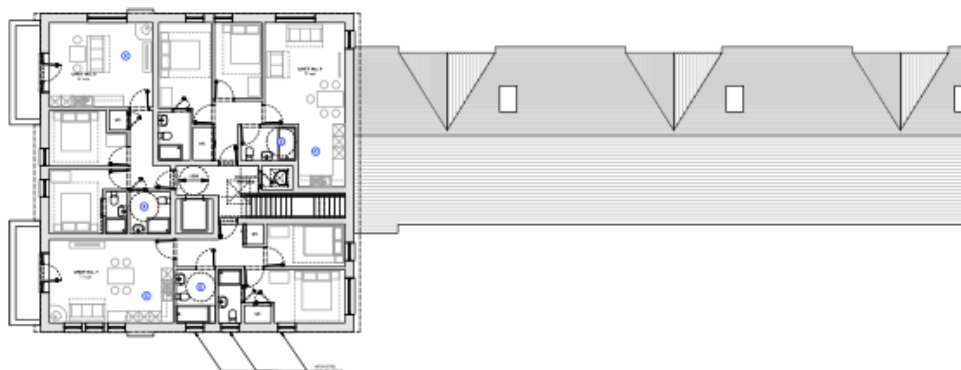
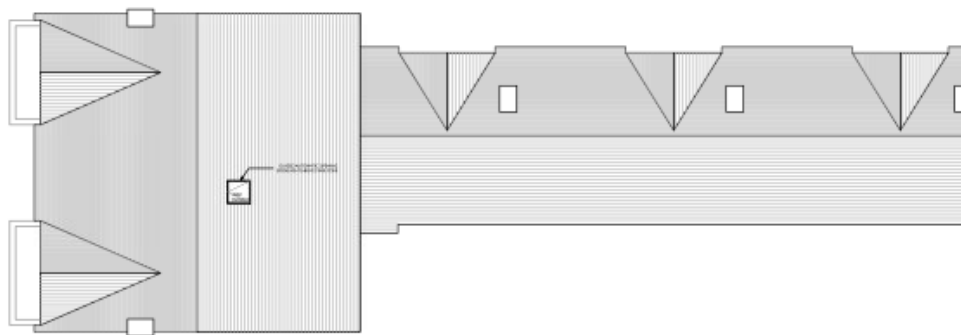


- 1. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 2. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 3. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 4. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 5. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 6. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 7. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 8. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 9. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.
- 10. The building is designed to provide a high level of accessibility to the building for all people and to ensure a high level of safety, security, and health.

1 FIRST FLOOR PLAN



Second Floor and Roof Plan:



CGI:



1.0

Characteristics of the Site and Area

1.1

The application site is located at No. 18 Annadale Avenue. The site is 0.2 hectares in size and is an “L” shape. It comprises a two-storey red brick building with a flat roof rear return and a metal garage to the side previously in use as a Children’s Nursery. The site contains an existing garden area directly to the rear of the apartments and the adjacent No. 18a Annadale Gardens. The site is located within a mostly residential area.

1.2

There are a number of Listed Buildings in the vicinity of the site, including:

- HB26 01 038 Gordon House, 11 Annadale Avenue, Belfast Grade B1
- HB26 01 040 A 25-25A Annadale Avenue, Belfast Grade B
- HB26 01 040 B 27 Annadale Avenue, Belfast Grade B1
- HB26 01 081 Church of Jesus Christ of Latter Day Saints Grade B2

Description of Proposed Development

1.4

The application seeks full planning permission for the demolition of the existing building and construction of a residential development consisting of 14 No. units (9 No. apartments within a three storey building and 5 No. two storey terraced dwellings) with associated landscaping and car parking.

1.5	The proposal consists of a three-storey frontage building containing 9 x two bedroom apartments and two-storey rear return containing 5 x two bedroom terrace dwellings. A mix of private and communal space are proposed for the apartments while the dwellings contain private rear gardens. On-site parking provision is provided to the front of the apartment block and within the rear of the site.
1.6	The application follows a Pre-Application Discussions. Following submission of the application, the proposal was subject to design amendments to address concerns raised by officers. Further amendments were then made to the scheme following adoption of the Belfast LDP Plan Strategy in response to its new policies. More latterly, the applicant has submitted viability information in relation to the requirements of Policy HOU5 concerning the provision of affordable housing.
2.0	PLANNING HISTORY
2.1	<ul style="list-style-type: none"> • Z/2008/0421/F – 18 Annadale Avenue- Demolition of existing building and erection of residential development comprising 14 units and associated landscaping and surface car parking. Permission Granted.
2.2	<ul style="list-style-type: none"> • Z/1998/0035 – Site to East of 18 Annadale Avenue- Erection of six apartments with associated car parking. Permission Granted.
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation</p> <p>Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy BH1 – Listed Buildings Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads</p>

	<p>Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS) Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Development Viability</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP (“Departmental Development Plan”) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objections subject to conditions</p> <p>DfC HED – No objections</p> <p>DAERA – No objections</p> <p>NI Water – Concerns raised about the availability of waste-water infrastructure, which are addressed in the main assessment.</p> <p>DfI Rivers – Objection as a safe point of discharge for storm waters is currently not in place.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit (Environment and Housing Teams) – Refer to main assessment.</p> <p>Environmental Health – No objection subject to conditions.</p> <p>BCC Tree Officer – Unable to support – refer to main assessment.</p>

4.3	<p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p><u>Representations</u></p>
4.4	<p>The application has been advertised in the newspaper and neighbours notified.</p>
4.5	<p>Fifteen third party objections have been received including one from Councillor Brian Smyth and two objections from Paula Bradshaw MLA; these are addressed within the report.</p> <ul style="list-style-type: none"> • Demolition of existing building will impact on the Victorian character and would be a great historical and cultural loss; reuse will set a sustainable precedent for the area. • Proposal will damage character of the area. • Impact on surrounding Listed Buildings. • Impact on Residential Amenity by way of loss of light and overlooking. • Proposed Design: Overbearing, there is a lack of architectural detail, the building line is moved closer to the road, visually imposing. • Impact on Waste Water Infrastructure. • Traffic and Parking- <ul style="list-style-type: none"> ○ Insufficient parking provision; ○ No disabled spaces provided; ○ Access road too narrow and when car park is full delivery vans will not be able to respond; ○ Increased traffic flow; ○ Traffic caused by construction. • Impact on mature trees, hedgerows and shrubs. • Tree Survey is inaccurate. • Objection to removal of cherry tree. • Removal of the garden to the rear will damage biodiversity.
4.6	<p>The issues summarised above will be considered within the main assessment of the report, save for the matters considered below:</p> <ul style="list-style-type: none"> • Application contravenes BUAP. <i>Case Officer's Response: No details have been given as to how the proposal contravenes the BUAP, the proposal has been assessed against the BUAP (Departmental Development Plan).</i> • Residents' view will be obscured. <i>Case Officer's Response: In planning terms there is no right to a view. Impact on amenity is considered in the main assessment.</i> • Neighbour notification period was insufficient. <i>Case Officer's Response: Neighbour notification was carried out in accordance with Section 41 of the 2011 Act and Articles 8 (1) (b) and 8 (2) of the Planning (General Development Procedure) Order Northern Ireland (2015) which detailed a date representations must be made by which was not earlier than 14 days</i>

	<p><i>after the notice was sent. Any representations received following this date have been considered.</i></p> <ul style="list-style-type: none"> • Neighbour notification was only issued by letterbox with no attempt to contact owners and landlords. <p>Case Officer's Response: as above, Neighbour notification was carried out in accordance with legislative requirements. There is no requirement for the owners of the land to be notified nor for letters to be hand delivered.</p> <ul style="list-style-type: none"> • Reduction to value of properties. <p><i>Case Officer's Response: This is not a material consideration.</i></p>
5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Affordable housing • Demolition of Existing Building • Design and placemaking • Housing density • Housing mix • Adaptable and accessible accommodation • Impact on the surrounding Listed Buildings • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Section 76 planning agreement <p>Development Plan Context</p> <p>5.2 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>5.3 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>5.4 The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been</p>

	<p>published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p> <p>Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land.”</p> <p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land.”</p> <p><u>Principle of housing in this location</u></p>
5.7	<p>The application site is within Annadale Avenue. The surrounding area comprises mainly residential uses with a mix of low density detached dwellings on large plots and higher density housing comprised of apartments and townhouses. The surrounding area also contains some community facilities such as a Bowling Club and a church.</p>
5.8	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> • The site is suitable for housing – the site is a sustainable location within an established residential area and considered suitable for housing. • The location is accessible and convenient to public transport and walking cycle infrastructure – the site is accessible being on a bus route and within close proximity to the Ormeau Road being a city corridor. • Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place to support the proposed development.
5.9	<p>The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p>

	<u>Affordable housing</u>
5.10	Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.
	Process:
5.11	No affordable housing is proposed as part of the development as the applicant states that this would make the scheme financially unviable. The applicant submitted a Plan Strategy Statement and associated Cost Plan in June 2023, following adoption of the Plan Strategy in May 2023. The Planning Service's Plans and Policy Team was consulted and outlined concerns about the submitted viability information, requesting clarification of some of the assumptions used. In response, the applicant submitted amended information in October 2023. However, the Plans and Policy Team maintained concerns about the assumptions used within the viability information and that some aspects did not reflect the Council's Development Viability SPG. The conclusion was that the development was unviable even as a private housing scheme and it was not the affordable housing aspect rendering the scheme unviable.
5.12	The applicant submitted a full Viability Assessment in April 2024. This was subject to independent appraisal by Naylor Devlin (ND) acting on behalf of the Council. ND issued its independent report in December 2024. The applicant challenged some of the conclusions in the independent report and met with officers and ND to discuss further. This led to the applicant submitting further viability information in January 2025. ND reviewed the information and issued an addendum report on 7 th February 2025. The independent report advises that an affordable housing contribution would render the scheme unviable, a conclusion supported by the Plans and Policy Team.
	Assessment:
5.13	Policy HOU5 requires the scheme to provide 3 affordable housing units as part of the proposed development.
5.14	Policy HOU5 states that: <i>'Where it can be demonstrated that it is not sustainable or viable for a proposed development to meet the requirements of this policy in full, the council will consider suitable alternatives on a case-by-case basis.'</i>
5.15	The amplification text of Policy HOU5 at paragraph 7.1.36 further clarifies that: <i>'It is recognised that there may be occasions where a particular housing site in Belfast might not be able to meet the affordable housing demands in full, so flexibility has been built into the policy to ensure that viability can be taken into account on a case-by-case basis. Where a developer is able to demonstrate, through evidence provided in accordance with agreed assessment approaches to viability testing, that the development is unviable if affordable housing obligations are met in full, alternative approaches will be considered. This could include varying the mix of affordable housing units, the provision of affordable housing on a suitable alternative site within the local area or, in exceptional circumstances, a reduction in the proportion of affordable housing in lieu of a financial contribution to an affordable housing development elsewhere in the district.'</i>
5.16	The applicant's Viability Assessment of March 2024 assesses the viability of the proposal as a fully Policy HOU5 compliant scheme with 3 affordable housing units and also as a fully private scheme.

5.17	The applicant's Viability Assessment indicates that the developer's profit as a fully private scheme would be 5.53% (gross), which would be well below the normal expectation of 10-15% as set out in the Development Viability SPG. The Viability Assessment indicates that the inclusion of 20% affordable Housing would yield a gross profit of only 0.41%.
5.18	As stated, the applicant's Viability Assessment was subject to independent appraisal by ND on behalf of the Council. ND produced four independent reports assessing the scheme as fully private and also with 1, 2 and 3 social units included. ND's reports concluded that a scheme with 1 or 2 social units remained viable. However, following further evidence of costs submitted by the applicant, ND reappraised the scheme and concluded that 1 or 2 social units was also not viable.
5.19	Having considered ND's independent appraisal, officers accept that a scheme with social housing is unviable. Furthermore, ND's independent appraisal concludes that a fully private scheme is also unviable.
5.20	<p>The Affordable Housing and Housing Mix SPG provides further guidance on alternatives to a fully compliant scheme and these are considered below:</p> <ol style="list-style-type: none"> 1. A deference in the timing of affordable housing requirements pertaining to the site (i.e. a phasing option); 2. A variation in the required mix of tenure, size or type of affordable units on the site, in accordance with the hierarchy of products outlined above; 3. A reduction in affordable units on the site; 4. Provision of the affordable housing units on an alternative site within the same local housing area; or 5. Commuted sum, equivalent to cost of constructing affordable unit(s) on site. 6. The maximum viable financial contribution in lieu of affordable provision. <p><i>Deferred Timing/Phasing:</i></p>
5.21	<p>The proposed scheme is not designed to be delivered in phases and so this is not a reasonable option.</p> <p><i>A variation in the required mix of tenure, size or type of affordable units:</i></p>
5.22	<p>The potential for the scheme to deliver intermediate housing was considered. However, the higher sales value in this area ruled out this option. A reduction in the number of affordable units was considered but was also deemed not to be viable for the reasons previously stated. Furthermore, the applicant submitted albeit limited evidence from two Housing Associations that they would be unlikely to be interested in managing two units or less within the development. A change in the size of units would also unlikely have any positive impact on the viability of the development.</p> <p><i>A reduction in affordable units on the site:</i></p>
5.23	As stated, this has been considered as part of the independent appraisal and the provision of 1 or 2 units is deemed to be unviable.

	<i>Provision of the affordable housing units on an alternative site within the same local housing area;</i>
5.24	Given the scale of the proposal which only requires 3 affordable units and that the application was submitted prior to the adoption of the Belfast Plan Strategy, it would be unreasonable to request the applicant to investigate the potential to acquire an alternative site to provide only three units.
	<i>Commuted sum, equivalent to cost of constructing affordable unit(s) on site:</i>
5.25	A commuted sum was then explored following the then further independent appraisal that a fully private would be viable. However, as stated, the applicant submitted further costs information and upon reviewing the independent appraisal concluded through an addendum report that the private scheme is unviable, resulting in negative headroom when taking into account the normal expectation of profit. It is therefore not reasonable to seek a commuted sum.
	<i>The maximum viable financial contribution in lieu of affordable provision:</i>
5.26	As stated above, the scheme is unviable and therefore a financial contribution is not viable in this case.
5.27	<p>The Development Viability SPG provides further guidance where the Council accepts that a development proposal will be unviable if full policy compliance and/or planning obligations/contributions are sought. Thee following options will be considered in order:</p> <ol style="list-style-type: none"> 1. Deferred timing or phasing: A delay in the timing or phasing the delivery of a particular requirement may enable a proposed development to remain viable. 2. Reduced level of obligations and/or contributions: Where the above option is not sufficient to secure the viability of a proposed development, then a reduction in the level of requirement may be considered. There may be potential to do this for some policy requirements that have flexibility. Any reduction would be limited to the minimum necessary for the scheme to remain viable. The Council may consider building in a review mechanism as part of a Section 76 Agreement to reassess the viability of the scheme at a set point in the future (see Section 6.4 below). Further detail on potential alternative solutions to policy requirements is outlined in the relevant SPG. 3. Waiving of requirements: Only in exceptional circumstances will the removal of requirements and/or obligations be considered, as a very last resort. The nature of the proposed development may also be taken into account, where the Council take into account the other social, community, economic or environmental benefits that would be realised in granting permission for the scheme, i.e. the planning gain arising.
5.28	As stated, deferring the timing of the affordable housing contribution would not result in the scheme being viable. The scheme is not designed to be phased. A reduced obligations scheme would also not make the proposal viable.
5.29	In terms of waiving of requirements, regard is had to the longevity of the application process which commenced before the adoption of the Belfast Plan Strategy in May 2023. The PAD was submitted in 2021 and application in May 2022. The application provides a high-quality residential scheme that would make effective use of land in a sustainable location complying with Policy HOU2. The applicant has demonstrated

	through their viability information that an affordable housing contribution would not be viable. Having due regard to these factors the waiving of requirements is deemed acceptable in the planning balance.
5.30	<p>While Policy HOU5 is not met, the applicant has demonstrated the inclusion of affordable housing is not viable. The applicant has agreed to a Viability Review mechanism through a Section 76 planning agreement, whereby the applicant will be required to undertake a fresh Viability Assessment prior to commencement of development to establish whether the economic conditions have sufficiently changed to enable affordable housing provision or contribution to be made.</p> <p><u>Demolition of Existing Building</u></p>
5.31	Policy ENV2 states that development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused.
5.32	<p>The applicant submitted a Demolition Justification Statement following the adoption of the Plan Strategy. The applicant states that the reuse, renovation and/or retrofit of the existing building was not possible with redevelopment the only viable option. It states that a number of options were explored to retain the building such as a single family dwelling, apartments, and other uses such as short term let accommodation and office uses but all were deemed unviable. The following issues were put forward within the Demolition Justification Statement to support this case:</p> <ul style="list-style-type: none"> • The existing structure and gardens were deemed too large to be viable as a single family dwelling and would not be in keeping with the residential density of the surrounding context. • Subdividing the existing layout would lead to disjointed layouts of apartments with split levels and an unbalanced plan arrangement. • The existing access to the third storey has insufficient head room to be developed in line with Building Regulations. The structural alterations required to correct this would not be financially viable. • The location of the existing building is problematic for vehicular access to the rear of the site. • To achieve a reasonable density and layout extensive demolition was unavoidable, front façade retention was considered and not deemed feasible.
5.33	While the applicant states demolition is unavoidable, it is proposed that the redevelopment will incorporate reclaimed building materials into the new building while the demolition waste will be recycled where possible and rubble will form aggregates for use during construction.
5.34	The Plans and Policy Team were consulted in regards to the proposed demolition and consideration of the climate change policies. The response concludes that the justification of the demolition is generally accepted given the nature and quantum of the proposed development and refers to the number of options explored by the applicant. The commitment to reuse and recycle is noted and should be conditioned.
5.35	The demolition of the existing building also has to be balanced against the benefits of the proposal which would result in high density housing that would make effective use of land in a sustainable location.

5.36	Objections have been received regarding the demolition of the building, citing its architectural merits and concerns that demolition of the building is not sustainable. However, officers advise that the building is not afforded any protection from demolition, either from being Listed or within a designated area such as a Conservation Area or Area of Townscape Character.
5.37	Notwithstanding this, officers recognise the architectural merits of the building. Advice was sought from DfC HED at the Pre-Application Discussion stage. HED did not indicate that the building was suitable for Listing. It stated: ' <i>...the existing building, Busy Bees, contributes significant character to Annadale Avenue and HED advises that it is a prime candidate for local listing.</i> ' However, there is currently no process within the Council to identify buildings identified as an important part of their heritage, due to its local architectural or historic significance and no policy provisions to protect such buildings outside of designated areas for their architectural interest.
5.38	Regard should also be had to the longevity of the application, which was submitted in May 2022 with a PAD submitted in February 2021, significantly pre-dating adoption of the Plan Strategy in May 2023.
5.39	Having regard to the above assessment, demolition of the existing building is considered acceptable, having regard to Policy ENV2.
	<u>Housing density</u>
5.40	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.41	The proposal is located in outer Belfast for which the average density should be between 25 and 125 dwellings per hectare (ha). The site area is 0.21 ha and so the proposal equates to a density of 66 dwellings per ha, compliant with Policy HOU6.
	<u>Housing mix</u>
5.42	The proposal is for 9 x two bedroom apartments and 5 x two bedroom dwellings. Policy HOU6 requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of: <ul style="list-style-type: none"> • Up to date analysis of prevailing housing need in the area; • The location and size of the site; • Specific characteristics of the development; and • The creation of balanced and sustainable communities.
5.43	The Plans and Policy Team were consulted regarding the proposed Housing Mix and state that there is no specific evidence available to consider how the mix relates to housing need in this location and the lack of variety in the size of units proposed. The response states that to help aid choice some smaller (1 bedroom) or larger units (3 bedroom) should be considered.
5.44	In response, the applicant refers to the NIHE Strategic Housing Market Analysis for the Belfast Metropolitan Area which states Belfast will continue to be shaped by demographic trends and an ageing population leading to the majority living in properties that are under-occupied. This suggests a need to downsize and the proposed development will address those needs. The applicant also states that the majority of

	apartment developments in the Annadale area are 2 and 3 bedrooms and that given the highly accessible location the area is attractive for young professionals and the older population alike and that demand is high and increasing for 2-bedroom apartments. Paragraph 7.1.43 emphasises a need for smaller household types and apartments and terraces being the most popular types
5.45	The original application proposed 3-bedroom dwellings, however, concerns were raised by officers regarding the space standards and garden sizes, and these were subsequently reduced to two bedrooms to address other policy requirements. Regard is also had to the longevity of the application which pre-dates the adoption of the Plan Strategy.
5.46	While the proposal does not comply with Policy HOU6, having regard to the above considerations, it is on balance considered acceptable.
	<u>Adaptable and Accessible Accommodation</u>
5.47	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet.
5.48	The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f. The proposal includes 14.2% wheelchair units by providing two wheelchair accessible units. The Plan and Policy Team were consulted and considered the proposal complied with Policy HOU7.
	<u>Design and Placemaking</u>
5.49	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1 and RD1 of the Plan Strategy. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level.
	<i>Design, Layout, Scale, Height and Massing:</i>
5.50	Policy DES1 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 and goes onto list 11 criteria, a. to k.
5.51	The design of the proposed building is a modern take of the traditional design of the existing building and character of the surrounding area. The main building fronting Annadale Avenue and containing the apartments will have a pitched roof intersected with two projecting bays. The materials are to be red brick, similar to the existing. The height of the building is to be 12.9m which matches that of No. 16 Annadale Avenue next door. Whilst an increase in height when compared to the existing building, it is not considered out of character with the surrounding area given it will tie in with surrounding buildings. The rear return is set down to two stories and comprises of five terrace dwellings. It is considered subservient to the main block housing the apartments and is a common arrangement within the surrounding area such as seen at Nos. 16 and 20 Annadale Avenue.

5.52	Given the quality of the existing building, it is important that the replacement is of high quality. Further detailing was requested from the applicant and a drawing showing the façade articulation has been provided. The front elevation shows high quality architectural details such as full brick windows reveals, decorative brick panels between windows, soldier course arches above the third storey windows, sandstone cills and brick coping detail vertical headers. This level of detail ensures the proposed building is of a high quality design and architectural quality to sit sympathetically within the surrounding street-scene.
5.53	Objections have been raised that the proposed design is overbearing, there is a lack of architectural detail and the building line is moved closer to the road resulting in the building appearing visually imposing. It is considered the scale and massing of the proposal is comparable to the surrounding apartment buildings and is not therefore overbearing or visually dominant. Following amendments, officers consider there is a high level of architectural detail to ensure the design is sympathetic to the character of the area and the replacement of the existing building is of high quality. In terms of the building line, any movement closer to the road is minor and will not be visually discernible or harmful to the street-scene.
5.54	The design, layout, scale, height and massing are considered to respond positively to the local context and character through architecture and urban form through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials.
5.55	The proposal is considered to accord with Policies DES1 and RD1 and relevant provisions of the SPPS.
	<i>Landscaping and Trees</i>
5.56	The scheme includes a Landscape Plan accompanied by a Landscape Management and Maintenance Plan. The proposal includes replacing an area of hardstanding to the front with a landscaped amenity area as well as private gardens for dwellings and a high level of planting in terms of trees. The parking areas are proposed to be grasscrete to ensure there will not be large areas of hard standing.
5.57	Policy TRE1 seeks to protect existing trees from new development and there will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity.
5.58	<p>The application includes a Tree Survey Report as well as a Landscape Masterplan and Planting Schedule. The Tree Officer was consulted and welcomes the mixed species of planting proposed and the addition of the grasscrete. However, the Tree Officer also raises the following concerns:</p> <ul style="list-style-type: none"> • The proposed end terrace dwelling would be sited too close to a Lime Tree on adjacent lands which result in an unacceptable level of overshadowing to the private amenity area. • The self-seeded Oak and Beech Trees along the front boundary should be retained. • Additional planting should be considered to rear gardens of dwellings which will act as a natural screen.

5.59	The proposed end terrace has been amended to be moved away from the existing lime tree. This has resulted in a garden to the south and west of the building of 116sqm in size. Given the size of the garden and the dual orientation it is not considered the existing tree will result in unacceptable overshadowing. The amenity benefits of being within close proximity of an established tree must also be considered.
5.60	The trees within the front boundary are shown to be retained on the existing proposed block plan.
5.61	It is not considered necessary to request additional planting to the rear gardens of the proposed dwellings to achieve further screening given they face onto an area of hardstanding serving the neighbouring apartment development. The existing boundary hedge is considered sufficient to provide suitable screening.
5.62	Objections have been received with concerns about the impact on trees, shrubs and hedgerows. Objections also state that the tree survey is inaccurate and an objection was received to the removal of the Cherry Tree.
5.63	The proposal retains the majority of trees within the site and the proposed tree planting results in a net gain within the site. The Tree Officer did not raise concerns regarding the accuracy of the Tree Survey nor question the conclusion that the Cherry Tree has suspected internal decay and should be felled for site safety.
5.64	The proposal is considered to accord with Policy TRE1.
	<u>Impact on Heritage Assets</u>
6.65	In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council must have special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest.
5.66	There are a number of Listed Buildings in the vicinity of the site, including: <ul style="list-style-type: none"> • HB26 01 038 Gordon House, 11 Annadale Avenue, Belfast Grade B1 • HB26 01 040 A 25-25A Annadale Avenue, Belfast Grade B • HB26 01 040 B 27 Annadale Avenue, Belfast Grade B1 • HB26 01 081 Church of Jesus Christ of Latter Day Saints Grade B2
5.67	Policy BH1 of the Belfast Plan Strategy contains five criteria to be met when considering the impact of new development on the setting of Listed Buildings.
5.68	DfC Historic Environment Division (HED) was consulted and acknowledge that the closest listed building is Gordon House. HED acknowledges that Gordon House and its direct setting has been altered and that the building is set back within its own curtilage and relatively well screened by mature trees and planting along the Annadale Avenue boundary. HED concludes that the application will not significantly affect the understanding or experience of the listed building to harm its essential character, including setting.
5.69	Objections raise concerns that the proposal would impact on Listed Buildings, however, the proposed development is considered to be sympathetic to the essential characteristics of surrounding Listed buildings and their setting, and HED do not raised any concerns.

5.70	<p>The proposed development is considered to be sympathetic to the essential characteristics of the surrounding listed buildings. The height, scale, massing and design reflects the surrounding character and the residential use respects the character and setting of the listed buildings and surrounding area which is residential in nature. Given the separation distance from the listed buildings the proposal will not disrupt key views of the listed buildings or result in a detrimental impact. It is considered that the proposal accords with Policy BH1 and relevant provisions of the SPPS.</p> <p><u>Climate Change</u></p>
5.71	<p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.</p>
5.72	<p>The applicant has provided satisfactory details of sustainable design features, including architectural salvage, orientation of the building to achieve solar gain, permeable paving, high insulation and cycle facilities.</p>
5.73	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal includes soft landscaping to the front replacing an area of hardstanding while permeable grasscrete is proposed in the parking area. The landscaping and planting will aid to reduce flood risk and the application is supported by a Drainage Assessment.</p> <p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include SuDS measures such as permeable grasscrete parking areas, permeable paving and soft landscaping and tree planting.</p>
5.74	<p>The Plan and Policy Team were consulted and considered the proposal complies with Policies ENV2, ENV3 and ENV5.</p> <p><u>Residential Quality and Impact on Amenity</u></p>
5.75	<p>Policies DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments. Policy OS3 required proposals make appropriate provision for open space.</p>
5.76	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>
5.77	<p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit for apartments. The guidance states back garden provision should be calculated as an average space standard for the development as a whole and should be around 70sqm or greater, the guidance goes on to stipulate that smaller areas are more appropriate for houses with 1 or 2 bedrooms and for any individual house an area less than 40sqm will be unacceptable.</p>

5.78	The 5 proposed dwellings contain a minimum of 47sqm of private amenity space, given the dwellings are 2 bedrooms rather than typical family home this is considered appropriate.
5.79	Of the 9 proposed apartments, four have some form of private amenity space either in the form of a small garden space or a balcony. Two apartments in the ground floor contain 19sqm of a private garden while two apartments on the second floor contain 6sqm of balcony space.
5.80	To the front of the apartment building is an area of communal space which contains high quality landscaping and totals 169sqm. The range of amenity space therefore provided for the apartments ranges from 18.9sqm to 37.8sqm which adheres to the guidance provided in Creating Places.
5.81	In terms of Policy OS3, the proposal provides a total of 518sqm of private and communal open space which is 24% of the site area. The proposal includes ancillary equipment and facilities in the form of a communal garden with appropriate furniture and therefore complies with Policy OS3.
5.82	The proposal does not impact on the available amenity space to the apartments at No. 18A Annadale Avenue as the land to its rear did not form part of its original planning permission.
5.83	Objections referred to the impact on their amenity by way of loss of light and overlooking. The proposal is not considered to unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing or dominance. The scale and massing of the proposed building conforms to the character of the surrounding area and will not dominate existing buildings.
5.84	The proposal forms a similar relationship to the existing building on site and the neighbouring apartment developments. The scale and massing of the building is not considered to exacerbate any overshadowing over the existing building to an unacceptable degree. Due to the orientation of the building, apartment windows on the east gable of No. 20 Annadale Avenue may be in shadow for a longer period in the mornings due to the deeper three storey nature of the proposed building, but this is limited to the morning and will not impact the building for the remainder of the day.
5.85	The proposed separation distances along with obscure glazing mitigation measures are sufficient to ensure there is no harmful overlooking from either the apartments or the dwellings. The separation distance between the building within No. 18A Annadale Avenue and the proposed building is increased from a minimum of 4.9m to 6.4m and there would be a not dissimilar relationship between the properties.
5.86	While the separation distance between the proposed building and No. 20 Annadale Avenue is decreased from 13.9m to 9.4m, this is considered an acceptable relationship given that the proposed side facing windows would be fitted with obscure glazing.
5.87	The proposed dwellings have a separation distance of 19.1m from the dwellings at No. 20 Annadale Avenue while Plot 10 is the only dwelling unit which faces the gable of No. 18A and is set back further from the apartment block to form a minimum separation distance of 7.9m. Again, this is not dissimilar to the current separation of the wider buildings. Units 11 and 12 face the communal rear amenity space of No. 18A and have a separation distance from the boundary of 5.4m. The existing mature boundary hedge and vegetation will provide some screening of the amenity space and is considered

	<p>acceptable in view of the communal nature of the space and character of the broader area, including relationship with No. 16 Annadale Avenue.</p> <p>Space Standards:</p>
5.88	<p>The proposal comprises of two-bedroom apartments and dwellings. The proposed units are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.</p> <p><u>Access and transport</u></p>
5.89	<p>The site is an accessible location within close proximity to the Ormeau Road which is a designated city corridor and provides access to the city centre. It is within cycling distance of the city centre and its shops, services, leisure and employment opportunities. The site is on the national cycling network. Provision is made for sheltered and secure cycle parking. The proposal accords with Policy TRAN1.</p>
5.90	<p>The proposal includes 18 in curtilage parking spaces including 2 disabled parking spaces. The application is accompanied by a Travel Plan which includes a number of measures to encourage residents to travel by public transport such as appointing a travel co-ordinator and a Residential Travel Card Scheme. The Travel Plan will be secured by condition.</p>
5.91	<p>In considering the sustainable location within close proximity to a city corridor, the parking provision is considered acceptable. DFI Roads were consulted and no objections with conditions.</p>
5.92	<p>Objections were received regarding access and transport with the following issues raised:</p> <ul style="list-style-type: none"> • Insufficient parking provision • No disabled spaces provided. • Access road too narrow and when car park is full delivery vans will not be able to turn. • Increased traffic flow • Traffic caused by construction
5.93	<p>As mentioned, the proposed parking provision is considered acceptable having regard to the sustainable location and measures included within the Travel Plan. Two disabled spaces have been provided within the proposal. A tracking plan has been provided which demonstrates there is sufficient room for vehicles to turn. It would not be considered that the proposal would increase traffic flow on Annadale Avenue to an unacceptable degree; the traffic flow may decrease given the previous use as a nursery. Traffic caused by construction will be temporary and is not a material consideration.</p>
5.94	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.</p>

	<p><u>Environmental protection</u></p>
5.95	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p> <p><u>Contaminated land</u></p>
5.96	<p>Environmental Health (EH) records do not indicate potential land contamination associated with past land use or in close proximity to the development. The proposal is therefore considered to accord with Policy ENV1.</p> <p><u>Air quality</u></p>
5.97	<p>EH states that the proposed development does not lie in or is adjacent to an Air Quality Management Area. It is noted that no information regarding heating and hot water provision has been provided and consequently a condition for an Air Quality Impact Assessment to be submitted in the event that any centralised combustion sources are proposed. The proposal is therefore considered to accord with Policy ENV1.</p> <p><u>Noise and vibration</u></p>
5.98	<p>Having considered the applicant's noise impact assessment, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.</p> <p><u>Flood risk and Drainage</u></p>
5.99	<p>A Drainage Assessment has been submitted in accordance with paragraph 6.114 of the SPPS. DFI Rivers were consulted and referred to the NI Water response which states there is no commitment that the proposed works will take place and no storm sewer is available to serve the proposal. DFI Rivers objected to the proposal on the basis that a safe point of discharge is currently not available.</p>
5.100	<p>Since this response, the applicant has received a conditional approval for a storm requisition to serve the proposal. The Drainage Assessment is currently being updated to reflect this and delegated authority is requested to deal with the re-consultation with DFI Rivers.</p> <p><u>Waste-water Infrastructure</u></p>
5.101	<p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water state a solution is yet to be agreed between the developer and NI Water. The submitted Pre-Development Enquiry (PDE) states that the sewer network is at capacity. NIW's response was received in August 2022 and an updated position has been requested.</p>
5.102	<p>Notwithstanding, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these</p>

	grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
5.103	It has recommended a condition to require details of foul and surface water drainage to be agreed prior to commencement of development.
	<u>Natural Heritage</u>
5.104	Policy NH1 relates to the protection of natural heritage resources.
5.105	DAERA were consulted and Natural Environment Division (NED) requested a Bat Survey on the basis that the existing building was identified as having a moderate bat roosting potential. Following submission of a Bat Survey, NED advised that it has no concerns subject to conditions regarding bat roosts.
5.106	Objections were raised that the removal of the existing garden would decrease biodiversity and potential ecological impacts, namely badgers. While the existing garden is being replaced by a car park the use of grasscrete will soften this impact, there are also large areas of hardstanding within the site that will be replaced by garden and amenity areas. There is a net gain in soft landscaping when compared to the existing site. In terms of ecological impacts and impacts on badgers, DAERA were consulted and did not raise concerns of any impacts on badger setts within the site or other ecological impacts.
5.107	The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.
	<u>Waste Management</u>
5.108	In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. The application is supported by a Refuse Storage Plan which outlines the operational waste management measures. A communal waste storage area is proposed for the development at the southern end of the site adjacent to the parking area and meets the size and design requirements.
5.109	The proposed waste management plan and arrangements are considered acceptable.
	<u>Section 76 Planning Agreement</u>
5.110	A Section 76 planning agreement is recommended to secure a Viability Review prior to commencement of development. This will ascertain whether the economic conditions have sufficiently changed to allow an affordable housing Developer Contribution to be provided. Legal Services has confirmed that the planning agreement has been agreed in principle with the applicant.

<p>6.1</p> <p>6.2</p>	<p>Recommendation</p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with the further consultation with DFI Rivers and any other issues that may arise, provided that they are not substantive.</p>
<p>7.0</p>	<p>DRAFT CONDITIONS</p> <p>22. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>23. No external facing panels or materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials.</p> <p>Reason: In the interests of the character and appearance of the development.</p> <p>24. The depth and detailing of the window recesses and reveals shall be as shown on the approved drawings.</p> <p>Reason: In the interests of the character and appearance of the development.</p> <p>25. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the [TO BE SPECIFIED] windows shall be obscure glazed to at least Privacy Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves:</p> <p>Reason: To safeguard the privacy of adjacent properties.</p> <p>26. The development hereby approved shall not be occupied until the communal open space and private gardens have been provided in accordance with the approved plans. The open space shall be retained as such at all times.</p> <p>Reason: To ensure that appropriate provision is made for open space.</p> <p>27. The proposed open space and landscaping shall be managed and maintained in accordance with the approved management plan at all times.</p> <p>Reason: To ensure that the open space and play equipment are properly managed and maintained.</p>

	<p>28. The development hereby approved shall not be occupied unless the sustainable development measures have been implemented in accordance with the Plan Strategy Statement uploaded to the Planning Portal on 23rd June 2023. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p> <p>29. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans.</p> <p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>30. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. The parking areas shall be permanently retained.</p> <p>Reason: To ensure acceptable parking facilities on the site.</p> <p>31. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>32. The development shall not be occupied unless in accordance with the approved Travel Plan.</p> <p>Reason: To encourage alternative modes of transport to the private car.</p> <p>33. No windows shall be installed unless a final window schedule detailing the sound reduction specification has been submitted to and approved in writing by the Council. The windows shall be designed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023. The windows shall not be installed unless in accordance with the details so approved.</p> <p>Reason: In the interests of residential amenity.</p> <p>34. Prior to occupation of the development hereby permitted, a Verification Report that demonstrates that the windows have been installed as required by condition 12 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the windows confirming that the alternative means of ventilation have been installed as approved.</p> <p>Reason: In the interests of residential amenity.</p>
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	<p>35. Prior to installation of any alternative means of ventilation, the sound reduction specification of the alternative means of ventilation shall be submitted to and approved in writing by the Council. The specification 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'. The means of ventilation shall be installed in accordance with the approved details and retained as such at all times.</p> <p>Reason: In the interests of residential amenity.</p> <p>36. Prior to occupation of the development hereby permitted, a Verification Report that verifies that demonstrates that the alternative means of ventilation has been installed in line with details approved pursuant to condition 14 shall be submitted in writing to the Council. The Verification Report shall include a written declaration from the suppliers and installers of the alternative means of ventilation confirming that the alternative means of ventilation have been installed as approved.</p> <p>Reason: In the interests of residential amenity.</p> <p>37. Prior to occupation of the development hereby permitted, a Verification Report that verifies that an acoustic fence has been constructed in line with the recommendations in the Noise Impact Assessment uploaded to the Planning Portal on the 13th January 2023 shall be submitted to and approved in writing by the Council. The acoustic fence shall be permanently retained in accordance with the approved details at all times.</p> <p>Reason: In the interests of residential amenity.</p> <p>38. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>39. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity.</p>
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40. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

41. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

INFORMATIVES

NOT04 Section 76 planning agreement

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures a Viability Review mechanism.

NOT02 Compliance with planning permission

Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

NOT03 Discharge of condition(s)

This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

NOT05 Non-planning requirements

The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.

	<p>NOT06 Protected Species</p> <p>The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:</p> <ul style="list-style-type: none"> a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat; b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. <p>If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.</p>
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Addendum Report	
Application Ref: LA04/2024/1466/F	Committee Meeting Date: 17 th June 2025
Proposal: Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer window. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans).	Location: 41 Rosetta Road, Belfast, BT6 0LR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation:	Approval
Applicant Name and Address: Hanrose Ltd 41 Rosetta Road, Belfast, BT6 0LR	Agent Name and Address: JWM Planning Ltd Unit 13 3-5 Woodgreen Road Ballymena
Date valid: 30 th August 2024	
Target date: 13 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Background</p> <p>This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2024.</p> <p>Environmental Health provided a final consultation response on 7th May. They are content subject to a condition relating to land contamination. The proposal is therefore considered compliant with Policy ENV1. A list of updated draft conditions is included in this Addendum.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

AMENDED DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not be occupied unless sound mitigation measures are installed so that internal noise levels as stated below are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels, then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels:
 - 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided.
 - 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided.
 - 45 dB LAm_{ax} more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided. The measures required shall be thereafter retained at all times.

Reason: In the interests of residential amenity.

3. The separating ceiling/floor between the ground floor retail unit and the first floor of the HMO and the separating wall between the ground floor retail unit and the ground floor of the HMO shall be so constructed to ensure sufficient sound reduction so that the internal noise levels within habitable rooms (detailed within condition 2) are not exceeded.

Reason: In the interests of residential amenity.

4. The hereby approved ground floor retail unit shall not operate outside the hours of 07:00hrs- 23:00hrs.

Reason: In the interests of residential amenity.

5. Deliveries and collections by commercial vehicles to the ground floor retail unit shall only be made between 07:00hrs and 23:00hrs Monday to Saturday and at no time on Sundays.

Reason: In the interests of residential amenity.

6. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from

the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

7. Notwithstanding the submitted details no external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

8. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

9. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

10. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.

11. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

Development Management Officer Report

Committee Application

Summary	
Application Ref: LA04/2024/1466/F	Committee Meeting Date: 13 th May 2025
Proposal: Ground floor extension and alterations to provide 1 No. retail unit. Two storey rear extension. Rear dormer window. Change of use of first & second floor level & part of ground floor level to 6 bed / 6 person HMO (amended description and plans).	Location: 41 Rosetta Road, Belfast, BT6 0LR
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation:	Approval
Applicant Name and Address: Hanrose Ltd 41 Rosetta Road, Belfast, BT6 0LR	Agent Name and Address: JWM Planning Ltd Unit 13 3-5 Woodgreen Road Ballymena
Date valid: 30 th August 2024	
Target date: 13 th December 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: This application seeks full planning permission for ground floor extension and alterations to provide 1 No. retail unit; two storey rear extension; rear dormer window; change of use of first and second floor level and part of ground floor level to 6 bed / 6 person HMO (amended description and plans). The key issues are: <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Rosetta Road • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Wastewater infrastructure • Climate change • Extension of retail unit 129 objections have been received with the issues raised addressed within the main report. Councillor Michael Long requested that the application is reported to the Planning Committee for the following reasons: <ol style="list-style-type: none"> 1. Significant public interest. 2. Concerns relating to congestion and parking. 	



The proposal is compliant with Policy HOU10 in that the 10% threshold for HMOs on this stretch of the Rosetta Road has not been exceeded. The application site also has a frontage onto Wynchurch Road and for completeness a search of the number of HMOs was checked for this street which found there to be no existing HMOs.

Officers consider that the scheme will not be harmful in terms of traffic, parking and impact on the amenity of the surrounding area.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable.

It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including outstanding response from Environmental Health, provided that they are not substantive.

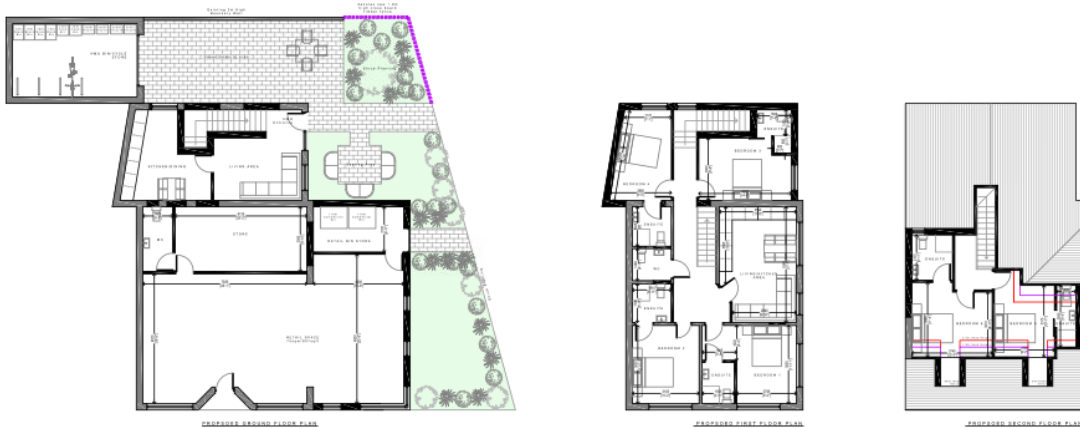
Officer Report	
1.0	DRAWINGS
1.1	<div><div>Site Location Plan:</div><div></div></div> <div><div>Proposed Site Layout:</div><div></div></div>

Existing Floor Plans and Elevations:



Proposed Elevations:



	<p>Proposed Floor Plans:</p> 
.0	Characteristics of the Site and Area
2.1	The application site is located at 41 Rosetta Road. The property is a 2-storey building with a retail unit at ground floor selling catering equipment. The first floor is currently office/storage space. The building has a hipped roof and sits on the corner of Wynchurch Road, benefiting from access from Rosetta Road and private access from Wynchurch Road.
2.2	There is a small, enclosed amenity space to the side of the building, enclosed by palisade fencing. There is also space to the rear of the property, where a detached store is situated which is proposed to be used as a bin store.
2.3	The prevailing area is a predominantly residential, however, there is a strong commercial presence on the south side of the Rosetta Road, where the site is situated.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for ground floor extension and alterations to provide 1 No. retail unit; two storey rear extension; rear dormer window; change of use of first and second floor level and part of ground floor level to 6-bed HMO (amended description and plans).
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Relevant Planning History There is no relevant planning history.</p>

5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – No objection NI Water – Objection as no available capacity in the downstream Wastewater infrastructure DFI Rivers – No objection
5.2	Non-Statutory Consultations Environmental Health – still pending a response Representations
5.3	<p>The application has been advertised and neighbours notified. The Council has received 115 letters of objection to this proposal. The issues raised in the objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise 5. Adverse visual impact/anti-social behaviour/noise pollution 6. Flooding 7. The development is not in keeping with the local character 8. Overcrowding 9. Concerns regarding the actual intended 'use' of the property 10. Devaluing property 11. No kitchen facilities 12. Proliferation of coffee shops in the area 13. Not receiving letters on time
5.3	Concerns raised under points 1-8 are addressed in the main body of the report. Concerns raised at points 9-11 are not relevant material planning considerations.
5.4	In respect of point 8, overcrowding, the proposal includes 6 bedrooms which meet the space standards for HMOs as set out in the Plan Strategy. An HMO at this location would require an HMO licence which whilst is outside the remit of the planning process would restrict the number of occupants.
5.5	In respect of point 12, the coffee shop element has been omitted from the scheme and the proposed ground floor extension will fully be Class A1 retail use.
5.6	The final concern regarding the delivery of neighbour notification letters not being delivered on time is an administration issue. The Council sends these via Royal Mail post and acknowledges that there can be delays, which are outside the control of the Council. However, the Council has accepted written representations well beyond the 14 days for submission that was stipulated in the letters and therefore considers no one to be prejudiced.

6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	The site is located within the settlement development limit in the BUAP 2001 and is not zoned for any use. In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 058). In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Lower Cliftonville (Ref: BT 041). The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
	Relevant Planning Policies
6.7	The following policies in the Plan Strategy are relevant to consideration of the application. <ul style="list-style-type: none"> • Policy HOU10 – Housing Management Areas • Policy RD1 – New residential developments • Policy RD3 – Conversion or subdivision of existing buildings for residential use • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 to ENV5 – Environmental considerations

	<ul style="list-style-type: none"> • Policy OS3 – Ancillary open space • Policy DES 1 – Principles of Urban Design <p>Key Issues</p>
6.8	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Rosetta Road • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Wastewater infrastructure • Climate change • Extension of retail unit <p>The principle of an HMO at this location</p>
6.9	<p>The site is outside Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p>
6.10	<p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed
6.11	<p>According to the HMO Database, there are no HMOs on Rosetta Road. The site also has a frontage onto Wynchurch Road and for completeness a search of the number of HMOs was checked for this street which found there to be no existing HMOs. The proposal for a change of use to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle.</p>
6.12	<p>Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.</p>
6.13	<p>Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. Policy DES1 is also relevant to the proposed extensions. The assessment of the proposal against these policies is set out below.</p> <p>Impact on the character and appearance of the area</p>
6.14	<p>The existing property is an end-of-terrace with a hipped roof. The other end of this terrace has a gable end. The proposal seeks to change the hip to a gable to match that on the opposite end of the terrace row. This is considered to be in keeping with the character of the surrounding area.</p>

6.15	The proposal also incorporates a two-storey rear extension and dormer window. The existing building has a single storey return to the rear, which projects 4.5m out from the main building. The new two storey extension will be constructed using the same footprint of this existing element. The ridgeline of the roof will be lower than the ridgeline of the main building. These dimensions will ensure the two-storey extension would be subservient to the host building. The entire building, old and new, is to be rendered so that all finish materials will match. Officers consider that these elements of the proposal would respond positively to local context and character in respect of height, form scale, massing and proportion and therefore would comply with all relevant criteria in Policy DES1.
6.16	The proposed extension to the ground floor commercial unit is to be to the side of the existing building. This is to be a single storey with a flat roof. The site has ample space to accommodate this addition. It is acknowledged that design is not in general conformity with the host building, or the surrounding area and breaches the building line on Wynchurch Avenue, however it is considered acceptable in that it will replace an existing unattractive open storage compound enclosed by a 2.5m tall steel palisade fence and would result in a visual improvement. The proposal is considered acceptable having regard to Policy DES1.
6.17	Criterion f. of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. This diversity is achieved by the reuse of the upper floors for HMO whilst retaining commercial at ground floor. This will also ensure the existing active frontage along Rosetta Road is not impacted.
6.18	The proposal is considered to satisfy the relevant design criteria in Policies DES1, RD1, and RD3 of the Plan Strategy.
	Impact on residential amenity
6.19	There is ample separation distance between the proposed extensions and neighbouring residential properties. The positioning of the extension and the orientation of the site in relation to neighbouring residential properties will also ensure that there will be minimal conflict with residential amenity in respect of overshadowing, loss of light, overlooking, and dominance. This satisfies Policy DES1 criterion j. and Policy RD1 criteria a. and b.
	<i>Noise and disturbance:</i>
6.20	In respect of potential noise from the HMO, this is covered by the statutory HMO licencing scheme. This also ensures landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage. Noise from the proposed ground floor retail unit is not considered be any greater than that of the existing commercial unit at this location as the net increase will only equate to 27 square metres.
	<i>Internal Layout:</i>
6.21	The proposal would provide a quality and sustainable residential environment in that all habitable rooms in the dwelling have access to natural light and an attractive outlook. The internal living space exceeds the requirements set out in the HMO space standards for a 6 bed HMO as set out within Appendix C of the Plan Strategy The internal spaces are set in in the following table:

	Room	Space Standards (Appendix C of Plan Strategy)	Measured floor space (excluding ensembles)
	Bedroom 1	6.5sqm	12.5sqm
	Bedroom 2	6.5sqm	11.2sqm
	Bedroom 3	6.5sqm	11.5sqm
	Bedroom 4	6.5sqm	10.5sqm
	Bedroom 5	6.5sqm	7.9sqm
	Bedroom 6	6.5sqm	10.2sqm
	Living/kitchen areas (combined)	19.5sqm	45.2sqm
6.22	The proposal is considered to satisfy the relevant criteria in Policies DES1, RD1, and RD3 of the Plan Strategy.		
	Traffic, Parking and Access		
6.23	The proposal does not include any in-curtilage car parking provision and third parties have raised concerns with regards to the impact of this on traffic and on street parking. DfI Roads is the statutory authority regarding parking and traffic. The Council consulted Roads on this application, and they confirmed they have no objections to the scheme. Whilst the various policy requirements of Policy HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.		
6.24	Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and SPG, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.		
6.25	However, to satisfy the concerns raised in relation to parking the Planning Service requested a parking survey. The parking survey demonstrates that adequate parking is available within a radius of 100 metres walking distance from the application site to serve the proposal without detriment to the parking provision for existing residents in the area. DfI Roads were consulted on the parking survey and advised that their position of no objections is retained. The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. Furthermore, the site is in a sustainable location with bus services operating in close proximity and accessible to services and amenities in the local and wider area, such as the Ormeau Road and Ravenhill Road.		
	Waste and Refuse Collection		
6.26	Policy RD3 criterion b requires that adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.		
	The waste provision requirements as set out in the Waste Infrastructure SPG are broken down as follows:		

6.27	<p>100L per bedroom + 60L per dwelling. As the proposal is for a 6-bed HMO, the requirement is 100L x 6 + 60L to give a total requirement of 660L. This figure of 660L is further broken down into waste types as follows:</p> <ul style="list-style-type: none"> - 35% General Waste (Black bins) = 462L (Collected every 2 weeks) requiring 3 x 180L bins. 3 x 180L black bins are required. - 55% Recycling (Recycling packs) = 363L (Collected weekly) requiring 3 sets of 3 x 55L bins. 3 x recycling packs (each with 3x 55L recycling boxes). - 10% Food Waste (Brown bins/food caddy) = 66L (Collected weekly) requiring 3 x 23L food bins. 3 x 140L food bins are proposed. <p>It has been demonstrated how the proposal would be able to provide the required volume and separation of bins.</p>
6.28	As illustrated on the proposed plan, the bins would be accommodated in an outbuilding within the rear yard of the property. As stated under Table 7 of Appendix 2 of the waste
6.29	SPG, for each set of 3 black bins, 3 recycling packs and 4 food caddies, and if the yard is enclosed with a single row layout of bins, the following measurements are needed to accommodate the bins: For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout 2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm. 10.8 sqm is required in a single row layout. The proposed bin store has a floorspace of (5.8m x 3.4m) 19.7 sqm which is 8.9 sqm in excess of the required 10.8 sqm. It is acknowledged that the bin store will also contain a bike rack, however, it is considered that this will not impact access to the bins given the size of the bin store.
6.30	<p>The disposal of rubbish is the responsibility of tenants and the landlord. The premises will continue to be served by three Council refuse bins for general waste, recycling and food. Bin storage is also a HMO licensing requirement and the Council's website states that <i>"during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland"</i>.</p> <p>Wastewater infrastructure</p> <p>NI Water as the statutory authority has objected to the proposal on the grounds that it will result in intensification and there is no capacity within their current water and sewerage network to accommodate this.</p> <p>Policy SP1a requires that necessary infrastructure is in place to support new development. Whilst NI Water has objected to the application, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. A condition is recommended to secure final details of foul and surface water drainage prior to commencement of development.</p> <p>For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p> <p>Flooding</p>
6.31	
6.32	
6.33	

6.34	<p>Objectors have alluded to a history of flooding in the area. The Planning Service consulted DfI Rivers, who have no objections to the scheme. DfI Rivers advise that a Drainage Assessment is not required but the applicant is still advised to carry out their own assessment of flood risk and construct in the appropriate manner that minimises flood risk to the proposed development and elsewhere. This will involve acquiring consent to discharge storm water run-off from the site. Policy ENV4 has been considered.</p>
6.35	<p>Open Space</p> <p>Policy RD1 requires new residential development to make provision for appropriate open space. <i>Creating Places</i> (CP) does not set out external private amenity space standards for HMOs However, CP advocates between 40sqm and 70sqm open space for new residential development. A total of 80 sqm of private open amenity space will be provided for the HMO, equating to 13.3 sqm per bedroom/person. This satisfies criterion d. of Policy RD1.</p>
6.36	<p>Landscaping</p> <p>The proposed open space at rear and side will be appropriately landscaped with pavers, grass lawns and shrubs. The boundary will be open to the front and side albeit with a 1.8 metre tall close-boarded timber fence on the southwest corner. A detailed landscaping plan can be secured via a negative condition.</p>
6.37	<p>Health impacts</p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
6.38	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. The site is within short walking distance of leisure amenities, playing pitches and a public park. Cycle stands are also proposed to encourage cycling and discourage the use of the private car. The proposal is considered to satisfy the requirements of Policy HC1 and Policy RD1 c.</p>
6.39	<p>Environmental protection</p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p> <p>Environmental Health (EH) has no concerns with odour and air quality and is generally satisfied in respect of noise impacts, subject to conditions. In its initial response EH requested a Generic Quantitative Risk Assessment to check for land contamination. This</p>

6.40	has been submitted by the applicant and EH is to provide feedback on this. Delegated authority is sought to deal with any issues that may be raised by Environmental Health in their final response.
	Retail
6.41	The application site is outside an existing retail centre as defined by Policy RET1 of the LDP. As such Policy RET2 is applicable. This states that the applicant must demonstrate that there is not a sequentially preferable site in, or on the edge of, existing centres.
6.42	The previous use of the ground floor was Class A1 retail. This was approved in 1990 under planning application ref. Y/1990/0203.
6.43	The gross floorspace of the existing retail unit is 82sqm approx. The gross floorspace of the retail unit as proposed is 109 sqm approx. including a store but excluding a bin storage area.
6.44	This is a net increase of 27 sqm which is marginally (6.5 sqm) in excess of the increase allowed under permitted development, which is 25% of the original floorspace (20.5 sqm). As such a sequential test in this case would not be reasonable as there is unlikely to be any negative impact on existing retail centres by the overall increase.
6.45	Consideration has been given to potential for conflict between the proposed HMO and the commercial use at ground floor. The HMO will have its own separate access, from Wynchurch Road, and all waste will be stored and accessed independently. It is therefore considered that this will not result in prejudicing the commercial functions of the retail unit. This satisfies Policy RD3 d.
	Climate Change
6.46	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
6.47	The proposal retains the existing building consistent with the aim of Policy ENV2 which seeks to avoid demolition where feasible. The applicant has provided details on the various sustainable design features which will be incorporated into the development. The proposal intends to alter and extend the existing building as opposed to demolishing it, as encouraged by ENV2. The existing fabric will be utilised as much as possible to minimise waste and ultimately reduce the carbon footprint of the building. The thermal efficiency of the building will be upgraded where necessary to further reduce the need for additional heating and cooling. It is noted that these policies state that climate change measures shall be incorporated where feasible or where appropriate.
6.48	The policy also sets out measures to maximise opportunities to incorporate sustainable design features. The current site has zero biodiversity value. The new proposal will remove large areas of hardstanding and introduce soft landscaping to increase the overall biodiversity of the site and help with water attenuation during periods of heavy rainfall. This is compliant with Policies ENV2 and ENV3.
	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. As a largely change of use application, it is proposed to retain, re-use and adapt the current drainage network on

6.49	<p>site. The proposal includes measures to assist with the drainage system to make it more sustainable. This includes the removal of large areas of hardstanding and the introduction of soft landscaping to help with water attenuation during periods of heavy rainfall. These SuDS measures are considered acceptable.</p> <p>The proposal is considered acceptable having regard to Policy ENV5.</p>
6.50	
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including outstanding response from Environmental Health, provided that they are not substantive.
8.0	<p>DRAFT CONDITIONS:</p> <p>12. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>13. The development hereby permitted shall not be occupied unless sound mitigation measures are installed so that internal noise levels as stated below are not exceeded within habitable rooms. Where closed windows are required to achieve these internal levels, then an alternative means of ventilation must be provided which meets, as a minimum, the sound reduction performance required by the windows. In the case of active or mechanical ventilation the applicant must ensure that the operation of the ventilation system does not result in internal noise in excess of the below stated levels:</p> <ul style="list-style-type: none"> • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided. • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided. • 45 dB L_{Amax} more than 10 times between 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of ventilation provided. The measures required shall be thereafter retained at all times. <p>Reason: In the interests of residential amenity.</p> <p>14. The separating ceiling/floor between the ground floor retail unit and the first floor of the HMO and the separating wall between the ground floor retail unit and the ground floor of the HMO shall be so constructed to ensure sufficient sound reduction so that the internal noise levels within habitable rooms (detailed within condition 2) are not exceeded.</p> <p>Reason: In the interests of residential amenity</p>

15. The hereby approved ground floor retail unit shall not operate outside the hours of 07:00hrs- 23:00hrs.

Reason: In the interests of residential amenity.

16. Deliveries and collections by commercial vehicles to the ground floor retail unit shall only be made between 07:00hrs and 23:00hrs Monday to Saturday and at no time on Sundays.

Reason: In the interests of residential amenity.

17. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

18. Notwithstanding the submitted details no external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area

19. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To ensure that appropriate provision is made for storage and disposal of waste.

20. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

	<p>Reason: To ensure appropriate foul and surface water drainage of the site and to safeguard to the water environment. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p>21. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.</p> <p>Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.</p>
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Addendum Report	
Application Ref: LA04/2024/1584/F	Committee Meeting Date: 17 th June 2025
Proposal: Subdivision of 6No. bed shared dwelling to provide 3No. self-contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self-contained flat.	Location: 21 Skegoneill Avenue, Belfast, BT15 3JP
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member (Cllr Anglin)	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Chris Graham 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Cathal McGuigan Surveyor House, 7 Balloo Court Balloo Drive Bangor BT19 7AT
Date valid: 14 th October 2024	
Target date: 27 th January 2025	
Contact officer: Lisa Walshe, Principal Planning Officer	
<p>Background</p> <p>This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2025.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	


Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2024/1584/F	Committee Meeting Date: 13 May 2025
Proposal: Subdivision of 6No. bed shared dwelling to provide 3No. self-contained flats, with demolition of single storey rear return and erection of two storey rear extension to provide 1no self-contained flat.	Location: 21 Skegoneill Avenue, Belfast, BT15 3JP
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by an Elected Member.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Chris Graham 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Cathal McGuigan Surveyor House, 7 Balloo Court Balloo Drive Bangor BT19 7AT
Date valid: 14 th October 2024	
Target date: 27 th January 2025	
Contact officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: <p>This application seeks full planning permission for subdivision from a 6-bed dwelling to 3 self-contained flats, with a two-storey rear extension to provide 1 more flat. The site is located at 21 Skegoneill Avenue. The 3 flats to be contained in the original house will each be one-bed / 1 person and the flat in the rear extension will be 1 bed / 2 person.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of apartments at this location • Impact on the character and appearance of the Glandore Gardens draft ATC • Layout/Design • Private amenity/landscaping • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection <p>4 objections have been received with the issues raised addressed within the main report.</p> <p>Councillor Brónach Anglin requested that the application is reported to the Planning Committee for the following reasons:</p> <ol style="list-style-type: none"> 1. Significant public Interest. 2. Concerns relating to congestion and parking. 	

Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area or the Glandore Gardens Draft Area of Townscape Character.

Recommendation

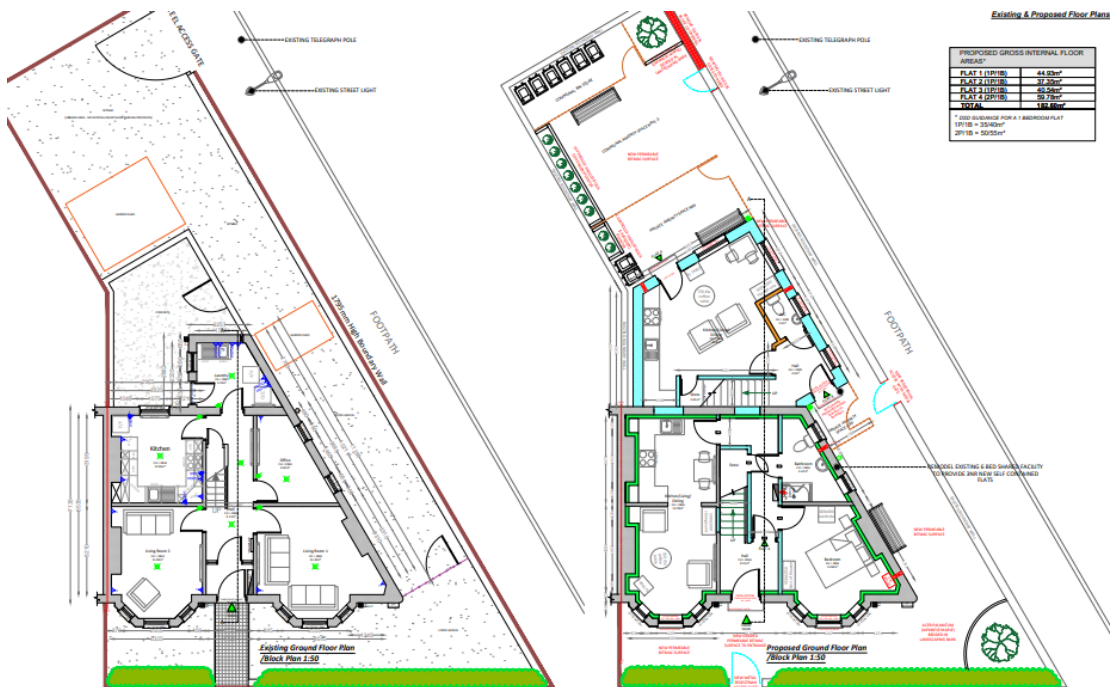
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Officer Report	
1.0	Drawings
1.1	Site Location
<div><div></div><div><div>Existing Elevations</div><div><div>No. 21 Skegoneill Avenue, Belfast 6B/HMO</div><div></div></div></div></div>	

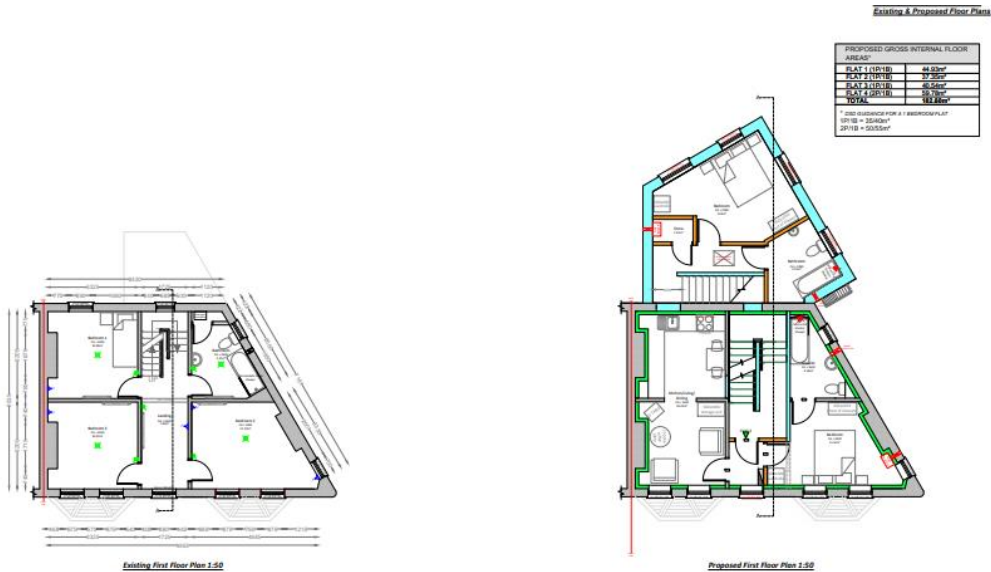
Proposed Elevations



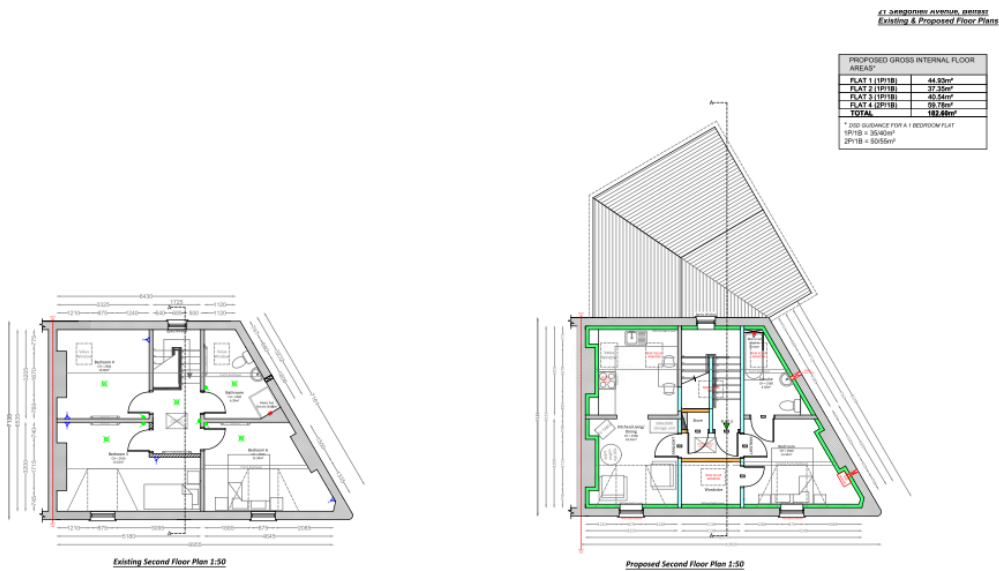
Existing / Proposed Site Layout and Ground Floor Plans



Existing / Proposed First Floor Plans



Existing / Proposed Second Floor Plans



2.0	Characteristics of the Site and Area
2.1	The application site is located at 21 Skegoneill Avenue. The property is a 3-storey residential Victorian end-of terrace . This is finished in red brick with a slate roof. There is an enclosed amenity space to the rear of the building. The immediate area is predominantly residential. The surrounding area is characterised by terraced streets lined with red brick 2 and 3 storey buildings, most of which are in residential use, on small to medium plots with gardens to front and rear. Parking is generally on-street.
2.2	The site is 'white land' within the urban area in BUAP. The proposed development site is developed and in use as a single dwelling.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for Subdivision of 6No. bed shared dwelling to provide 3No. self-contained flats, with a two-storey rear extension to provide 1 self-contained flat.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Relevant Planning History There is no relevant planning history.
5.0	Consultations and Representations Statutory Consultations DfI Roads – No objections Representations The application has been advertised and neighbours notified. The Council has received 4 letters of objection. The issues raised in the objections are summarised as follows: <ol style="list-style-type: none"> 1. Parking, traffic, road safety. 2. Waste and refuse collection 3. Adverse impact on the sewage network 4. Anti-social behaviour/noise

	<p>5. Adverse visual impact/anti-social behaviour/noise pollution</p> <p>6. Fly tipping</p> <p>7. Issues with property to the rear</p> <p>8. Overdevelopment</p> <p>9. Loss of light to adjacent property</p> <p>Issues 1-5 are addressed in the main body of the report.</p> <p>Additional points are considered as follows:</p> <p>6. Fly tipping in the rear alleyway – The proposal is not directly related to fly tipping in the rear alleyway and is a separate issue. Private bin space is provided on site for all residents.</p> <p>7. Issues with property to the rear – This is not a material consideration and is outside the remit of this application.</p> <p>8. Overdevelopment – The current property hosts 6 people. The proposal seeks to sub divide this into 4 flats, accommodating 5 people. Therefore, there is no intensification or overdevelopment occurring on the site.</p> <p>9. Loss of light to adjacent property – The rear gardens of the terraced row are south facing meaning they will enjoy sunlight for most of the day. The extension itself is angled away from the adjacent property meaning loss of sunlight will not be exacerbated unacceptably.</p>
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.

6.5	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>
6.6	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The site is located within the settlement development limit in the BUAP and is not zoned for any use. The site is not located in a Housing Policy Area or a HMO Development Node in the Belfast HMO Subject Plan 2015.</p> <p>Relevant Planning Policies</p>
6.7	<p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • HOU2 – Windfall Housing • HOU4 – Density of Residential development • HOU7 – Adaptable and accessible accommodation • HOU11 – Intensive housing nodes • RD1 – New residential developments • RD3 – Conversion or sub-division of existing buildings for residential use • DES 1 – Principles of urban design • TRAN8 – Car parking and servicing arrangements • ENV1 – Environmental quality • BH3 – Area of townscape character <p><u>Supplementary Planning Guidance</u></p>
6.8	<p>Residential Design Placemaking and Urban Design Sustainable Drainage Systems (SuDS) Transportation Waste Infrastructure</p> <p>Key Issues</p>
6.9	<p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> • The principle of apartments at this location • Design • Impact on the character and appearance of the Glandore Gardens draft ATC • Impact on residential amenity • Private amenity/landscaping • Traffic, Parking and Access • Waste and refuse collection

	<p>The principle of apartments in this location</p>
6.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the 'rest of Belfast city' and 2,000 windfall homes. The proposal is located within a previously developed site (windfall) within 'rest of Belfast city'.</p>
6.11	<p>Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> • The site is suitable for housing – the site is a sustainable location and considered suitable in principle for housing. • The location is accessible and convenient to public transport and walking cycle infrastructure – the site accessible to public transport and close to cycling / walking routes and is highly accessible to shops, services, and amenities. • Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place to support the proposal.
6.12	<p>The proposal is for social housing in the form of apartments. The proposal will provide quality housing that will add to the variety of housing stock offered in this location.</p>
6.13	<p>The proposal is considered compliant with policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p>
6.14	<p>The existing building is in excess of 150 sqm and therefore satisfies criterion c. RD3 of Policy RD3.</p> <p>Housing density</p>
6.15	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>
6.16	<p>The proposal is for 4 residential units in a location where the average density should be between 75-150 dwellings per hectare (ha). The site area is 0.02 ha therefore the proposed development equates to a density of 200 units per ha, which is not compliant with Policy HOU4. However, the policy refers to the average over the entire inner city area. The immediate area contains lower density residential development in the form of houses with gardens which is less than the average for the area and thus acts as a counterbalance to the higher density of the proposal. The acceptability of the proposal should depend on other planning considerations, set out below.</p> <p>Proposed demolition</p>
6.17	<p>The proposal includes demolition of a small single storey return to accommodate the proposed extension. This existing return is largely screened from public view by a 2m approx. high wall and as such there is no public views of it other than a glimpse of its roof. It is also likely that this is not part of the original house. Policy BH3 states that demolition will only be accepted where the original building makes no material contribution to the ATC and its replacement will enhance the area. The design of the replacement return is covered in the succeeding paragraph.</p>

	<p>Design</p>												
6.18	<p>The proposed two-storey extension will breach the building line along Glandore Drive. However, this is a corner site and the dwelling 18A Glandore Avenue at the corner of Glandore Drive and Glandore Avenue on the other end of this street also breaches the same building line. The two-storey height is in keeping with two-storey returns of the other dwellings within the adjoining terrace. The overall scale, form massing and finish materials is considered subordinate and not out-of-keeping with the character of the host building and the surrounding area. This is considered to be compliant with the relevant design criteria in policies DES1, RD1, RD3 and BH3.</p> <p>Impact on residential amenity</p> <p><i>Internal Layout:</i></p>												
6.19	<p>The proposal would provide a quality and sustainable residential environment in that all habitable rooms in the dwelling have access to natural light and an attractive outlook. No units are located wholly in the rear of the property without safe and secure access from the front door of the building. All units are self-contained.</p>												
6.20	<p>The proposed three 1-bed / 1-person flats would each have an internal living space exceeding the minimum requirement of 35 sqm as set out in Appendix C of the Plan Strategy. The 1-bed / 2-person flat would have an internal space exceeding the minimum 50 sqm space standards set out in Appendix C of the Plan Strategy. The internal space for each unit is illustrated in the table, below:</p> <table border="1"> <thead> <tr> <th colspan="2">PROPOSED GROSS INTERNAL FLOOR AREAS*</th></tr> </thead> <tbody> <tr> <td>FLAT 1 (1P/1B)</td><td>44.93m²</td></tr> <tr> <td>FLAT 2 (1P/1B)</td><td>37.35m²</td></tr> <tr> <td>FLAT 3 (1P/1B)</td><td>40.54m²</td></tr> <tr> <td>FLAT 4 (2P/1B)</td><td>59.78m²</td></tr> <tr> <td>TOTAL</td><td>182.60m²</td></tr> </tbody> </table>	PROPOSED GROSS INTERNAL FLOOR AREAS*		FLAT 1 (1P/1B)	44.93m ²	FLAT 2 (1P/1B)	37.35m ²	FLAT 3 (1P/1B)	40.54m ²	FLAT 4 (2P/1B)	59.78m ²	TOTAL	182.60m²
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6.21	<p>This satisfies the relevant criteria in Policy RD1 and RD3</p> <p><i>Impact on Neighbours:</i></p>												
6.22	<p>There is ample separation distance between the proposal and neighbouring residential properties. The positioning of the extension, its scale and massing, its corner site position, existing boundary treatments and the orientation of the site in relation to neighbouring residential properties will also ensure that there will be minimal conflict with residential amenity in respect of overshadowing, loss of light, overlooking, and dominance. This satisfies Policy DES1 criterion j. and Policy RD1 criteria a. and b.</p> <p><i>Open space and outdoor amenity provision:</i></p>												
6.23	<p>Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. <i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally, developments in inner urban locations and other high-density areas will tend towards the lower figure. Open space is to be provided as communal with a total of 50sqm, averaging 12.5sqm per unit. This is greater than the</p>												

	<p>minimum standard of 10sq/m as per the guidance. This is in keeping with the character of the ATC which is defined by dwellings with small enclosed rear yards for amenity space. This is compliant with the relevant criteria in Policy RD1 and DES1.</p> <p>Traffic, Parking and Access</p>
6.24	<p>No in-curtilage parking is proposed and as such the development will rely wholly on on-street parking. A Parking Survey has been submitted that demonstrates sufficient availability of on-street car parking. DfI Roads has been consulted and is content. This satisfies Policy TRAN 8.</p> <p>Adaptable and Accessible accommodation</p>
6.25	<p>HOU 7 advises that “All new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability of occupants to remain in their homes and live independently for as long as possible”.</p>
6.26	<p>Criteria A – Parking surface “Parking provision should have a firm surface and provide level or gently sloping access to the main entrance of the property”. No on site parking is provided. DFI Roads are content that on street parking is sufficient.</p>
6.27	<p>Criteria B - Entrances “Main entrances should be sheltered from the weather”. All entrances will be provided with duo-pitched canopies supported by hardwood gallow brackets and finished with man-made slates to match main roof and new extension.</p>
6.28	<p>Criteria C – Living and Dining Space “Permanent living space or dining space should be provided within or in addition to a kitchen at entrance level”. Permanent living space or dining space is provided within or in addition to a kitchen at the entrance level of each flat.</p>
6.29	<p>Criteria D – Entrance Level W/C “Accommodation should provide entrance level WC with space to provide an accessible shower in the future is required.” Accommodation provides an entrance level WC to all flats.</p>
6.30	<p>Criteria E – Accessible Bathroom “An accessible bathroom should be provided on the same floor as the main bedroom”. An accessible bathroom is provided on the same level as the main bedroom in all flats.</p>
6.31	<p>Criteria F – Glazing “Glazing in the principal living space should be sited to enable outlook when seated”. Glazing in the principal living space is sited to enable outlook when seated.</p>
6.32	<p>The proposal is considered to be compliant with Policy HOU7.</p> <p>Waste and Refuse Collection</p>
6.33	<p>Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm.</p>
6.34	<p>The rear amenity space will continue to host the bins as before and will provide a new communal bins store.</p>

6.35	Bin storage requirements are set out in the SPG which is calculated as follows: The weekly waste calculation for residential is 70L+30L per bedroom. Therefore, the weekly requirement for a 1 bed apartment is 70L+30L. So, for 4x1 bed units this will be 4 x (70+30) = 400L. Collection is biweekly so this will be 400 x 2 = 800L.
6.36	This is further broken down into categories: 10% organic waste; 55% dry waste; and 35% general waste.
6.37	The proposal has adequate amenity space to accommodate bin storage requirements. This complies with Policy RD3 (b) and DES1 (k).
	Wastewater infrastructure
6.38	NI Water as the statutory authority has no objection to the proposal.
	Climate Change
6.39	Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
6.40	The proposal retains the existing building consistent with the aim of Policy ENV2 which seeks to avoid demolition where feasible.
6.41	The applicant has provided details on the various sustainable design features which will be incorporated into the development.
6.42	The policy also sets out measures to maximise opportunities to incorporate sustainable design features. A further opportunity includes improvements to energy efficiency and this proposal will involve improvements to the building fabric to enhance its energy efficiency with the provision of new building insulation throughout. These sustainable measures shall be secured by condition. This is compliant with Policies ENV2 and ENV3.
6.43	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. Permeable asphalt hard standings to be installed to provide full or partial infiltration (suitable solution to be confirmed following ground tests on site). Full infiltration allows all water entering the surface to infiltrate into the existing underlying ground. Where low permeability ground conditions are confirmed by testing a partial infiltration system will be adopted allowing excess run off to be attenuated or discharged into a suitable drainage system. Trees and planters to be included to assist drainage. These SuDS measures are considered acceptable. The proposal is considered acceptable having regard to Policy ENV5.
	Landscaping
6.44	The rear garden will be laid in permeable bitmac surface with a raised planter bed along the common boundary between the site and the adjoining adjacent property. A tree is also to be planted at the rear boundary. There is a street tree in close proximity to the location of the extension, but this is considered to be far enough distance away to prevent root damage. An existing boundary wall that is to be retained will act as both a root barrier and protective fence to this tree.

7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.
<p>DRAFT CONDITIONS:</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. No external facing or roofing materials be applied unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>3. All soft landscaping works shall be carried out in accordance with details on the approved ground floor plan / block plan, drawing no. 07A, published to the Planning Portal on 25 March 2025. The works shall be carried out prior to the occupation of the development unless otherwise agreed in writing by the Council. Any plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of residential amenity and to assist with mitigating climate change.</p> <p>5. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.</p> <p>Reason: To ensure that appropriate provision is made for storage and disposal of waste.</p> <p>6. The development hereby approved shall not be occupied unless the measures to mitigate climate change have been implemented in accordance with Climate Change Statement, dated April 2024. The climate change measures shall be retained in accordance with the approved details at all times.</p> <p>Reason: To mitigate and/or adapt to climate change.</p>	

ADDENDUM REPORT	
Application ID: LA04/2024/0267/F	Committee Date: 17 th June 2025
Proposal: Change of Use from Dwelling to 6no bed/ 6 person HMO (amended description)	Location: 11 Friendly Way, Belfast BT7 2DU
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Conor McKay)	
Recommendation: Approval	
Applicant Name and Address: Jorge Herrero 11 Friendly Way Belfast	Agent Name and Address: 11 Friendly Way, Belfast BT7 2DU
<p>Background:</p> <p>This application was deferred at the Planning Committee on Tuesday 13th May 2025 to allow members of the Committee opportunity to visit the site. The site visit took place on Wednesday 4th June 2025. At the site visit Members raised queries regarding the provision of communal living space on the ground floor of the property. The provision of residential amenity has been set out in original report. The proposed development is considered to provide suitable internal residential amenity space for prospective residents.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.</p>	

Development Management Report

Committee Application

Summary	
Committee Date: 13 th May 2025	
Application ID: LA04/2024/0267/F	
Proposal: Change of Use from Dwelling to 6no bed/ 6 person HMO (amended description)	Location: 11 Friendly Way, Belfast BT7 2DU
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Conor McKay)	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Jorge Herrero 11 Friendly Way Belfast	Agent Name and Address: Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB
Date Valid: 15/02/2024	
Target Date: 30/05/2024	
Contact Officer: Ciara Reville, Principal Planning Officer	
Executive Summary: This application seeks full planning permission for Change of use from a 5-bed dwelling (use class C1) to a 6-bed/ 6 person House of Multiple Occupancy (Sui Generis use class). The site is located at 11 Friendly Way. The key issues are: <ul style="list-style-type: none"> The principle of an HMO at this location Impact on the character and appearance of the surrounding area. Impact on residential amenity Traffic, parking and access Waste and refuse collection 289 objections have been received with the issues raised addressed within the main report. The application has been called in for the following reasons: <ol style="list-style-type: none"> Significant public interest. Concerns relating to amenity, parking and precedent for other HMOs in the area. 	

The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on Friendly Way has not yet been reached. The applicant has demonstrated that there is sufficient provision for bin storage whilst retaining adequate amenity space. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area.

Recommendation

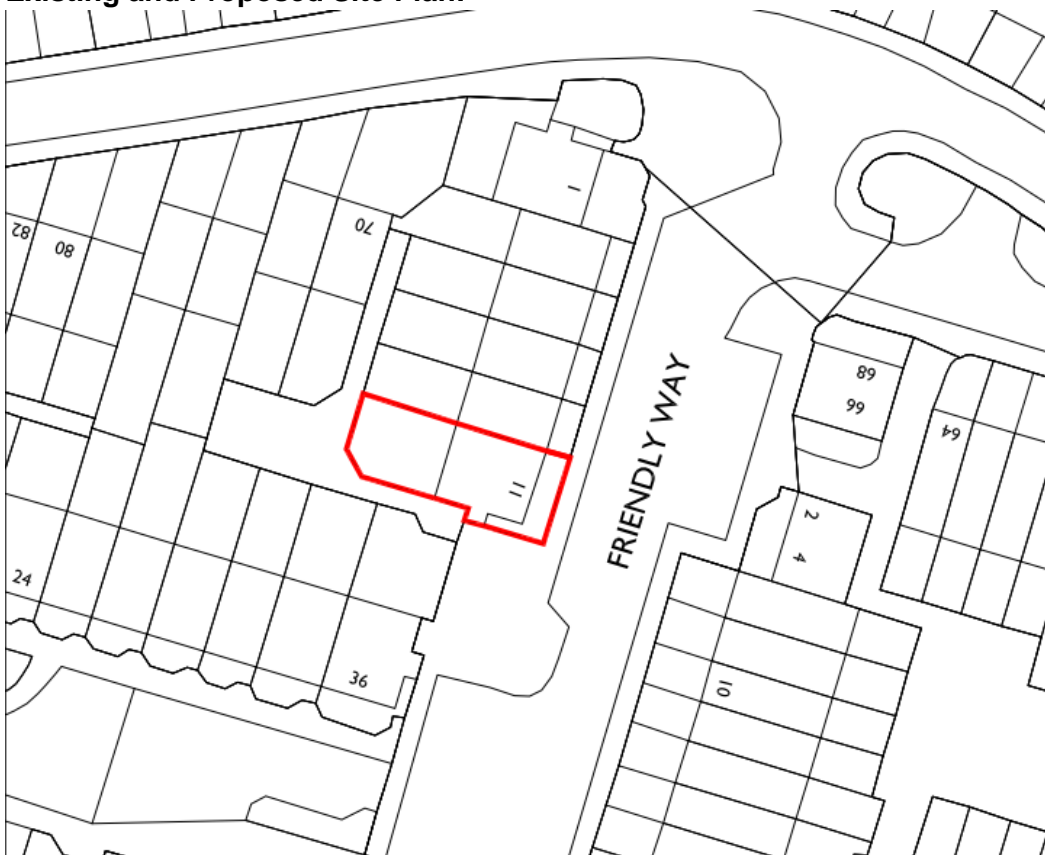
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

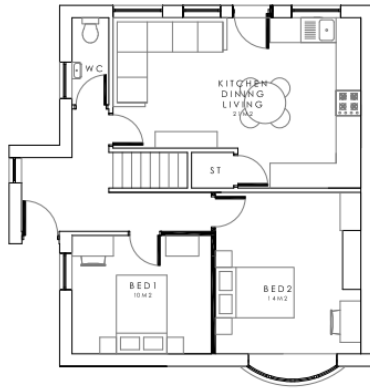
Site Location Plan:



Existing and Proposed Site Plan:



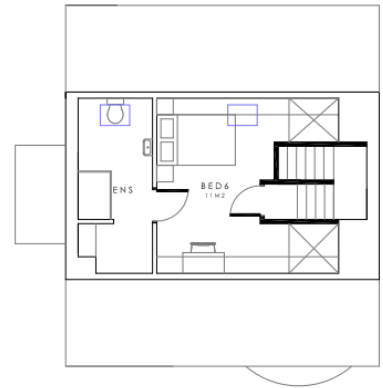
Proposed Floor Plans:



PROPOSED GROUND FLOOR
1:100



PROPOSED FIRST FLOOR
1:100

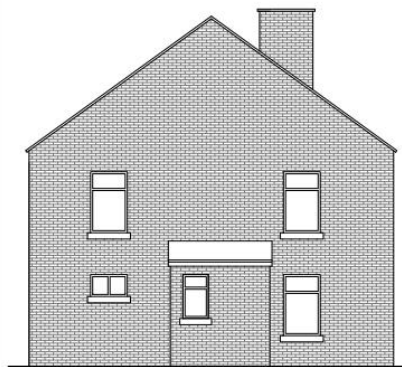


PROPOSED SECOND FLOOR
1:100

Proposed Elevations:



PROPOSED FRONT ELEVATION 1:100



PROPOSED SIDE ELEVATION 1:100



PROPOSED REAR ELEVATION 1:100

1.0	Characteristics of the Site and Area
1.1	The application site is located at 11 Friendly Way. The property is a 2 and a half storey residential end terraced property. There is a small, enclosed amenity space to the rear of the building. The immediate area is predominantly residential characterised by terrace dwellings finished in red brick.
1.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site falls within a Protected City Centre Housing Area within Draft BMAP.
1.3	The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
	Description of Proposed Development
1.4	The application is seeking full planning permission to change the of use from a dwelling (class C1) to a 6-bed/ 6 person HMO (suis generis).
2.0	PLANNING HISTORY
2.1	There is no relevant planning history pertaining to the site.
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies</i></p> <ul style="list-style-type: none"> • Policy SP1A – managing growth and supporting infrastructure delivery • Policy SP2 – sustainable development • Policy SP3 – improving health and wellbeing • Policy SP5 – positive placemaking • Policy SP6 – environmental resilience • Policy SP7 – connectivity <p><i>Operational Policies</i></p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space <p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> • Residential Design • Placemaking and Urban Design • Transportation

	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations</p> <p>Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objections</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>No non-statutory consultations required.</p>
4.3	<p><u>Representations</u></p> <p>The application has been advertised and neighbours notified. The Council has received 289 letters of objection. The issues raised in the objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. Waste management 2. Parking and traffic 3. Impact on the character of the area 4. Inadequate living space 5. Safety and security issues 6. Noise and Anti-social behaviour <p>Issues 1-4 are addressed in the main body of the report.</p> <p>The additional points are considered as follows:</p> <ol style="list-style-type: none"> 5. Safety and security issues <p>This is not a material consideration. Any issues regarding safety and security issues and is outside the remit of planning and relevant bodies such as the PSNI should be contacted if these issues escalate.</p>

	<p>6. Noise and Anti-social behaviour</p> <p>The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties. The Northern Ireland House of Multiple Occupancy Unit (NIHMO) within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties.</p> <p>Environmental Health and the PSNI are the appropriate bodies to deal with noise issues and antisocial behaviour.</p>
5.0	PLANNING ASSESSMENT
5.1	<p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection.
5.2	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>

	<p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).</p>
	<p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p>Belfast Urban Area Plan 2001 – The site is located within the settlement development limit and is not zoned for any use.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is zoned as a “Protected City Centre Housing Area” within the settlement development limits of Belfast.</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is also zoned as a “Protected City Centre Housing Area” within the settlement development limits of Belfast. The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.</p>
5.10	<p><u>The principle of an HMO at this location</u></p> <p>The site is outside both Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that:</p> <p><i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i></p>
5.11	<p>The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together:</p> <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.
5.12	<p>According to the LPS Pointer Address database, there are 20 domestic properties on Friendly Way. This would allow for 2 HMO properties on Friendly Way before the 10%</p>

	threshold would be exceeded. According to our records there are no HMOs on Friendly Way. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.																																										
5.13	Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.																																										
5.14	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.																																										
5.15	<p><u>Impact on residential amenity</u></p> <p>The property is a 2 and a half storey dwelling and is of sufficient size to accommodate an HMO, comfortably providing accommodation for 6 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 6-bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.</p>																																										
5.16	<p>The total floor area for the proposed site is shown below along with the minimum requirements as set out within table C1 of Appendix C of the Belfast Local Development Plan.</p> <table><tr><th colspan="3">6 Bedroom/ 6 Person HMO</th></tr><tr><th></th><th>Minimum Requirement</th><th>11 Friendly Way Measurement</th></tr><tr><td>Bedrooms Total</td><td>28sqm</td><td>65sqm</td></tr><tr><td>Bedroom 1 GF</td><td>6.5sqm</td><td>9.7sqm</td></tr><tr><td>Bedroom 2 GF</td><td>6.5sqm</td><td>13.1sqm</td></tr><tr><td>Bedroom 3 1st Floorspace excludes ensuite</td><td>6.5sqm</td><td>11.9sqm</td></tr><tr><td>Bedroom 4 1st Floorspace excludes ensuite</td><td>6.5sqm</td><td>10sqm</td></tr><tr><td>Bedroom 5 1st</td><td>6.5sqm</td><td>10sqm</td></tr><tr><td>Bedroom 6 Attic (floorspace >1.5sqm in height)</td><td>6.5sqm</td><td>9.3sqm</td></tr><tr><td>Bedroom/ Living Room</td><td>33sqm</td><td>72.5sqm</td></tr><tr><td>Combined bedroom/living room/ kitchen</td><td>38.5sqm</td><td>85sqm</td></tr><tr><td>Kitchen</td><td>10sqm</td><td>12sqm</td></tr><tr><td>Combined Kitchen/ Dining Room</td><td>19.5sqm</td><td>20sqm</td></tr><tr><td>Combined Kitchen/ Living Room</td><td>19.5sqm</td><td>20sqm</td></tr></table>	6 Bedroom/ 6 Person HMO				Minimum Requirement	11 Friendly Way Measurement	Bedrooms Total	28sqm	65sqm	Bedroom 1 GF	6.5sqm	9.7sqm	Bedroom 2 GF	6.5sqm	13.1sqm	Bedroom 3 1 st Floorspace excludes ensuite	6.5sqm	11.9sqm	Bedroom 4 1 st Floorspace excludes ensuite	6.5sqm	10sqm	Bedroom 5 1 st	6.5sqm	10sqm	Bedroom 6 Attic (floorspace >1.5sqm in height)	6.5sqm	9.3sqm	Bedroom/ Living Room	33sqm	72.5sqm	Combined bedroom/living room/ kitchen	38.5sqm	85sqm	Kitchen	10sqm	12sqm	Combined Kitchen/ Dining Room	19.5sqm	20sqm	Combined Kitchen/ Living Room	19.5sqm	20sqm
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5.17	Policy RD1 applies as set out above and states that ' <i>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:</i>
5.18	<p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas -</i></p> <p>Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p>
5.19	<p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance -</i></p> <p>Officers consider that the scheme will not give rise to any of the issues listed in criterion b. A door on the rear elevation is changing to a window but overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</p>
5.20	<p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure -</i></p> <p>There is sufficient space for cycle parking. Metro services are available along the East Bridge Street, a 2-minute walk from the property.</p>
5.21	<p><i>d) Provides appropriate open space -</i></p> <p>The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.</p>
5.22	<p><i>e) Keeps hard surfacing to a minimum -</i></p> <p>No hard standing is proposed as part of this application.</p>
5.23	<p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C -</i></p> <p>The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 6 bedrooms. The proposal therefore complies with the HMO space standards for a 6-bed HMO as set out within Belfast Local Development Plan: 2035.</p>
5.24	<p><i>g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street -</i></p> <p>All units have safe and secure access from the front door of the dwelling.</p>
5.25	<p><i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light –</i></p> <p>All habitable rooms in the dwelling have access to natural light.</p>
5.26	<p>The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 6 bedrooms and will also be subject to the licensing process which will</p>

	determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.
5.27	As indicated above, the HMO will further require to be licensed with Belfast City Council which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.
5.28	The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.
5.29	Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:
5.30	<p>a) <i>Any units are self-contained</i> - This criterion is not applicable.</p> <p>b) <i>Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm</i> - Officers consider that this criterion is met (refer to sections 5.35-5.40 below)</p> <p>c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal.</p> <p>d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.</p> <p>Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.</p>
5.31	<p><u>Traffic, Parking and Access</u></p> <p>Officers acknowledge the objections to parking. DfI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.</p>
5.32	Policy TRAN8 – Car parking and servicing arrangements states that, ' <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> '. Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.
5.33	The site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.
5.34	DfI Roads were consulted and have no objection to the proposal. A parking survey was submitted due to a number of objections being on the grounds of parking. It is considered the parking survey demonstrated sufficient parking capacity in the area.

	<p><u>Waste and Refuse Collection</u></p>
5.35	Objectors have raised concerns regarding waste management for the property and how this will impact the surrounding amenity space and public realm.
5.36	Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.
5.37	<p>The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI sets out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 5-bed HMO this would equate to the typical production of 660L of waste per week. The total waste production is broken down into the following types of waste:</p> <ol style="list-style-type: none"> 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3 collected weekly).
5.38	<p>The Council's Waste Management Unit has advised that the following waste containers would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI.</p> <ol style="list-style-type: none"> 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste 2. Recycling – 2 x recycling packs (6 x 55L) – collected weekly 3. Food waste – 3 x food bins (3 x 23L) – collected weekly
5.39	This policy is complied with. The disposal of waste is the responsibility of tenants and the landlord.
5.40	<p>The rear amenity space of the property is 46sqm. For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout $2.0 \times 1.8\text{m} = 3.6\text{sqm} \times 3 = 10.8 \text{ sqm}$. The provision of 3 sets of bins would leave more than 36sm for amenity provision. The premises will therefore be served by the correct amount for a 6-bed HMO as set out in the Supplementary Planning Guidance whilst maintaining sufficient amenity space. Bin storage is also a licensing requirement and the Council's website states that "<i>during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland</i>". A condition is recommended to ensure bin storage is provided within the curtilage of the property.</p>
	<p><u>Impact on the sewage network</u></p>
5.41	There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.

6.0	Recommendation
6.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.
7.0	<p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the dwelling has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times.</p> <p>Reason: To ensure adequate management of waste and in the interests of the amenities of the area.</p> <p>DRAFT INFORMATIVES:</p> <p>1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.</p>

Addendum Report 1	
Committee Meeting Date: 17 th June 2025	
Application ID: LA04/2024/0714/F	
Proposal: Change of use from Dwelling to Short term let (retrospective)	Location: 3 Broadway Link, Belfast, BT12 6EX
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Gary McKeown)	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Josef Bederna 3 Broadway link Belfast bt12 6ex	Agent Name and Address: Matthew Johnson P J Design 2a Bridge Street LISBURN
Valid Date: 17/01/24	
Target Date: 01/05/24	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Background</p> <p>This application was first taken to Planning Committee on the date 13th May 2025. However, was deferred for a site visit that took place on Wednesday 4th June 2025. The nature of the Short Term Letting was discussed, with a room shown on the floor plan as permanent residential use.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. Having regard to the development plan and other material considerations, and for the reasons set out in the previous reports, the proposal is considered acceptable. 2. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive. <p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The short-term let accommodation hereby permitted may not operate unless the bedroom as annotated on Drawing 01a is occupied by a person as their primary permanent residence, evidence of this should be submitted within one month of the date of this permission. For the avoidance of doubt the annotated bedroom shall not be occupied as a second home or short term let accommodation. The Owner will supply to the Council (within 14 days of the Council's written request to do so) such information as the Council may reasonably require in order to determine whether this condition is being complied with. 	

Reason: To maintain and increase the sustainable housing stock in the city, to support cohesive communities and to minimise the risk of adverse effects on nearby uses.

3. Within one month of the date of this permission a management plan should be submitted and agreed with the council. The Management Plan shall provide for servicing arrangements, waste storage and collection, laundry, procedures for dealing with anti-social behaviour, code of conduct and complaints, guest capacity and management contacts. The short-term let accommodation shall not be occupied or operate unless in accordance with the approved Management Plan.

Reason: In the interest of residential amenity.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
01a – Site Location Plan, Site layout and Plans


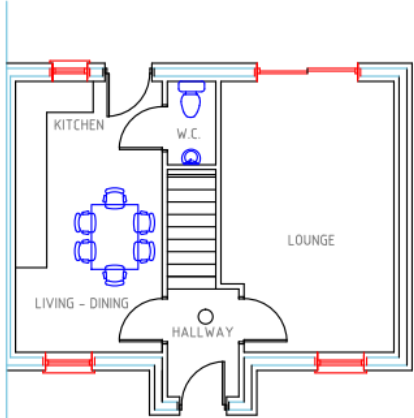
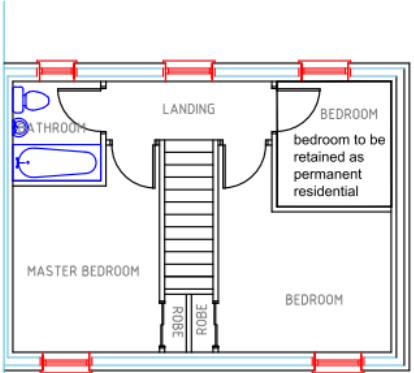
Development Management Report Committee Application

Summary	
Committee Date: 13 th May 2025	
Application ID: LA04/2024/0095/F	
Proposal: Change of use from Dwelling to Short term let accommodation (retrospective)	Location: 3 Broadway Link, Belfast, BT12 6EX
Applicant Name and Address: Josef Bederna 3 Broadway Link, Belfast, BT12 6EX	Agent Name and Address: Matthew Johnson P J Design 2a Bridge Street LISBURN
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Gary McKeown)	
Date Valid : 17/01/24	
Target Date: 01/05/24	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: <p>The application seeks retention of a change of use from dwelling to short term let accommodation.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> Principle of a change of use to short term let at this location Protection of existing residential accommodation Character, Design & Appearance Impact on Amenity Impact on established residential area <p>The application was requested to be called in for the following reasons;</p> <p>“existing use as a short-term let without permission, the degree of community concern within this residential community, the reports below regarding the management to date of the property, and the existing express concern of the council of the impact of short-term lets in residential areas in close proximity to the city centre”</p> <p>Dfi Roads has offered no objection.</p> <p>61 letters of objection have been received, including a petition. 2 letters of support have been received.</p> <p>All representations and associated issues have been fully considered in the assessment of the proposal.</p> <p>The proposal complies with policy HOU3 and HOU13 of the Belfast Local Development Plan. The dwelling is not located within an HMA and retains permeant residential use on the site. It will not impact negatively on existing residential amenity, strengthens and diversifies short term let accommodation, is located close to public transport and within walking distance of a tourist attraction. Appropriate management arrangements will be sought via planning condition.</p>	

Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Planning Report	
Site Location Plan and Floor Plans	
	  <p>GROUND FLOOR PLAN</p>  <p>FIRST FLOOR PLAN</p>
1.0	Characteristics of the Site and Area
1.1	The site is situated at 3 Broadway Link, Belfast, BT12 6EX, a two storey semi-detached dwelling finished in red brick. To the rear of the site there is a small yard which provides storage for bins. The surrounding area is predominantly residential and is characterised by semi-detached red brick dwellings.
1.2	The site is located on un-zoned land in the draft Belfast Metropolitan Area Plan 2015 (dBMAP). The dBMAP zonings are currently still material until such time when the Local Polices Plan is formally adopted by Belfast City Council which will complement the now adopted Belfast Local Development Plan – Plan Strategy 2035 which was formally adopted on 2 nd May 2023.
	Description of Proposal
1.3	Retrospective change of use from dwelling to short term let accommodation

2.0	Planning Assessment of Policy and Other Material Considerations
2.1	Site History No relevant planning history
3.1	Planning Policy Framework
3.2	Belfast Local Development Plan – Plan Strategy 2035 Policy HOU3 Policy HOU13 Policy DES1 Policy SP4 Strategic Planning Policy Statement for Northern Ireland
4.0	Consultations and Representations Statutory Consultations
4.1	DFI Roads – No Objection Representations
4.2	<p>The application has been advertised in local press and the relevant neighbours have been notified. The council received 61 letters of objection, 2 letters of support and 1 petition with 3 signatures. The key issues have been outlined below;</p> <ul style="list-style-type: none"> • Incorrect ownership certificate completed • Inadequate Car parking • Proximity to tourist attraction • Out of Character • Waste Management • Security concerns • Noise and disturbance • Impact on community cohesion • Pest Control • Impact on available social housing/residential housing • Contrary to transfer deed agreement • Impact on rent and house prices
4.3	Case Officer Response
4.4	Incorrect ownership certificate completed The Council became aware that the applicant did not own the property and leased it from their landlord. After correspondence with the agent and applicant a new application form was submitted to the Council on Monday 7 th April with the correct certificate completed.
4.5	Inadequate Car Parking Several objectors raised concerns about parking and congestion. The Council therefore consulted with DFI Roads, and no objection was raised. The Council also note that the application site is within close proximity to a number of transport links, with the closest bus stop

	being 0.1 miles away. This helps promote sustainable travel for visitors to the proposed short term let and will reduce reliance on the private car.
4.6	<p>Proximity to tourist attraction</p> <p>A tourist attraction is understood to be a place of interest that tourists visit, typically for its inherent or an exhibited natural or cultural value, historical significance, natural or built beauty, offering leisure and amusement. For the purposes of this policy, close proximity is defined in paragraph 7.1.85 of the Plan Strategy as walking distance, which is generally accepted as 1200 metres or 15-minute walking distance/time (which derives from the document “Institute of Highways and Transportation’s- Guidelines for Providing Journeys on Foot). This would mean that Windsor Stadium would be within reasonable walking distance from the application site.</p>
4.7	<p>Out of Character</p> <p>Objectors have stated that a short term let is not in keeping with the character of the area. The area was declared an ‘Urban Renewal Area’ (URA) in May 2008, triggering £100m of regeneration money which resulted in 580 homes knocked down and replaced with 270 new-build homes. Policy HOU3 of the Belfast Local Development Plan is in place to ensure that existing residential accommodation is protected. As the proposed short term let retains permanent residential use on the site it would be considered complementary to the surrounding residential uses and the proposed change of use is not considered to be out of keeping with the residential character of the area.</p>
4.8	<p>Waste Management</p> <p>Due to the absence of a management plan, the BCC planning have added a draft condition that will ensure the short-term let accommodation, if approved, shall not be occupied or operated unless a Management Plan has been submitted to and approved in writing by the Council. This management plan will include waste storage and collection information. If this is not adhered to by the applicant, they will be in breach the condition and potentially subject to enforcement action.</p>
4.9	<p>Security Concerns</p> <p>The proposed use is residential in nature and does not represent an intensification of use. The retention of permanent residential use (secured via condition) should in itself discourage any anti-social behaviour.</p>
4.10	<p>Nosie and Disturbance</p> <p>As stated above the retention of permanent residential use at the site should discourage anti-social behaviour. Ultimately any unacceptable noise levels or general disturbance would be a matter initially for Belfast City Council Environmental Health Department. A management plan will also be conditioned, the development will be managed in accordance with the approved plan, and this will include general behaviour of occupants and promotion of good practice.</p>
4.11	<p>Impact on Community Cohesion</p> <p>The Council support development that maximises opportunities to build strong, cohesive communities and that makes a positive contribution to good relations. This means considering how all communities may be affected by a development and ensuring that proposals help to improve community cohesion... where diverse groups of people are able to live and work in a safe, healthy and inclusive environment. The proposed short term let will in its very nature encourage diversification in the area.</p>
4.12	Non-material planning considerations

	<p>The issues below, all raised in submitted objections, are not considered material planning considerations and fall outside the remit of planning. The Council would therefore not make any comments on these matters.</p> <ul style="list-style-type: none"> • Pest Control • Impact on available social housing/residential housing • Contrary to transfer deed agreement • Increase rents and house prices
5.0	<p>Planning Assessment</p> <p><u>Main Issues</u></p>
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of a change of use to short term let at this location • Protection of existing residential accommodation • Character, Design & Appearance • Impact on Amenity <p><u>Development Plan Context</u></p>
5.2	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.</p>

5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is un-zoned “white land”.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land”.
	Principle of change of use to short term let at this location
5.10	The proposal seeks planning permission for a retrospective change of use from a dwellinghouse (C1 use class) to a short-term holiday let (Sui Generis use class).
5.11	Paragraph 7.1.19 of the Belfast Local Development Plan – Plan Strategy states that “short-term holiday accommodation falls outside of the residential use class”. Short-term let accommodation is commercial in nature and occupants change regularly, between 1–90-days. It is deemed an alternative form of tourist accommodation.
5.12	As the application site is distinguished as a dwelling house within an established residential area, key policy considerations are set out in HOU3 and HOU13 of the LDP. The final paragraph of policy TLC3: Overnight visitor accommodation, stipulates that proposals for holiday self-catering apartments, serviced apartments, or short term holiday lets will be considered under the short term let policy HOU13.
5.13	The proposal has been assessed against Policy HOU3 of the LDP – ‘Protection of existing residential accommodation’. Policy HOU3 has a general presumption in favour of the retention of residential stock for permanent occupation within Established Residential Areas. Appendix B provides the definition of an Established Residential Area as “residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens.” The definition goes on to state that <i>“Within Belfast City, established residential areas often display a clear spatial structure. Building forms, plot sizes and shapes are sometimes similar with a well-defined pattern of local development. Properties may exhibit comparable design styles including common architectural detailing and treatments, and areas of both public and private amenity space can share an identifiable character. The overall spatial structure is often delineated by a clear network of streets and roads.”</i>
5.14	It is considered that the application site does fall within an established residential area, identified by a clear spatial structure with similar building forms, plot sizes and design styles. Policy HOU3 is therefore engaged and states that within Established Residential Areas planning permission will be granted for a change of use of existing dwellings for other uses where: <ul style="list-style-type: none"> a. It is considered complementary to surrounding residential uses and will not result in any adverse effects on existing residential amenity; or b. The proposal is for community infrastructure considered necessary within the residential area. Criterion (b) does not apply given the proposal is not for community infrastructure.
5.15	Paragraph 7.1.19 recognises that the focus of the policy is on ensuring a suitable supply of permanent residential accommodation for future residents of Belfast, and there is a risk that the use of permanent homes or apartments to provide short-term holiday accommodation could erode the sustainable supply of housing stock in the city. It is therefore considered that as this short term let retains permanent residential use (secured via condition), it is complementary to the surrounding residential uses in this location and the proposed change of use would be in compliance with criterion (a).
5.16	The proposal has also been assessed against Policy HOU13 of the LDP – ‘Short-term let accommodation’. The policy states:

5.17	<p>Policy HOU13 includes six criteria (a. – f.) which must be met for planning permission to be granted for a change of use to short-term let accommodation.</p> <p><i>Criterion (a) of HOU13 – The proposal strengthens and diversifies the range of short-stay visitor accommodation in the city.</i> As the proposal adds an additional use to the area and offers more affordable self-catering accommodation for tourists and families visiting the city it is considered to comply with this criterion.</p> <p><i>Criterion (b) of HOU13- . It is accessible by public transport</i> The site is located approximately 0.1 miles from Donegall Avenue bus stop. Broadway Link is serviced by public transport bus services and bus stop facilities. On balance the distance to public transport provision is considered reasonable and it is therefore considered that the proposal would satisfy this criterion.</p> <p><i>Criterion (c) of HOU13 - It is sited within an existing tourism cluster or in close proximity to a visitor attraction</i> The applicant has not provided a list of attractions they consider to be within close proximity to the application site. However, BCC Planning note that Windsor Park is located approximately 0.4 miles from the application site. Having considered all the attractions in close proximity, it is concluded that the site is located within an existing “tourism cluster”, or “in close proximity” to a visitor attraction. The proposal therefore satisfies criteria c. of HOU13.</p> <p><i>Criterion (d) of HOU13. All proposals must demonstrate the ability to manage accommodation satisfactorily, the requirement for formal management plans will be judged on a case-by-case basis.</i> The applicant has not provided a management plan to the council for consideration. However, if approved, a management plan will be secured via planning condition prior to occupation (as a short term let). This condition is detailed below:</p> <p><i>“The short-term let accommodation hereby permitted shall not be occupied or operated unless a Management Plan has been submitted to and approved in writing by the Council. The Management Plan shall provide for servicing arrangements, waste storage and collection, laundry, procedures for dealing with anti-social behaviour, code of conduct and complaints, guest capacity and management contacts. The short-term let accommodation shall not operate unless in accordance with the approved Management Plan.</i></p> <p>Therefore, the Council deem that the proposal meets criteria d. of HOU13.</p> <p><i>Criteria (e) of HOU13. The site is not located within a designated HMA (see policy HOU10), unless it can be demonstrated that the development is needed to meet a specific unsatisfied demand in that location</i> The application site does not fall within a designated Housing Management Area (HMA) and therefore satisfies this criterion.</p> <p><i>Criteria (f) of HOU13. In the case of a change from permanent residential use, part of the property must be retained as permanent residential housing.</i> The current lawful use is as a permanent residential dwelling. This criterion requires that part of the existing property is retained as permanent residential housing. For the purposes of this policy the unit of occupation should be considered as the individual planning unit such as the house or apartment unless a smaller planning unit can be distinguished both functionally and physically. The proposal satisfies criterion f. as part of the property has been retained as permanent residential housing. Drawing 01a uploaded to the public planning portal on 29/04/25 indicates</p>
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	<p>that one of the three bedrooms will be retained as permanent residential, therefore satisfying criterion f of HOU13.</p> <p>Character, Design & Appearance</p> <p>5.18 This proposal seeks to regularise the change of use of the existing residential dwelling to a short-term holiday let.</p> <p>5.19 As this proposal involves no extensions or alterations to the principal building, there are no concerns from a design and appearance perspective. This element is therefore compliant with DES1 of the LDP.</p> <p>Impact on Amenity</p> <p>5.20 <i>As discussed above Criterion (d.) of HOU13. Requires that all proposals (for short term let accommodation) must demonstrate the ability to manage accommodation satisfactorily.</i> Although it has been acknowledged that the applicant has not provided a management plan to the council for consideration, one will be secured via planning condition prior to occupation, should planning approval be forthcoming.</p> <p>5.21 Notwithstanding the management of the property, the proposed use is residential in nature and does not represent an intensification. The retention of permanent residential use (secured via condition) should also, in itself, discourage any anti-social behaviour.</p> <p>Recommendation</p> <p>6.0 Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>6.1 Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p> <p>6.2 All representations and associated issues have been fully considered in the assessment of the proposal.</p> <p>6.3 The proposal complies with policy HOU3 and HOU13 of the Belfast Local Development Plan. Where it protects existing residential amenity, strengthens and diversifies short term let accommodation, located close to public transport, within walking distance from a tourist attraction, appropriate management arrangements, not located within an HMA and retains permanent residential use.</p>
<p>1.0</p> <p>2.0</p>	<p>Conditions</p> <p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>The short-term let accommodation hereby permitted may not operate unless the bedroom as annotated on Drawing 01a is occupied by a person as their primary permanent residence, evidence of this should be submitted within one month of the date of this permission. For the</p>

3.0	<p>avoidance of doubt the annotated bedroom shall not be occupied as a second home or short term let accommodation. The Owner will supply to the Council (within 14 days of the Council's written request to do so) such information as the Council may reasonably require in order to determine whether this condition is being complied with.</p> <p>Reason: To maintain and increase the sustainable housing stock in the city, to support cohesive communities and to minimise the risk of adverse effects on nearby uses.</p> <p>Within one month of the date of this permission a management plan should be submitted and agreed with the council. The Management Plan shall provide for servicing arrangements, waste storage and collection, laundry, procedures for dealing with anti-social behaviour, code of conduct and complaints, guest capacity and management contacts. The short-term let accommodation shall not be occupied or operate unless in accordance with the approved Management Plan.</p> <p>Reason: In the interest of residential amenity.</p>
	<p>ANNEX</p> <p>Date Valid 17/01/2024 Date First Advertised 16/02/2024 Date Last Advertised N/A</p>

Development Management Report

Summary	
Committee Date: 17 th June 2025	
Application ID: LA04/2024/1592/F & LA04/2024/1595/LBC	
Proposal: LA04/2024/1592/F: Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (8 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works. (amended description) LA04/2024/1595/LBC: Proposed residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works.	Location: Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street, Belfast BT1 3GG
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Park Street Projects Ltd 37-41 High Street Belfast	Agent Name and Address: TSA Planning Ltd 20 May Street Belfast BT1 4NL
Date Valid: 20 th September 2024	
Target Date: 2 nd May 2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	

Executive Summary:

This application relates to the site of Marlborough House and the Princes Court listed building, bounded by Victoria Street, Marlborough Street and Princes Street in the City Centre. The application seeks full planning permission and Listed Building Consent for the redevelopment of the existing Marlborough House and Princes Court to create 103 residential apartments.

The key issues for consideration of the application are set out below.

- Principle of housing in this location
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Residential quality and impact on amenity
- Open space
- Access and transport
- Design and placemaking
- Impact on heritage assets
- Climate change
- Health impacts
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation

The site is un-zoned “white land” in the Belfast Urban Area Plan 2001. The site is within the City Centre and an Area of Townscape Character (02/05) within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2014).

The site is a suitable location for housing; the proposal would make effective use of previously developed land in a sustainable location and support City Centre living.

The height, scale and massing of the proposed building is considered in keeping with other buildings in the surrounding area. The height of the building at Marlborough House will be 25m when measured from the Victoria Street elevation which is below the height of what would be defined as a tall building.

The proposal would provide no dedicated parking; however, this is considered acceptable given the highly sustainable location of the site with good access to public transport, travel plan, commitment to green travel measures and access to public car parks.

The application proposes the delivery of 80% affordable housing comprising social rented housing within the development which complies with Policy HOU5. NIHE is supportive of the affordable housing provision.

DFI Roads, DFC HED, DFI Rivers Agency, Environmental Health, Shared Environmental Services (SES), BCC Urban Design Team and NIEA Natural Environment Division and Regulation Unit have offered no objection to the proposal, subject to conditions. Concerns were raised by NI Water and

DAERA: Water Management Unit regarding capacity issues in the area. Translink were consulted due to the close proximity of the Laganside Bus Centre. Concerns were raised regarding the ability of the bus centre to expand in the future following the development of the site up to the boundary with the bus centre. These matters are dealt with in detail in the main report.

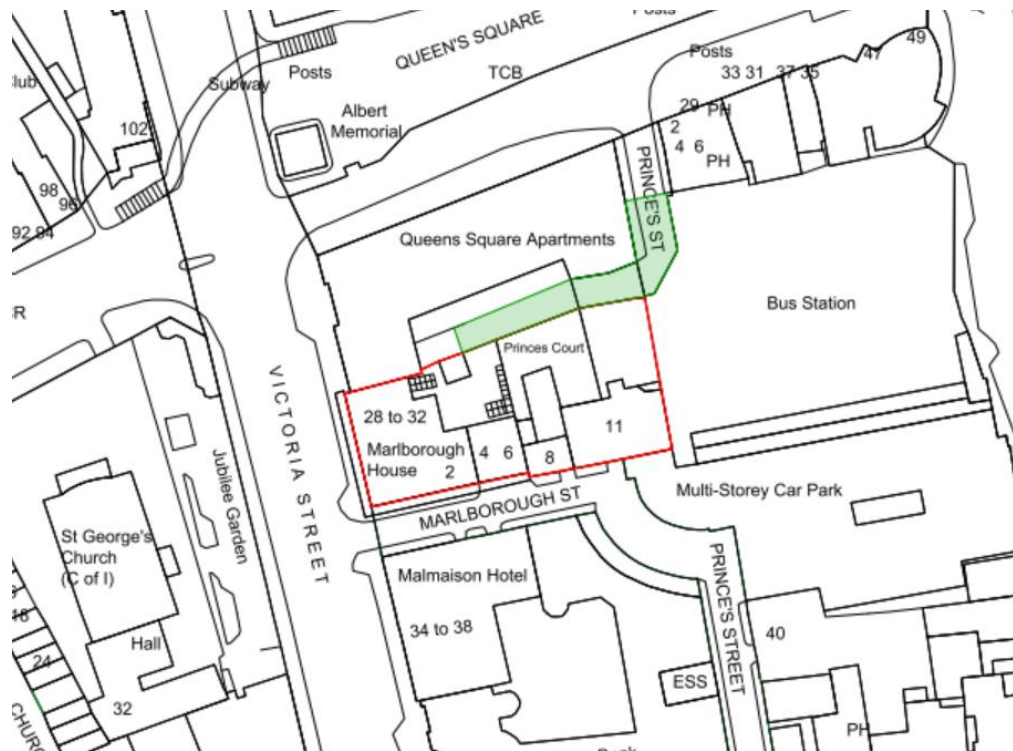
Two third party objections have been received, expressing concerns about loss of light and refuse management logistics.

Recommendation

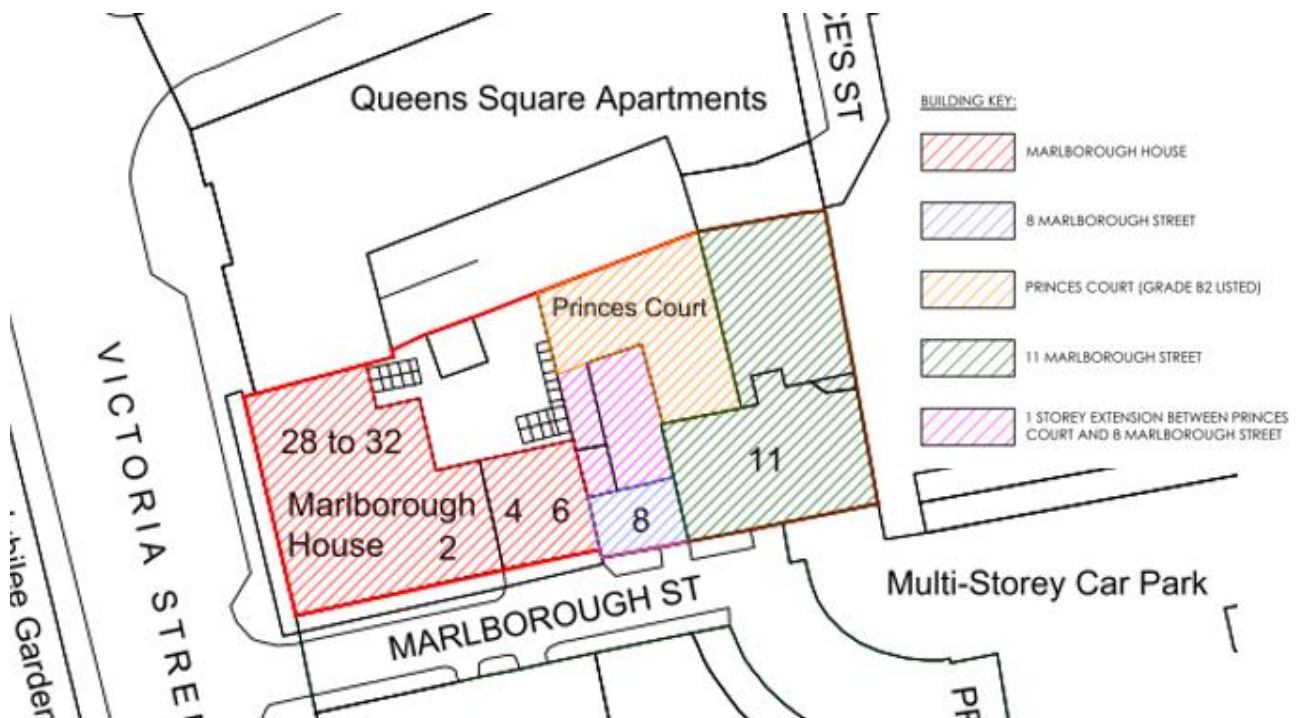
Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that may arise, provided that they are not substantive.

Site Location Plan:



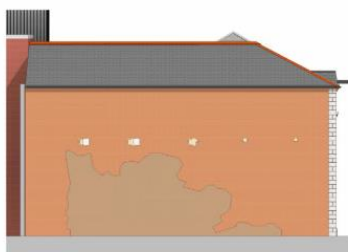
Existing site layout:



Proposed Site plan:



Princes Court Elevations: *Existing*



① EXISTING EAST FACADE
1:100



③ EXISTING NORTH FACADE
1:100



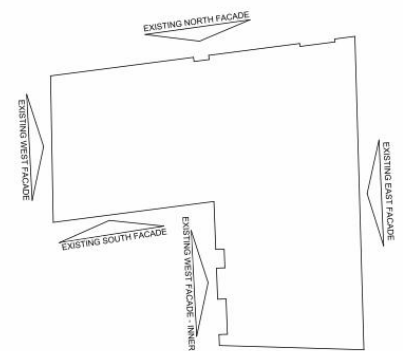
④ EXISTING WEST FACADE
1:100



② EXISTING WEST FACADE - INNER
1:100



⑤ EXISTING SOUTH FACADE
1:100

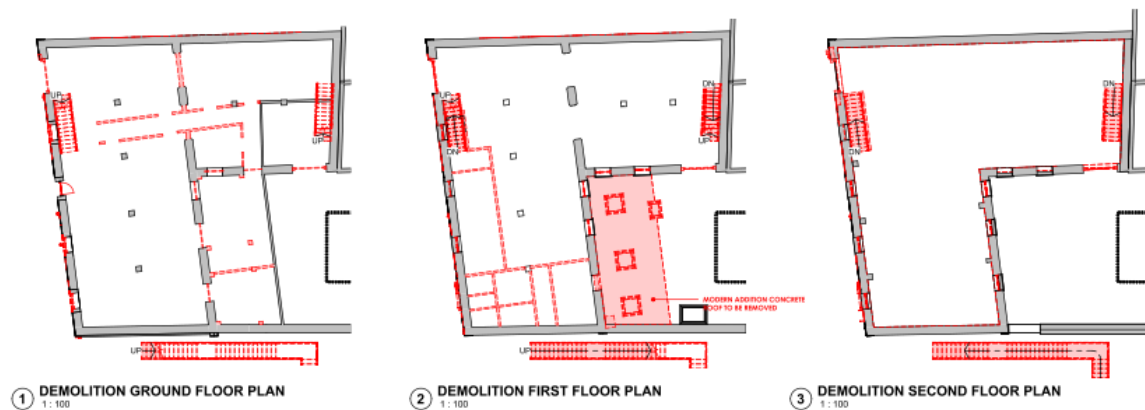


ELEVATION KEY
1:100

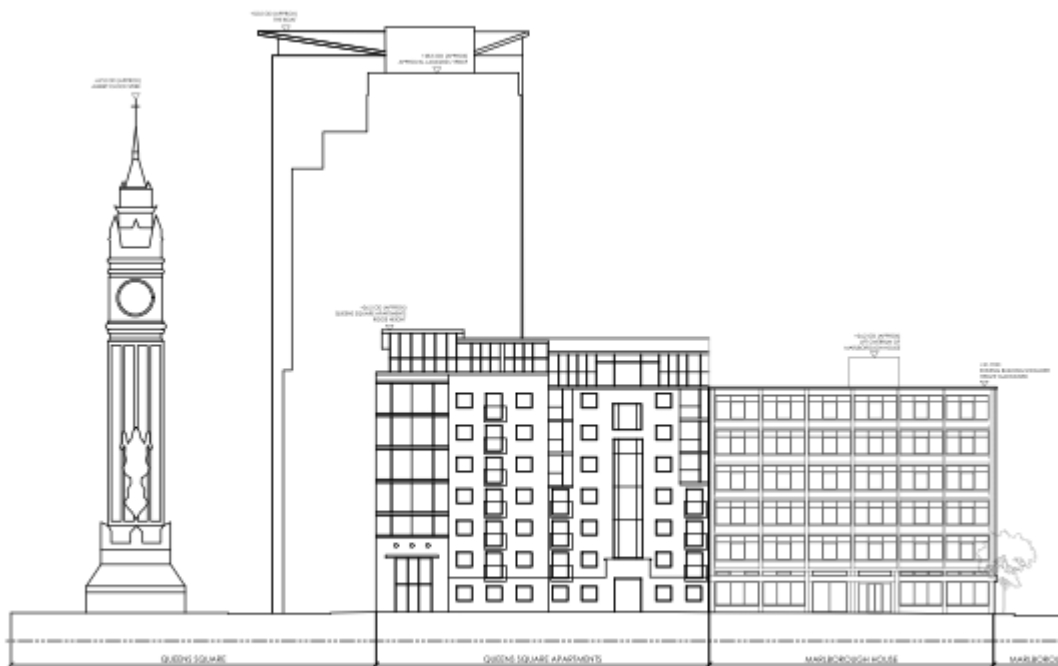
Proposed



Princes Court Demolition Plans:



Victoria Street Contextual Elevations: Existing



Victoria Street Existing Elevation 1:200

Proposed



Victoria Street Contextual Elevation 1:200

Marlborough Street Contextual Elevations

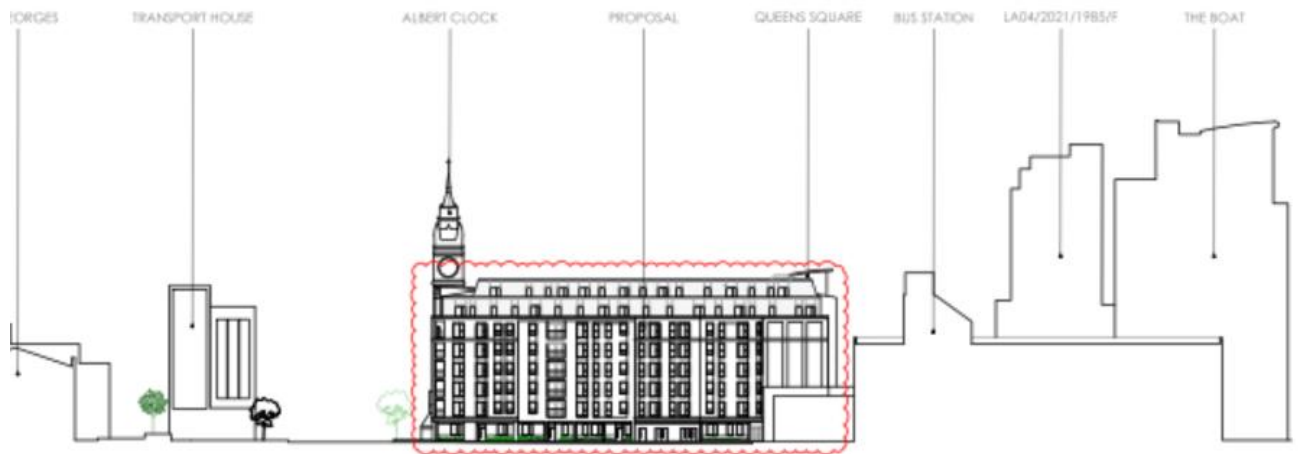
Existing

Existing Victoria Street Elevation for Existing Materials and Finishes Reference Key



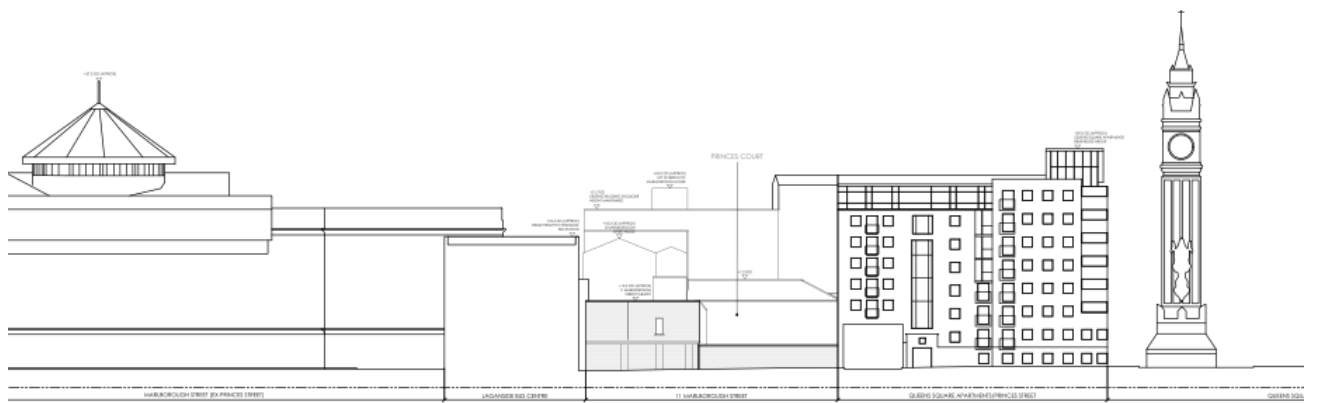
Existing Victoria Street Elevation 1:200

Proposed



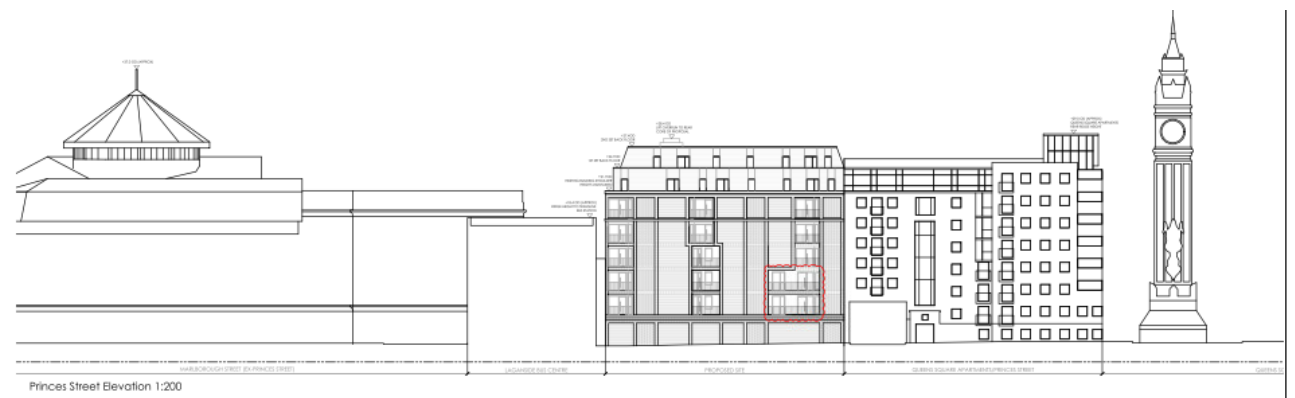
Princes Street Contextual Elevations:

Existing



Princes Street Existing Elevation 1:200

Proposed



Princes Street Elevation 1:200

CGIs:





1.1	<p>This application relates to the existing Marlborough House and listed Prince's Court buildings. The site is bounded by Marlborough Street to the south of the site, Victoria Street to the west, Queen's Square apartments to the north and Laganside bus station to the east. The site consists of the existing Marlborough House, the steel structure of which is to be retained and Princes Court which is to be refurbished, 8 Marlborough Street to be demolished, an enclosed car park at 11 Marlborough Street to be demolished and a single level carpark.</p>
1.2	<p>The site area is approximately 0.18 ha and currently has a vacant 5 storey office building on site and a 3-storey listed building situated within the site. The surrounding buildings are of a similar scale.</p>
1.3	<p>Prince's Court is Grade B2 listed. There are a number of other Listed Buildings in close proximity to the site, including:</p> <ul style="list-style-type: none"> • Malmaison Hotel, 34-38 Victoria Street (Grade B+) • Albert Clock, Queens Square (Grade A) • HB26/50/045 St George's Church, 105 High Street (Grade A) <p>Description of Proposed Development</p>
1.4	<p>The application seeks full planning permission for 103 residential apartments comprising the refurbishment of the existing Marlborough House and Prince's Court Listed Building. The proposed scale of the development is 8 storeys at Victoria Street, Marlborough Street and Prince's Street with a 3-storey refurbished Prince's Court located within the development. The 8 storeys comprise the original 6-storey building with a split setback of two additional storeys.</p>
1.5	<p>The proposed apartments are a mix of 1 bed, 2 bed and 3 bed units. Balconies are provided for a number of the upper floor apartments and a communal courtyard is located within the centre of the development. A community room is provided within the Prince's Court building. The proposal includes the demolition of Nos. 8 and 11 Marlborough Street and partial demolition of Marlborough House. The steelwork of Marlborough House will be retained.</p>
1.6	<p>A Listed Building application accompanies this full permission for the refurbishment of Prince's Court. The Listed Building description is as follows: Proposed residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works.</p>
1.7	<p>The works to the listed building include the creation of 6 residential units, replacement windows and doors; new gutters, downpipes, gas outlets, grills/vents, timber panelling to North façade, new conservation rooflights, replacement of render with matching brick; repair of roof slates like for like; drylining; retention, repair and sanding of existing floorboards and localised replacement where beyond repair; new timber stairs and landing.</p>
1.8	<p>The applications follow detailed Pre-Application Discussions with officers.</p>
2.0	<p>PLANNING HISTORY</p>

2.1	LA04/2016/1275/F – Marlborough House. New façade treatment to ground floor elevations on Marlborough Street (part) and Victoria Street. Permission granted 15/11/2016.
2.2	Z/2006/2627 – 11 Marlborough Street/Princes Street/Princes Court, Belfast. Retention and refurbishment of existing Listed Building, demolition of 11 Marlborough Street and erection of 8 storey building to provide 8 hotel rooms and 67 apartments including parking. Permission granted 11/09/2007.
2.3	Z/2000/1014/F – 8 Marlborough Street. Change of use of 1 st , 2 nd , 3 rd and 4 th floors from apartments to offices. Permission granted 28/06/2000.
2.4	Z/1998/2165 – 8 Marlborough Street and 2-4 Prince's Court. Conversion of existing property including 5 storey extension to Marlborough Street to allow for 4 Apartments on upper floors and ground floor providing Storage/ancillary accommodation to approved hotel at the McCausland site. Proposal also includes alterations to Prince's Court facade. Permission granted 12/08/1998.
2.5	Z/1997/2678 – 8 Marlborough Street and 2-4 Prince's Court. Construction of 3 storey building comprising storage and Ancillary accommodation to ground floor; offices to 1 st Floor; apartment to 2nd floor and changes to facade at Prince's court elevation. (all uses ancillary to Approved hotel at McCausland site). Permission granted 22/12/1997
2.6	Z/1996/2497 – 2-4 Prince's Court. Change of use of ground floor of existing warehouse to tea shop/ restaurant. Permission granted 23/08/1996.
2.7	Z/1989/2336 – 2-4 Prince's Court. Change of use to offices from office/ workshops. Permission granted 06/09/1989.
2.8	<p><u>Surrounding Area</u></p> <p>Z/1998/2781 – corner of Queen's Square and Victoria Street. Development comprising 68 no. 2 bed apartments, 22 no. 1 bed apartments and 2no. 3 bed apartments with associated underground parking. Permission granted 17/09/1999.</p>
3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p>

	<p>Policy HOU1 – Accommodating new homes</p> <p>Policy HOU2 – Windfall housing</p> <p>Policy HOU4 – Density of residential development</p> <p>Policy HOU5 – Affordable housing</p> <p>Policy HOU6 – Housing Mix</p> <p>Policy HOU7 – Adaptable and accessible accommodation</p> <p>Policy DES1 – Principles of urban design</p> <p>Policy DES2 – Masterplanning approach for major development</p> <p>Policy RD1 – New residential developments</p> <p>Policy BH1 – Listed Buildings</p> <p>Policy BH5 – Archaeology</p> <p>Policy HC1 – Promoting healthy communities</p> <p>Policy TRAN1 – Active travel – walking and cycling</p> <p>Policy TRAN 2 – Creating an accessible environment</p> <p>Policy TRAN4 – Travel plan</p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality</p> <p>Policy ENV2 – Mitigating environmental change</p> <p>Policy ENV3 – Adapting to environmental change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy GB1 – Green and blue infrastructure network</p> <p>Policy OS3 – Ancillary open space</p> <p>Policy TRE1 – Trees</p> <p>Policy NH1 – Protection of natural heritage resources</p>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix</p> <p>Residential Design</p> <p>Placemaking and Urban Design</p> <p>Masterplanning approach for Major developments</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Development Viability</p>
3.3	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
3.4	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations</p> <p>Developer Contribution Framework (2020)</p> <p><i>Belfast Agenda</i> (Community Plan)</p>

4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – no objection, subject to conditions.</p> <p>DfC HED – no objection, subject to conditions.</p> <p>DAERA NIEA NED – no objection.</p> <p>DAERA NIEA WMU – proposal has the potential to adversely affect the surface water environment.</p> <p>DAERA NIEA Regulation Unit – no objection, subject to conditions.</p> <p>NI Water – Concerns raised about the availability of wastewater infrastructure, as detailed in the main assessment of this report.</p> <p>NIHE – fully supportive of 80% social rented housing.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Urban Design Officer – no objection</p> <p>Environmental Health – no objection, subject to conditions</p> <p>BCC Economic Development Unit – advises that an Employability and Skills Developer Contribution is not required.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions</p> <p><u>Representations</u></p>
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	Two letters of objection have been received, raising concerns about loss of light to apartments in Queen’s Square and waste management. These issues are addressed in the planning assessment section of this report.
4.5	Full consideration has been given to all relevant concerns noted in the representations in the planning assessment of the report below.
5.0	PLANNING ASSESSMENT
	Main Issues
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm

	<ul style="list-style-type: none"> • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Waste management • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation <p>Development Plan Context</p>
5.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.5	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the Victoria Street/ Oxford Street Area of Townscape Character (CC 106)

5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the Victoria Street/Oxford Street Area of Townscape Character</p> <p><u>Principle of housing in this location</u></p>
5.10	<p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. This proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes on to require that such proposals also satisfy three criteria discussed below.</p> <ul style="list-style-type: none"> a. The site is suitable for housing – the site is a sustainable location within the City Centre and considered suitable in principle for housing. b. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is located within the City Centre and highly accessible to shops, services, amenities and public transport. c. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.
5.11	<p>The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in this location is considered acceptable.</p> <p><u>Housing density</u></p>
5.12	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land in sustainable locations. The proposal is located within the City Centre for which the average density is recommended as between 150-350 dwellings per hectare (ha). Proposals outside these bands will be considered on their own merits, with reference to local character, site characteristics and constraints, environmental quality and residential amenity. The site area is 0.18 ha and so the proposal equates to a density of 572 dwellings per ha.</p>
5.13	<p>Although the proposed density falls outside of the parameters set out in Policy HOU4, it has been assessed against relevant residential policies and is not considered to have a significant impact on areas of acknowledged planning interest. The proposal is considered acceptable in terms of residential amenity for space standards and amenity space. The affordable housing SPG also states that there may be occasions where meeting the requirements of Policy HOU5 would result in a scheme density outside of the parameters set in Policy HOU4.</p>
5.14	<p>The proposal is considered acceptable having regard to Policy HOU4 as the development has been considered on its own merits and meets all other policy requirements.</p> <p><u>Affordable housing</u></p>
5.15	<p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p>
5.16	<p>In this case, the application is seeking to address the requirements of Policy HOU5 by providing a form of affordable housing for all units. This is broken down as 80% social housing (82 of 103 units). This is split into 54 units proposed as 'general needs social housing' and 28 units as 'older peoples social housing.'</p>

5.17

Due to issues with intermediate housing funding, the applicant is not seeking to define the tenure of the remaining 20% of units and as the policy test has been met with the delivery of social rented units, this is considered acceptable.

5.18

Tenure	No. of Units	No. of occupants / bedrooms	No. of Accessible Units	Size (sqm)
General Needs Social Housing	0	1 person 1 bedroom	0	35/40 m2
	12	2 person 1 bedroom	0	50/55 m2
	2	2 person 1 bedroom wheelchair	1	60/65 m2
	2	3 person 2 bedroom wheelchair	1	65/70 m2
	28	3 person 2 bedroom	0	60/65 m2
	1	4 person 2 bedroom wheelchair	3	85/90m2
	3	5 person 3 bedroom	0	80/85 m2
Category 1 - Older Peoples Social Housing	4	1 person 1 bedroom	0	35/40 m2
	6	2 person 1 bedroom	0	50/55 m2
	22	3 person 2 bedroom	0	60/65 m2
	2	3 person 2 bedroom wheelchair	2	80/85 m2
Other Tenure (i.e. Intermediate for Sale or Rent or Private)	8	2 person 1 bedroom	0	50/55 m2
	8	3 person 2 bedroom	0	60/65 m2
	2	4 person 2 bedroom	0	70/75m2
	1	4 person 3 bedroom	0	75/80 m2
	2	5 person 3 bedroom	0	80/85 m2

Tenure

5.22

The proposal meets the requirements for tenure blind development and has been designed to be indistinguishable between the different types of housing to be provided.

5.23

The application is for 80% social housing in compliance with the SPG which seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities.

5.24

The 103 apartments are created through a mix of 1, 2 and 3-bedroom units which are split between social housing on the six lower floors with the top 2 floors having the potential to be private, intermediate for sale or intermediate for rent.

Housing mix

5.25

Policy HOU6 applies. It requires that new residential developments on sites greater than 0.1ha and or/ containing 5 or more dwelling provide a suitable mix of house types and sizes to promote choice and assist in meeting community needs.

5.26

The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:

a. Up to date analysis of prevailing housing need in the area;

b. The location and size of the site;

c. Specific characteristics of the development; and

d. The creation of balanced and sustainable communities.

5.27

The requirement for a mix of house types will not apply to single apartment developments such as the proposal. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.

5.28

The proposed housing mix is shown in the table below.

Unit Type	Number of Units	Percentage of Overall Total
1 Bedroom Apartment	31	30%
2 Bedroom Apartment	66	64%
3 Bedroom Apartment	6	6%

5.29

The Affordable Housing SPG notes that the current housing stock in Belfast consists of approximately 80% houses and 20% flats/ apartments, indicating that more flats or apartments are required to address the undersupply.

5.30

As can be seen, the proposal consists of a mix of unit sizes. The SPG suggests that more 3 and 4-bedroom apartments should be encouraged to meet the requirement for increased size, whilst promoting choice and facilitating the creation of sustainable and balance neighbourhoods.

5.31

Whilst a smaller number of larger 3-bed units is proposed, regard is had to the social housing mix supported by NIHE. Taking these considerations into account, on balance, the proposed housing mix is acceptable.

Adaptable and accessible accommodation

5.32

Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet.

5.33

The applicant has provided evidence to demonstrate that the proposal is in accordance with criteria a. to f.

5.34

The proposal includes 7 units which are dedicated wheelchair accessible apartments and are in accordance with the space standards for wheelchair housing as set out in Appendix C of the Plan Strategy. These units are located on the ground floor of the Marlborough House building and 1 unit located on the 1st floor of Marlborough House. This falls below the 10% threshold for accessible units, which would require at least 10 accessible units as part of the scheme. In the applicant's Supporting Planning Statement they state that "*The provision of 10% WC space standard units has not been met, however, this must be balanced with the needs of the NIHE waiting lists and the NIHE fully supporting the mix and provision proposed, which as social housing are built to Lifetime Homes standards with adaptability in mind.*"

5.35

In addition to the 7 units appointed as accessible units, other units within the development (e.g. units 6-003, 6-008 and 6-009) are compliant with the wheelchair space standards and could accommodate a disabled resident. Considering this and all other material considerations, on balance, the provision of 7 wheelchair units is considered acceptable.

5.36

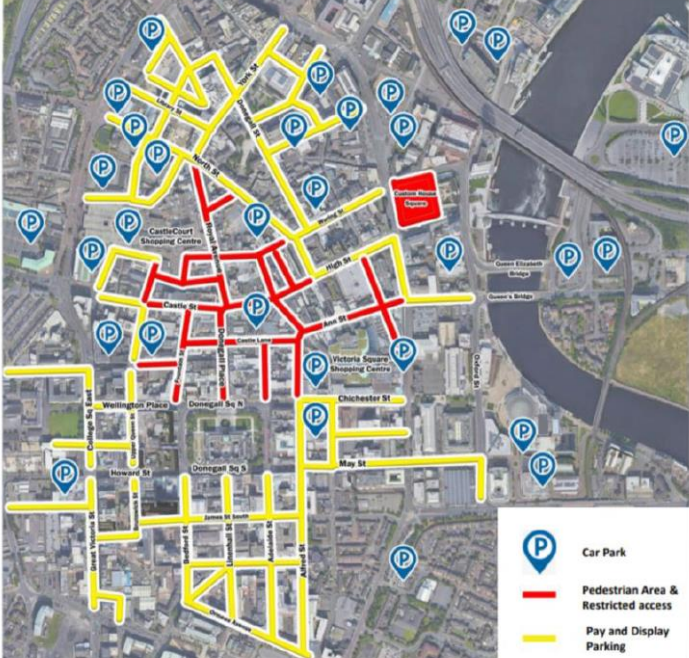
Criterion h. stipulates that in-curtilage or designated car parking meets disabled parking standards. The proposal is "car free" development with no dedicated parking proposed. Criterion i. states that pathways should be wide enough to accommodate a wheelchair and have a firm surface of gently sloping surface. Access to the ground floor units is through the courtyard and wide footpaths of Victoria Street and Marlborough Street which are suitable for wheelchair use. At upper level the circulation routes between lifts and apartments are also suitable for wheelchair use. The applicant has provided evidence to show that the

	<p>proposal complies with criterion j. to o. The proposal is considered acceptable having regard to Policy HOU7.</p> <p><u>Residential quality and impact on amenity</u></p>
5.37	<p>Policies DES1, DES2 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>
5.38	<p>The orientation, layout and external design of the proposal has been directly informed by the site's constraints, including the location of the listed building within the curtilage of the site and retention of the existing concrete frame structure of Marlborough House.</p> <p><i>Overshadowing:</i></p>
5.39	<p>The building height will increase from 19.5m at Victoria Street to 25.2m and extends along the Marlborough Street and Princes Street elevations. Existing building heights on Marlborough Street are currently between 8.3m – 16.7m and no building is currently located on the Princes Street elevation where there is an existing single level car park located. The increase in height on Marlborough Street and Princes Street elevations will have the greatest impact in terms of overshadowing on the existing residential units to the north of the site at Queens Square Apartments.</p>
5.40	<p>Officers have assessed the level of overshadowing on the Queens Square Apartments to the north of the site for the following dates: June 21st (summer solstice), December 21st (winter solstice), March 20th and September 22nd (spring and autumn equinox). The most pertinent dates are the equinoxes (March and September). The south facing windows (2nd-8th floor) of the Queens Square Apartments relate to bedrooms as per the floor plans of application Z/1998/278. The ground and first floor show car parking and 4 terraces are located at 4 apartments on the 2nd floor.</p>
5.41	<p>When assessed from the Marlborough Street elevation of the development the results are as follows:</p> <ul style="list-style-type: none"> • 20th March - overshadowing of the existing apartments between 9am and 11am. • 21st June - overshadowing of the courtyard area of the site but did not reach the location of the apartments to the north. • 22nd September - small degree of overshadowing of some the apartments to the north in the morning from 8am – 12pm. • 21st December - overshadowing of the apartments between 9am and 12pm.
5.42	<p>When assessed from the Princes Street elevation the results are as follows:</p> <ul style="list-style-type: none"> • 20th March – overshadowing of apartments from 7am to 10am • 21st June – no overshadowing of apartments • 22nd September – overshadowing of apartments from 8am to 11am. • 21st December – overshadowing of a small portion of apartment block when the sun initially rises only.
5.53	<p>These results were compared with existing levels of overshadowing that would be experienced as a result of the design of the Queens Square Apartments itself. The Princes Street elevation of the Queens Square Apartments would cast a shadow on the apartments during the summer solstice and the autumn equinox in the early morning. The Victoria Street elevation of Queens Square Apartments would cast a shadow on the Princes Court</p>

	elevation of the same development in the evening time during both the spring and autumn equinox.
5.54	<p>It is an inevitable consequence in an urban environment to encounter some degree of overshadowing. Given the constraints of the site and other material considerations including the orientation of the site, the proposal is considered acceptable on balance in regard to overshadowing.</p> <p><i>Sunlight and daylight assessment:</i></p>
5.55	<p>The site falls within a high-density city centre location and as such daylight and sunlight levels are constrained, especially at lower floors and on elevations in close proximity with other buildings. The Daylight and Sunlight report highlighted that 52% of habitable rooms within the proposed scheme (Marlborough House) did not meet the recommended daylight levels whilst all rooms within Princes Court fell short. In relation to sunlight, 76% of the proposed dwellings in Marlborough House met or exceeded the recommendations with 98% of units having at least one main window facing within 90 degrees due south. However, within Princes Court all five dwellings fell short of the recommended limits. Amendments were made to the scheme to attempt to maximise daylight and sunlight levels, however the alterations were minor in most units and therefore the results from the original daylight/sunlight assessment noted above remain valid. Amendments include: Rooflights to apartments 2-015, 2-016 and 2-017 of Princes Court; amending layout of G-006 to ensure all windows are facing the street; altering layout configuration of G-001 and G-002 to ensure apartments are dual facing; layout alterations to apartment G-004 for bedroom window outlook into courtyard; layout alterations to 1-011, 2-011, 3-010, 4-010 and 5-010 to improve daylighting into one of the bedrooms; amendments to 3-001, 4-001, 5-001, 6-001 and 7-001 to improve natural light access to all bedrooms.</p>
5.56	<p>The BCC Urban Design officer notes that achieving full sunlight/ daylight standards within an urban context is challenging, especially where the repurposing of existing and listed buildings forms an integral part of the scheme. The amended daylight and sunlight assessment notes that the proposal has successfully optimised the daylight and sunlight provision as much as is possible given the historic setting, element of retained facades and location within the city centre with proximity to desired amenities. It should be noted that due to it being Listed, there are fewer opportunities to increase light opportunities within Prince's Court.</p> <p><i>Overlooking:</i></p>
5.57	<p>Windows on the façade of Princes Court are at a distance of 15.3m from south facing units of Queens Square Apartments. There will be four windows for habitable rooms on the 1st and 2nd floor of the Princes Court redevelopment which face towards the existing residential units of Queens Square Apartments. All other windows on this elevation do not facilitate habitable rooms. North facing windows on the proposed main apartment block are located 29m from Queens Square Apartments.</p>
5.58	<p>The Residential Design SPG suggests a separation distance of no less than 20m should be maintained between facing windows of main habitable rooms. However, the SPG goes on to states that development or redevelopment in inner urban locations and high-density areas such as the City Centre should also be designed to reinforce an urban rather than suburban setting. In these instances, separation distances of less than 20m may be acceptable.</p>
5.59	<p>Due to the refurbishment and reinstatement of the listed building on site, greater separation distance between the existing apartments and the proposed apartments of Princes Court is not possible. In this instance the lower separation distance is considered acceptable, and it</p>

	<p>is not considered that the creation of these apartments would have a harmful impact on the amenity of the existing residents of Queens Square.</p> <p><i>Space Standards</i></p>
5.60	<p>The proposal comprises a mix of studio, one, two and three-bedroom apartments. The proposed units are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy, also meeting the wheelchair standards for the relevant wheelchair accessible units.</p> <p><u>Open space</u></p>
5.61	<p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context. The normal expectation for open space provision is at least 10% of the total site area. Furthermore, complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.</p>
5.62	<p>Planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development. An external communal courtyard has been provided measuring 245m², which is approximately 7.3% of the site.</p>
5.63	<p>The applicant's supporting statement addresses this deficiency by pointing out that the site is within close proximity to other open space and amenity areas such as the waterfront walkways, Queens Square, Custom House Square and Jubilee Square.</p>
5.64	<p>Policy OS3 states that on-site provision at a rate of less than 10% of the total site area may be acceptable where the residential development is close to and would benefit from ease of access to areas of existing public open space. Given the proximity of the site to public open space and the constraints that come with a change of use of an existing building within an inner city area, this is deemed to be acceptable.</p>
5.65	<p>Policy OS3 states that for residential development of 100 units or more, or for development sites of 5 hectares or more, an equipped children's play area will be required as an integral part of the development. The council will consider an exception to this requirement where a sufficient equipped children's play area exists within reasonable walking distance (generally around 400 metres) of the majority of the units within the development scheme and subject to the further provisions of this policy.</p>
5.66	<p>The applicant notes that in terms of actual equipped Children's Play provision, the nearest formal or substantive provision is at Buoy Park which is 0.4miles (640m) and Stewart Street at 0.7miles (1.1km) by foot. The applicant has made an argument for exemption from this policy criteria as the subject site measures 0.18 ha and is within the City Centre. They note that, <i>"Considering the further provisions of the policy would allow for an area of less than 10% communal space to be considered acceptable in a city centre scheme, it also stands that an equipped children's play area would not be a requirement for a city centre apartment scheme (where physical constraints prevent these requirements from being met). Considering the housing mix is primarily 1 -bed and 2-bed apartments, the housing allocations would be geared towards singles, couples and small families. "Small families" does not necessarily equate to young children that would require an equipped play area. The amenity provision has been designed to provide an external courtyard (landscaped with</i></p>

	<i>seating areas and pathways), community room within the listed building which can facilitate activities/events for younger children in lieu of the need for an equipped play area, and balconies in the individual apartments where they can be accommodated.”</i>
5.67	Given the City Centre location, constraints of the site and the limited amenity space available, it is considered that accommodating an equipped play area within the development would be to the detriment of the overall scheme and proposed amenity provision for the enjoyment of the majority of the residents. Due to the central location of the proposed development and nearby parks, on balance, the proposal is considered acceptable having regard to Policy OS3.
5.68	Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. The justification and amplification of this policy outlines that this may take the form of recessed balconies and roof terraces.
5.69	<i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit. This is accepted in the form of private communal open space in the form of landscaped areas, courtyards or roof gardens. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. Generally, developments in inner urban locations and other high-density areas will tend towards the lower figure.
5.70	10 of the 103 apartments have private amenity space in the form of balconies, ranging in size from 3.6m ² to 10.1m ² . The total amount of private amenity space in the development is 56.1m ² . Communal external amenity space is measured at 245m ² . When combined, the total amount of external amenity space is measured at 301.1 m ² .
5.71	This would result in an average of 2.9m ² of private amenity space per apartment. This value is significantly below the minimum standard of 10m ² as per the guidance.
5.72	In this instance, having regard to the level of communal amenity space provided and the inclusion of the indoor amenity space, the location of the site, its immediate proximity to the city centre core, waterfront and other external public spaces, the approach to open space is considered acceptable on balance.
	<u>Access and transport</u>
5.73	The site is a highly accessible location within the City Centre in close proximity to shops, services, leisure and employment opportunities. The site is located in close proximity to a network of cycle routes, off-road cycle lanes, on-road cycle lanes and cycle parking facilities. It has very good public transport links through access to buses and rail. Provision is made for sheltered and secure cycle parking for 100 bicycles within the building at ground floor. The proposal accords with Policy TRAN1.
5.74	In order to promote sustainable modes of transport and reduce dependence on the private car, the following Green Travel Measures have been proposed as part of the development: <ul style="list-style-type: none"> - Provision of 103 covered cycle parking spaces - The provision of a Green Travel fund which will give residents the option to choose the travel measure that best suits their needs. The travel measures include a Travel Card; Belfast Bike Membership or Car Club Membership.
5.75	The travel plan and green travel measures, will be secured by means of a Section 76 planning agreement.

5.76	<p>No dedicated in-curtilage general parking is proposed, and the applicant is promoting the scheme as “car free” development when marketing the apartments. It points towards the highly sustainable location of the site. Officers also have regard to the site’s proximity to public and private car parks and on-street parking which can be seen in the map below.</p>
	
5.77	<p>Having regard to the highly sustainable location of the site, proximity to other car parks and applicant’s commitments to green travel measure, the non-provision of dedicated general parking is considered acceptable.</p>
5.78	<p>In relation to disabled parking provision, again no specific in-curtilage parking is proposed. Regard is had to the very close proximity of the site to a number of public and private operated car parks located within the City Centre. The adjacent Donegall Quay car park located off Marlborough Street, approximately 75m from the site entrance, contains 4 disabled parking bays. An on-street disabled space is located on Donegall Quay. Hi Park, located at High Street, approximately 160m from the site contains 11 disabled parking bays and benefits from suitable pedestrian crossing facilities with dropped kerbs and tactile paving to support connectivity to the proposed development. There is ‘Pay and Display’ parking available along Victoria Street and Marlborough Street that is suitable for disabled parking.</p>
5.79	<p>The application is supported by a Service Management Plan (SMP) which will manage bin deliveries. Servicing will be co-ordinated and controlled to minimise disruption to the surrounding highway network.</p>
5.80	<p>DfI Roads have no objection to the proposal subject to compliance with the Travel Plan, Service Management Plan and secure and covered cycle parking facilities.</p>
5.81	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.</p>
	<p><u>Design and placemaking</u></p>
5.82	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2, and RD1 of the Plan Strategy. Policies SP5 and DES1 promote good</p>

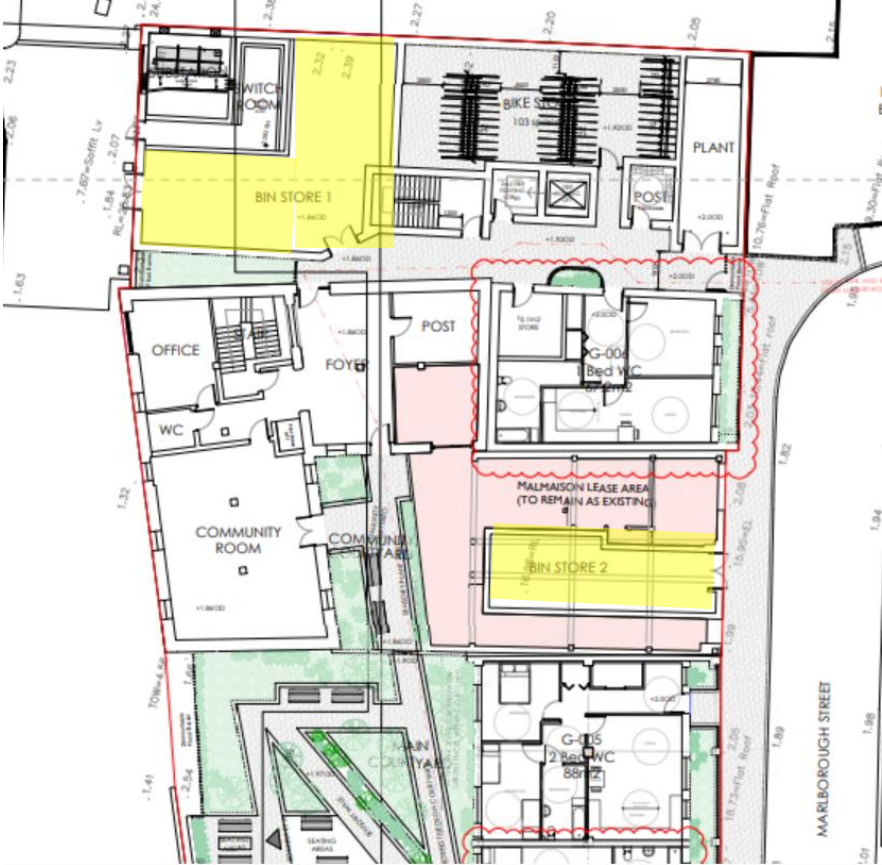
	<p>placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.</p> <p><i>Scale, height and massing:</i></p>
5.83	<p>The proposal re-utilises the existing concrete frame of Marlborough House with part-demolition of the building, along with the full demolition of adjacent buildings on Marlborough Street. The new apartment development proposes two additional levels to Marlborough House which are recessed back to achieve an appropriate scale of development along Victoria Street.</p>
5.84	<p>Policy DES1 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 and goes on to list 11 criteria, a. to k.</p>
5.85	<p>The proposed 8-storey development with the upper 2 storeys set back maintains an appropriate shoulder height and draws on references from Malmaison. The proposed scale would not appear as a prominent feature on the Victoria Street/ Marlborough Street junction. The building has been appropriately scaled to sit comfortably as part of the wider cluster of buildings. The split set back of the upper two floors allows uninterrupted views of the Albert Clock, allowing it to remain a prominent feature.</p>
5.86	<p>Amendments were made to the elevational treatment to emphasise and promote vertical columns at ground floor level to follow the elevational language above with the use of inset brick areas. This adds depth to the façade, it reinforces the vertical emphasis and connection to the Albert Clock along with respecting the horizontal datum lines of the adjacent Malmaison Hotel.</p>
5.87	<p>The materiality of the development is key in helping the scheme integrate into the city whilst not detracting from the historic fabric, in particular the listed Malmaison building and also Princes Court. The proposed buff brick throughout with stone colour, stringer parapet detail and horizontal brick datum detailing (referencing Malmaison) is welcomed. The inset balconies and vertical brick recessed panels add depth to the façade and reinforce the vertical emphasis and connection to Albert Clock. The proposal is considered to respond positively to the surrounding built heritage and the open balconies on the corner maintain the prominence of Malmaison by keeping lines of sight open.</p>
5.88	<p>Contextually, the height of the building is considered sympathetic to its wider context and would be in keeping with existing building heights in the surrounding area. The scale, height and massing are considered to respond positively to the local context and character through architecture and urban form through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials. The proposal will be an improvement to what is currently featured on site while being sensitive to the historic buildings and features in the area.</p>
5.89	<p><i>Active frontage:</i></p> <p>The primary elevation along Victoria Street, ground floor plan shows entrance to one unit, legible entrance lobby and open alley into courtyard. The Marlborough Street elevation includes entrances to ground floor units and back of House uses (BOH) such as a large bin storage area. This has been placed along the south elevation to have least impact on the surrounding streets.</p>

5.90	<p>Criterion f. of Policy DES1 requires the provision of active frontages to ensure vibrancy throughout the day. Glazing and lighting along the ground floor will assist in providing additional light in the evenings and views into/out of the building. On balance, the treatment of the frontages is considered acceptable.</p> <p><i>Siting and Alignment:</i></p>
5.91	Policy DES2 states that planning permission will be granted for Major development where it accords with the principles a. to j.
5.92	It is considered that the proposal adopts a holistic approach and allows the scheme to blend into the existing fabric of the area in a sympathetic and complementary way which is mindful of the historic built environment, adjacent residential complex and the Laganside Bus Station, with regards to its site assembly, layout and design. The proposal also promotes opportunities for urban repair.
5.93	<p>With regards to Masterplanning, the Design and Access Statement and submitted plans show how the development could be adapted at ground floor level in the future to respond to a changing context, such as street pattern and network being re-instated. The design of the Princes Street elevation has been carefully weighed against achieving an aspect for the proposed development but not to jeopardise the prospect of the bus station being redeveloped in the future.</p> <p><u>Impact on heritage assets</u></p>
5.94	<p>Policy BH1 seeks to safeguard the setting of Listed Buildings. The application site impacts upon and includes the refurbishment of Prince's Court (HB26/50/194) (Grade B2 Listed) and is also in the setting of the following which are all special architectural or historic interest:</p> <ul style="list-style-type: none"> • HB26/50/046 Malmaison Hotel, 34-38 Victoria Street (Grade B+) • HB26/50/055 Albert Clock, Queens Square (Grade A) • HB26/50/045 St George's Church, 105 High Street (Grade A)
5.95	Policy BH1 includes a number of criteria (a-e) for new development affecting the setting of listed buildings and further criteria for the alteration and extension of a listed (f-i).
5.96	The proposed new development is considered in compliance with all of the relevant criteria of Policy BH1. The proposed works to Princes Court will preserve, restore and complement the buildings features and are welcomed. Works to the listed building within the site are in compliance with the criteria of Policy BH1.
5.97	DfC Historic Environment Division (HED) has been consulted and is content that the proposal satisfies SPPS and the Belfast Local Development Plan Strategy (2035) policy requirements, subject to conditions.
5.98	The proposal is considered in compliance with Policy BH3 – Areas of townscape character as it is considered that the area's character would be enhanced, the built form is respected by way of height, scale, form, materials and detailing; there is no detrimental impact on the setting of the area or significant loss of views withing, into and out of the ATC and regard has been given to relevant SPG. There are no trees present on the site and therefore criterion c. does not apply.
5.99	Policy BH5 relates to archaeology with the Council seeking to conserve and where possible enhance archaeological assets. Consent will normally only be granted where criteria a. to d.

	<p>are met. The planning application is accompanied by an Archaeological Impact Assessment prepared by Farrimond MacManus. DfC HED (Historic Monuments) is content that the proposal satisfies Policy BH5, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ. These measures will be required by condition.</p> <p><u>Climate change</u></p>
5.100	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
5.101	The applicant has provided a Climate Change Statement which details the various sustainable design features which will be incorporated in the development. The development retains the structure of the existing building at Marlborough House and the listed building Princes Court. The retention of these buildings significantly reduces the amount of new material required for the development. The proposal is considered acceptable having regard to Policy ENV2.
5.102	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet to meet criteria b. in that the proposal incorporates various hard and soft landscaping elements at ground floor level to assist an overall sustainable drainage solution. Criteria d. is met through ceiling mounted heat recovery ventilation systems in accordance with CIBSE. Photovoltaic panels are also proposed within the development on the south facing roof area to generate 21,000whr (approx. 27-32 kw peak). Furthermore, criterion I. is met in that the site levels are designed to alleviate the flood risk from the development and maintain the safety of residents and their homes in the future. This is supported by the Flood Risk and Drainage Assessment (FRA/DA). The proposal is considered acceptable having regard to Policy ENV3.
5.103	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has detailed SuDs measures within the submitted Drainage Assessment. In this assessment they have stated that the SuDs features have been tailored to available space within the development due to the constraints of the site which limit some SuDs systems, such as the storm sewer levels and the redevelopment of existing buildings within an urban setting. A portion of the site will comprise landscaped open space which will assist in the reduction of runoff from the formerly hard surfaced brownfield site.
5.104	The primary SuDs feature provided within the design of the courtyard is Bio Retention. These three areas will be vegetated with appropriate planting on engineered substrate to mimic the runoff from permeable surfacing and be constructed in line with the requirement of the SuDs Mannual (CIRIA C753). Bioretention systems (including rain gardens) are shallow landscaped depressions that can reduce runoff rates and volumes and treat pollution through the use of engineered soils and vegetation. They are particularly effective in delivering Interception and can also provide attractive landscape features that are self-irrigating and fertilising; habitat and biodiversity; and cooling of the local microclimate due to evapotranspiration. A Geocellular storage tank to be installed downstream of the bio retention areas to provide attenuation storage for exceedance events.
5.105	The proposal is considered acceptable having regard to Policy ENV5.

	<p><u>Health impacts</u></p>
5.106	<p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.107	<p>The site is located within a highly accessible area of the City Centre, within walking distance to a number of public transport hubs, open spaces and the waterfront. The location of the development and proximity to the City Centre lends itself to the use of active and sustainable travel. The inclusion of the Green Travel Measures and other initiatives lessen the need for the use of private cars. The apartment mix in terms of size and ownership creates a balanced community within the proposed development. The proposal would provide a well-designed and attractive living environment. The proposal is considered to satisfy the requirements of Policy HC1.</p>
	<p><u>Environmental protection</u></p>
5.108	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.</p>
	<p><i>Contaminated land</i></p>
5.109	<p>Environmental Health (EH) has reviewed the information within the Preliminary Risk Assessment by Foyle Consulting Engineers. This submission has identified that there is possible contaminant linkages present at the site. The use of the site in a former docklands capacity is identified as a potential source of contamination and it was concluded in the PRA that a site investigation and Quantitative Risk Assessment are required. It is noted that the site investigation cannot be completed until one of the buildings to the rear is demolished. EH recommends conditions in the event that planning permission is granted, including submission of a Quantitative Risk Assessment prior to commencement of the development. The proposal is therefore considered to accord with Policy ENV1.</p>
	<p><i>Air quality</i></p>
5.110	<p>EH has reviewed the MCL Consulting Odour Impact assessment; TSA Planning Transport Assessment; Studio4design Climate Change Statement and Studio4design Design and Access Statement. The EH response states that these documents have demonstrated that the development would not have an adverse impact on air quality in the vicinity of the site and that future users of the development will not be exposed to air quality concentrations exceeding UK Air Quality Objectives. However, EH noted that the demolition/ construction phase was not assessed as part of the submitted AQIA. To ensure that there will be no significant adverse dust effects arising from the construction phase of the proposed development on sensitive receptors located in close proximity to the proposed development, EH requested the submission of a condition for a dust management plan. The proposal is considered to accord with Policy ENV1.</p>

	<i>Noise and vibration</i>
5.111	Having considered the applicant's Acoustic Report, EH is content that the proposal is acceptable subject to conditions. The proposal is therefore considered to accord with Policy ENV1.
	<u>Flood risk and drainage</u>
5.112	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions. The proposal satisfies the exceptions test as it takes place on previously developed land.
5.113	DfI Rivers response states that they accept the logic of the Flood Risk Assessment and have no reason to disagree with its conclusions. They have reviewed the Drainage Assessment and notes that it states that flood risk to and from a portion of the development will be managed using SuDS. DfI Rivers states that it does not have the necessary expertise to assess the effectiveness of the SuDS measures. Officers have no reason to dispute the applicant's technical findings in respect of SuDS.
	<u>Waste-water infrastructure</u>
5.114	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm and detrimental impact on existing properties. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.
5.115	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
	<u>Waste management</u>
5.116	In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. The application is supported by a Waste Management Plan (WMP) which outlines the operational waste management measures.
5.117	The proposed WMP details three types of refuse and their collection frequencies: <ul style="list-style-type: none"> • General Waste: fortnightly collections • Dry Recycling: weekly collections • Organic Waste: weekly collections

5.118	<p>Objections were received from residents of the existing Queens Square Apartments regarding the placement of bins on waste collection day alongside the existing collection for Queen's Square Apartments. To reduce these concerns and alleviate the pressure of waste collection on Princes Street, a second bin store has been proposed on Marlborough Street. The locations of both bin stores can be seen on the ground floor plan below.</p>
	
5.119	<p>The size of the two waste storage areas has been based on the estimated volume of each waste type. The collection of waste from both bin stores will be at an external collection point at Marlborough Street, collected by Belfast City Council weekly. BCC Waste management team confirmed that use of the Marlborough Street collection point was preferable. Waste containers can be easily removed from both bin stores to the street via dedicated entry points to allow for the safe and convenient collection on waste collection days. A nominated caretakers will be responsible for the management of bins and returning all bins following their collection.</p>
5.120	<p>The proposed waste management plan and arrangements are considered acceptable.</p>
	<p><u>Natural heritage</u></p>
5.121	<p>Policy NH1 relates to the protection of natural heritage resources.</p>
5.122	<p>The site is not located to any designated sites, protected species or other important interests of biodiversity and geodiversity. The development will not have an unacceptable effect, either directly, indirectly, or cumulatively, on sites, habitats, species or ecosystems and networks that are important for their nature conservation, biodiversity or geodiversity value.</p>
5.123	<p>The proposal has given due regard to the protection of biodiversity, water quality, access and amenity through sensitive design, avoidance of instream works and appropriate</p>

	landscaping. The development is considered to be adequately set back from the river Lagan so as to avoid any impact on the river. The site is located 121m from the River Lagan, located to the east of the site.
5.124	NIW have outlined in their response that the applicant will need to submit an application to NI Water for a Wastewater Impact Assessment. NI Water will assess the proposal to see if an alternative drainage or treatment solution can be agreed. A WWIA was submitted to NIW for assessment and the application will work with the NIW solution engineering team to deliver the proposed solution.
5.125	In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. DAERA offers no objection to the application and has recommended a condition to require details of sewage disposal prior to commencement of development. The SES response states that having considered the nature, scale, timing, duration and location of the project, the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.
5.126	Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 30/04/2025. This found that the project would not have an adverse effect on the integrity of any European site.
5.127	Subject to abovementioned condition and the final response from SES, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.
	<u>Employability and Skills</u>
5.128	The Developer Contribution Framework requires proposals to make a contribution towards Employability and Skills where necessary.
5.129	The Council's Economic Development Unit advises that an Employability and Skills contribution relating to either the construction or operational phases should not be applied. The response states that: <i>'The Housing Association and Applicant have agreed to apply Buy-Social consideration in this case. Therefore, the contract associated with this development will be subject to Buy-Social considerations. It is recommended that Section 76 Developer Contribution clauses should not be applied for the construction phase of the development where Buy Social requirements are in place. Implementation of the Buy Social considerations applied to this contract will ensure that that social benefit is achieved using Targeted Recruitment and Training clauses ("TRT clauses"). TR&T clauses ensure ring-fenced opportunities for long-term unemployed people, young people leaving education/training (because of higher levels of youth unemployment), apprentices, and paid student work placements. This also includes promotional activities to increase awareness of opportunities, and robust monitoring and reporting by the Strategic Investment Board (SIB).'</i>
5.130	The response also notes that approximately 32 jobs will be created for the operational (occupation) phase. And it is considered that a Section 76 developer contribution relating to employability and skills in the operational phase should not be applied.

	<p><u>Section 76 planning agreement</u></p>
5.131	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery 80% (82 out of 103 residential units) to be provided as Social Rented Housing • Green travel measures – a Travel Fund which will give residents the option to choose the travel measure that best suits their needs (travel card, Belfast bike membership or car club membership) will be secured • Listed Building – requirement for works to listed building to be completed within 2 years.
5.132	<p>A draft Section 76 planning agreement is underway and will need to be finalised before planning permission is granted.</p> <p><u>Pre-application Community Consultation</u></p>
5.133	<p>The application was preceded by a Proposal of Application Notice (PAN) submitted on 09.08.2023 which set out the applicant's proposals for pre-application community consultation. This was confirmed by the Council to be acceptable on 25.08.2023.</p>
5.134	<p>The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p>
5.135	<p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposal, both the in-person and online PACC process and the avenues through which recipients could provide their comments and feedback; • Local stakeholder audit of all the local businesses and organisations located within the immediate area of the site. All businesses and organisations adjacent to the site boundary received a copy of the information pack. • Issued a press notice to highlight information about the proposals and provide notification of the public information event. • A virtual consultation website was hosted which allowed visitors to submit feedback. • Community exhibition event for visitors to view the plans and discuss with the design team present.
5.136	<p>The feedback from the public included concerns relating to loss of direct sunlight to Queens Square Apartments; placement and management of bins and lack of parking and potential impact on the community. These comments were reviewed and considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p>
5.137	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.</p>

6.0	Recommendation
6.1	The proposal would provide a significant number of new homes in a highly sustainable location and would support city centre living. The proposal would make very effective use of land, a finite resource. The provision social housing responds to the significant unmet need for social housing in the city. The scale, height, massing and design of the building are considered appropriate to the site's context. The approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations.
6.2	It is recommended that planning permission is granted.
6.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, provided that they are not substantive.
7.0	DRAFT CONDITIONS <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site. Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car. 3. The development hereby permitted shall not operate unless in accordance with the approved Servicing Management Plan. Reason: In the interests of road safety and the convenience of road users. 4. Prior to occupation, the redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated. Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users. 5. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been prepared by a qualified archaeologist and implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council. The POW shall provide for: <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition.

	<p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work.</p> <p>Reason: To ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.</p> <p>6. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 5. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological programme of works.</p> <p>Reason: To ensure that the archaeological remains and features are properly analysed and recorded.</p> <p>7. Notwithstanding the submitted details, no external brickwork, windows or doors shall be applied, installed, implemented or carried out unless in accordance with a written specification and physical sample which shall have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: In the interests of the special architectural and historic qualities of the Listed Building.</p> <p>8. No development shall be undertaken (other than demolition) unless a written report demonstrating risks to environmental and human health receptors due to on-site contamination of the ground and groundwater have been effectively assessed has been submitted to and approved in writing by the Council.</p> <p>The report shall include site investigations and groundwater monitoring to be designed and implemented in accordance with British Standard BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated land sites to identify the contamination risks associated with the potentially contaminating activities which took place at the site.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>9. No piling works shall be carried out unless a piling risk assessment, undertaken in full 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”, has been submitted to and approved in writing by the Council. No piling works shall be undertaken unless in accordance with the approved details.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>10. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment shall consider the Foyle Consulting Engineers report entitled ‘Client: Park Street Projects, Land Contamination Preliminary Risk Assessment, Marlborough House, 28 Victoria Street, Belfast, Date: September 2024’ (Issue 3, Dated 6th October 2023). The Quantitative Risk Assessment shall follow best practice and include:</p>
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A detailed site investigation in line with BS 10175:2011+A2:2017 (or any standard that reproduces or replaces this standard). Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard).

A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665 (or any standard that reproduces or replaces this standard).

Based on the outcome of this risk assessment, a Remediation Strategy may be required and shall be submitted to and approved in writing by the Council. If necessary, the Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

The development shall not be carried out unless in accordance with the approved Remediation Strategy.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

11. In the event that a Remediation Strategy is required, prior to occupation or operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

12. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

13. No development shall be carried out unless a revised Noise Impact Assessment detailing the noise mitigation measures to be installed within the development to address road traffic/commercial noise impacts on future occupants of the proposal has been submitted to and approved in writing by the Council.

	<p>The Noise Impact Assessment, to be produced by a competent acoustic consultant, must be based on a representative background noise survey and demonstrate that the proposed sound reduction specifications of the façade/structural elements are sufficient to ensure that internal noise levels do not exceed:</p> <ul style="list-style-type: none"> • 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room with the windows closed and alternative means of acoustic ventilation provided; • 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom with the windows closed and alternative means of acoustic ventilation provided; • 45 dB LMax more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided. <p>Reason: To safeguard the amenity of occupants of the development hereby approved.</p> <p>14. Prior to occupation of the development, the noise mitigation measures and alternative means of acoustically attenuated ventilation, as approved under condition 13 shall be installed and retained thereafter.</p> <p>Reason: To safeguard the amenity of occupants of the building hereby approved.</p> <p>15. No development shall be carried out unless a Final Construction Noise Management Plan has been submitted to and approved in writing by the Council. The Plan shall include a programme of works, along with a community notification plan, and must clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration and noise on nearby premises during the demolition and construction phases. All demolition and construction must thereafter be implemented in accordance with the approved Plan.</p> <p>Reason: Protection of neighbouring amenity</p> <p>16. Prior to occupation of the development, details of a mechanical ventilation system, which demonstrates that the location of the ventilation air intake for the Marlborough Street façade apartments is in accordance with the recommendations contained within Section 5 of the submitted MCL Consulting – Odour Impact Assessment, Marlborough House, Issue date 6/8/2024 - Issue 2, P3168, shall be submitted to and approved in writing by the Council. The ventilation intake point shall be installed in accordance with the approved details prior to occupation and retained thereafter at all times.</p> <p>Reason: The protection of residential amenity</p> <p>17. The development hereby approved shall not be occupied until the external main courtyard and internal community room have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times.</p> <p>Reason: To ensure that a quality residential environment is provided for occupants of the approved development.</p>
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DRAFT INFORMATIVES

1. This planning permission includes conditions which require further details to be submitted to and approved by the Council. Please read the conditions carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
2. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement.
3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.
4. The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at <https://planningregister.planningsystemni.gov.uk/>.

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Development Management Report

Summary	
Committee Date: 17 th June 2025	
Application ID: LA04/2024/2044/F	
Proposal: Erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions	Location: Lands at 39 Corporation Street, Belfast, BT1 3BA
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Corporation Street Properties Limited 1 Linfield Road Belfast	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Date Valid: 05.12.2024	
Target Date: 03.07.2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	
Executive Summary: <p>This application relates to lands at 39 Corporation Street, Belfast. Full planning permission is sought for the erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions.</p> <p>The application follows a detailed Pre-Application Discussion (PAD) process.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of PBMSA in this location • Design and placemaking 	

- Impact on heritage assets
- Impact on amenity
- Climate change
- Open space
- Access and transport
- Health impacts
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Waste management
- Section 76 planning agreement
- Pre-Application Community Consultation

The site is located within the northern part of the City Centre and is a highly accessible location for new PBMSA development within walking distance of the new Ulster University campus. The application is supported by satisfactory evidence of need for the proposal.

The proposed building is considered to be of a high-quality design, appropriate to its location, which will regenerate a site which currently contains a vacant office building.

DfI Rivers, DfI Roads, Belfast City Airport, Historic Environment Division DAERA: Water Management Unit and DAERA: Regulation Unit were consulted and had no objections subject to conditions. NI Water object due to capacity issues which is addressed in the report. Final responses from NIEA: Natural Environment Division (NED) and Shared Environmental Services (SES) are awaited and delegated authority is sought to resolve same. Environmental Health (EH) responded and requested further points of clarification which have been provided. A final response is awaited and delegated authority is sought to resolve this.

Five letters of support have been received which are detailed in the main report.

Recommendation

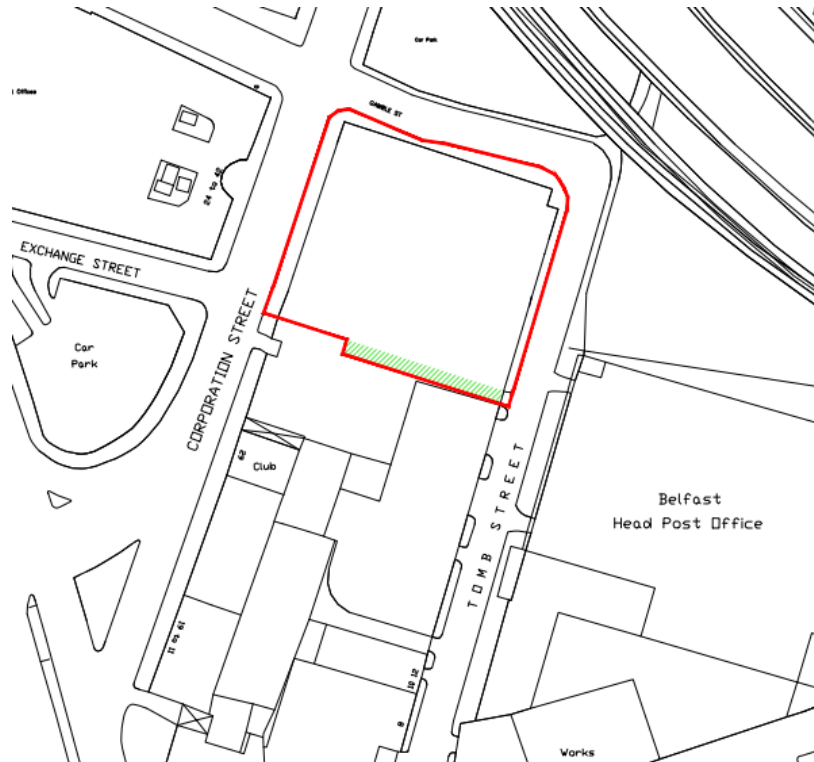
Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, including resolving final responses from EH, NIEA: NED and SES provided that the issues are not substantive.

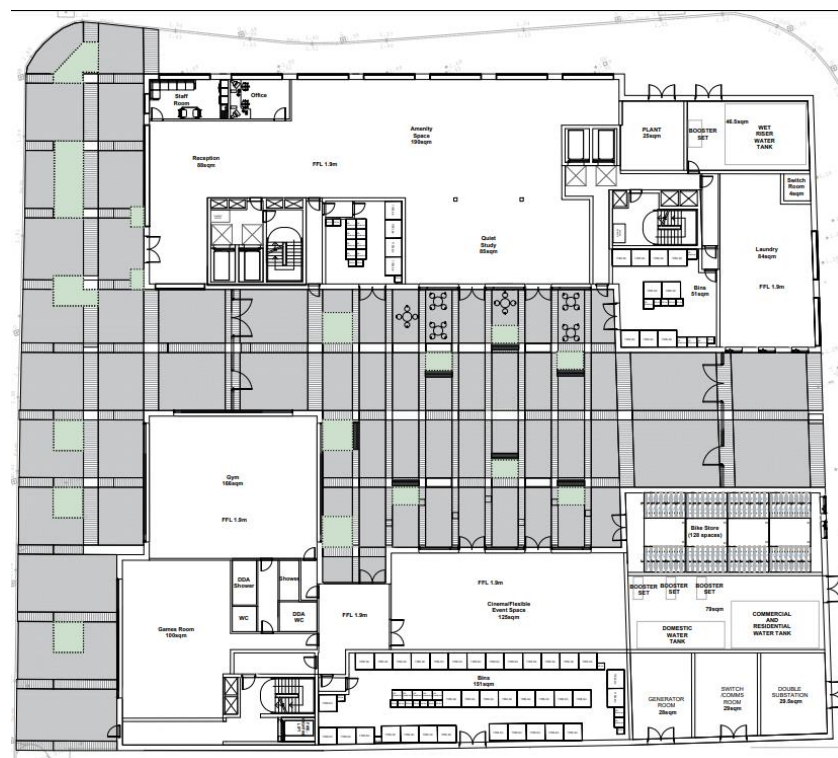
Case Officer Report

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Ground floor:



Proposed Corporation and Tomb Street Elevations:



Proposed Gamble Street Elevations



CGIs:





1.0	Characteristics of the Site and Area
1.1	This application site comprises 39 Corporation Street which is a vacant office development constructed c.1990. The site is one of the most recognisable buildings within the northern part of the city centre with critical views primarily from Corporation Street, Dunbar Link and the M3 Lagan Bridge.
1.2	The site is approximately 0.3 hectares (ha) in size and relatively flat. The subject lands also include a surface level car park (c.50 spaces) located to the north of the building towards Gamble Street. Immediately east of the site is the head office for Royal Mail including car parking for postal vans. South and west of the site is dominated by car parking (surface level and multi storey). The lands to the south and Tomb Street Car Park are to be demolished and consent has been given for the construction of 298 no. build to rent apartments in a 19-storey building (planning reference LA04/2021/2016/F). This was approved by Planning Committee in January 2024 however the Decision Notice is still to be issued.
1.3	The surrounding area has benefitted from significant regeneration over recent years, with Ulster University and Belfast Harbour being the main catalyst for this change. This includes the 'City Quays' developments (both constructed and approved) in addition to the main Ulster University Campus and other Purpose Built Managed Student Accommodation. The collective of new buildings is transforming this part of the north city.

	Description of Proposed Development
1.4	The application seeks full planning permission for the erection of 895 room Purpose Built Managed Student Accommodation (PBMSA) across 9-20 storey building blocks with communal facilities, internal and external communal amenity space including landscaped courtyard and roof terraces and ancillary accommodation. With additional use outside term time (no more than 50% of the rooms) as short-term let accommodation and (no more than 50% of the rooms) accommodation for use by further or higher education institutions.
1.5	The proposed building would measure 64.8m at its highest point, not including roof plant. The building heights range from 9-20 storeys across three blocks of development. The stepped approach to the building breaks the built form and provides visual interest.
1.6	The application follows a detailed Pre-Application Discussion (PAD) process.
2.0	RELEVANT PLANNING HISTORY
2.1	LA04/2024/0881/PAN – Erection of purpose-built manage student accommodation (comprising clusters and studios) including landscaped courtyard and roof terrace, communal facilities and all other associated site and access works. 39 Corporation Street, Belfast, BT1 3BA Acceptable (10th June 2024)
2.2	LA04/2021/2016/F - Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received) 21-29 Corporation Street & 18-24 Tomb Street Belfast Permission Granted at BCC Planning Committee January 2024
2.3	LA04/2016/2357/F - Change of use of part of ground floor from office to job centre. Replacement of ramp for DDA access, and new public entrance to front façade. 39 Corporation Street, Belfast, BT1 3BA Approved
3.0	PLANNING POLICY
3.1	Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies:</i> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas

	<p><i>Operational Policies:</i></p> <p>Policy HOU12 – Purpose Built Managed Student Accommodation (PBMSA)</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy DES3 – Tall buildings Policy RD1 – New residential developments Policy BH1 – Listed Buildings Policy BH5 – Archaeology</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy TRAN9 – Parking standards within areas of parking restraint</p> <p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS) Policy HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Planning and Flood Risk Residential Design</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Purpose Built Managed Student Accommodation in Belfast (June 2016) Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework (2020) Belfast Agenda (Community Plan)</p>
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4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – no objection, recommends conditions.</p> <p>DfC HED – no objection.</p> <p>DfI Rivers – no objection, the proposal is not within a flood plain.</p> <p>DAERA: Water Management Unit – standing advice and informatives</p> <p>DAERA: NED – final response outstanding</p> <p>DAERA: Regulation Unit – no objection subject to conditions</p> <p>NI Water – objection</p> <p>Belfast City Airport – No objection</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Development Plan Housing Team – No objections, comments provided and set out in main report</p> <p>Planning Service Urban Design Officer – No objection.</p> <p>Environmental Health – Response outstanding</p> <p>BCC Landscape and Development – no objection, unlikely significant adverse impact on the quality, character, or features of interest of the existing townscape.</p> <p>BCC Economic Development Unit – advises that a Construction Employability and Skills Plan is required and this should be secured by a Section 76 Planning Agreement.</p> <p>Shared Environmental Services (SES) – final response outstanding</p>
4.3	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>Five letters of support have been received which discuss the following:</p> <ul style="list-style-type: none"> • Increasing city centre footfall • Create investment opportunities and promote sustainable economic growth • Positive impact on local business community • Address demand for student accommodation • Revitalise the area

5.0	PLANNING ASSESSMENT Main Issues
5.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of PBMSA in this location • Design and placemaking • Principle of Short Term Let in this location • Impact on heritage assets • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Section 76 planning agreement • Pre-Application Community Consultation
5.2	Development Plan Context <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
5.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
5.5	<u>Operational Policies</u> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed above.</p>
5.6	<u>Proposals Maps</u> <p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these</p>

	proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – The subject lands are located within the City Centre Limit as per the Belfast Urban Area Plan 2001 and BMAP 2015. Within the Belfast Urban Area Plan (BUAP) 2001 the site is identified as un-zoned land. As set out within the Belfast Metropolitan Area Plan (BMAP) 2015, the site is located within the ‘Laganside North and The Docks’ Character Area (Ref: CC 015) and borders the Cathedral Area Conservation Area to the south. The subject site is identified as un-zoned land, with no specific policy designations.
5.9	<p><u>Principle of PBMSA in this location</u></p> <p>The site is located within the urban development limit in the BUAP 2001 and both versions of dBMAP 2015. It is within the City Centre in both versions of dBMAP 2015. Policy SD3 of the Plan Strategy states that the Council will support new economic and residential development to create a compact and vibrant city centre. The proposal is consistent with this strategic policy.</p>
5.10	Policy HOU12 of the Plan Strategy relates to proposals for PBMSA and lists a number of criteria that proposals should meet, as discussed below.
5.11	<p><i>Accessibility:</i></p> <p>In locational terms, criterion a. requires that PBMSA proposals are easily accessible to higher education institution campuses by sustainable transport modes and not within established residential areas. The site is located within the city centre and is readily accessible to various pedestrian and cycle linkways to the Ulster University Campus which is approx.400m to the northwest of the site. The site is also in close proximity to public transport links including; Great Patrick Street Metro services (90m walk), Laganside Buscentre Metro and Ulsterbus services (500m walk), York Street Station (1km walk) and Grand Central Station (1.8km walk). Due to the location and nature of the proposal, the scheme will be car-free as it benefits from high levels of accessibility to public transport. The majority of trips will be by sustainable modes of transport. Further rationale is set out within the Transport Assessment Form (Arup), and the application is also accompanied with a Travel Plan Framework.</p>
5.12	Having regard to these factors, the proposal is considered to satisfy the accessibility requirements of criterion a.
5.13	<p><i>Development not within an Established Residential Area:</i></p> <p>In terms of the second part of criterion a., Appendix B of the Plan Strategy states that an Established Residential Area is ‘...normally taken to mean residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens. These areas may include buildings in commercial, retail or leisure services use, usually clustered together and proportionate in scale to the size of the neighbourhood being served.’ Taking account of the site’s location on Corporation Street and existing vacant office building on the site and uses in the</p>

	surrounding area, it is therefore not considered to fall within an established residential area in the Plan Strategy. Criterion a. is therefore satisfied.
5.14	<p><i>Scale of the development:</i></p> <p>Criterion b. specifies that PBMSA proposals should consist of a minimum of 200 occupants. The proposal comprises 895 bedrooms, therefore satisfying this criterion.</p>
5.14	<p><i>Need for additional PBMSA:</i></p> <p>Criteria e. requires that proposals meet an identified need for the type of accommodation proposed, demonstrated through a statement of student housing need. The application is supported by a “PBMSA Needs Assessment Report for Belfast”. The applicant’s statement details that in 2021/22 there were 34,660 full time students and that Belfast has the 13th largest full time student population in the UK outside of London. In Belfast, the higher education institutions are Queens University (QUB), Ulster University, Stranmillis University College, St. Mary’s University College and Belfast Met the largest Further and Higher Education College in Northern Ireland. QUB and Ulster University gave a joint presentation to the Council’s City Growth and Regeneration Committee (CGRC) in December 2022. The Committee was advised that the city required a further 6,000 rooms for students by 2028/30. In addition, there was a growing demand for PBMSA over private rental sector accommodation and insufficient rooms either in the planning process or being constructed to address the shortfall. In reality, in light of the emerging trend of PBMSA accommodation being increasingly favoured over traditional house shares, the increase in the number of international students choosing to study in Belfast and the projected increase in NI school leavers seeking university places by 2030, the scale of need for student beds is likely to continue to grow beyond the previously projected 6,000 beds.</p>
5.15	Lambert Smith Hampton commissioned a report into PBMSA, dated March 2024, and states that the ratio of students to PBMSA will reduce to 3.7:1 if all schemes in the pipeline were developed and that should the projected demand come to fruition, the current development pipeline would not be sufficient to meet demand. The report concluded that investor activity in the market will increase.
5.16	Both Queens University Belfast and Ulster University have previously stated publicly that they will require an extra 5,000 places for Northern Ireland undergraduates by 2030, due to the projected rise in the number of 18/19 year olds. We note that since this presentation by the universities in December 2022, that a further 1,508 rooms have been completed, 1,183 rooms are under construction and a further 1,903 PBMSA beds have planning consent which have not yet started construction. The Statement of Need confirm that based on our review of the development pipeline, the levels of unmet demand would still remain at over 4,329 in the event of schemes being developed. The statement of student need also confirms that there are 7,415 full-time students currently in Belfast who potentially require but are unable to access PBMSA in the current market. The following table is included in the statement of need which shows the potential unmet demand as below.

5.17

Table 1: CBRE Unmet Demand for PBMSA

Table 15: Unmet Demand for PBSA

Demand Pool	Belfast	
Total Full-time Students (FTS)	34,660	
Less living with parent/guardian	13,530	39% of FTS
Less not in attendance	700	2% of FTS
Less living in own residence	4,080	12% of FTS
Total Potential Students in the Target Market (Demand Pool)	16,350	47% of FTS
Current PBSA Supply	8,935	
PBSA in the Immediate Pipeline (under construction or planning approved)	3,086	
Total PBSA Supply including pipeline	12,021	
Unmet Demand	Excluding Pipeline	Including Pipeline (See Table 8)
Demand less Supply	7,415	4,329

Source: HESA Student Record, CBRE Research, NI Planning Portal

5.18

The Council's Plans and Policy Team have been consulted on the issue of need. They provided a breakdown of Belfast City Council's annual PBMSA monitoring (as of November 2024), updated to take account of approvals in the intervening period, in comparison to CBRE's assessments. There are two additional schemes that have been granted planning permission since November 2024 that CBRE were unable to count as committed, with a combined total of 1,690 bed spaces. This raises the total combined pipeline of PBMSA developments, including those built, under construction and approved but not yet commenced to 13,771. Based on the figures in Table 15 of CBRE's report, the change in the total pipeline would reduce the total unmet demand to 2,579 bed spaces. The supply figures are summarised in table 2 below.

5.19

Table 2: Supply figures for PBMSA accommodation in Belfast

Existing PBMSA Developments since 2015

Project Name	Address	Beds	Operational	CBRE (Nov 24)
John Bell House	1A College Square East	413	Sep-16	413
Botanic Studios	78-86 Dublin Rd, Belfast BT2 7HP	156	Sep-17	156
Great Patrick Street	28-30 Great Patrick Street	475	Sep-18	475
Elms BT1	78 College Avenue	747	Sep-18	Inc. as part of university operated accommodation below
Elms BT2	McClintock Street	490	Sep-18	
Swanston House	41-49 Queen Street	317	Sep-18	317
123 York Street	123-137 York Street	407	Sep-19	407
Little Patrick Street	26-44 Little Patrick Street	430	Sep-20	430
101 York Street	81-107 York Street	717	Sep-21	717
Bruce Street	Little Victoria St, Bruce St & Holmes St	271	Sep-23	271
Aster House	University Rd & Botanic Avenue	253	Sep-23	253
Alma Place	18-26 Library Street	393	Sep-23	393
The Edge	48-52 York Street	307	Sep-24	307
Nelson Street	Little York Street & Nelson Place	774	Sep-24	774
Bradbury Place	30-44 Bradbury Place	156	Sep-24	156
Completed as at November 2024		6,306		5,069
University operated accommodation		2,629		3,866
Total PBMSA in November 2024 (university and private)		8,935		8,935

5.20

Pipeline – Schemes with Permission Granted

Project Name	Address	Beds	CBRE (Nov 24)
Under Construction			
	140 Little Donegall Street	724	724
QUB Dublin Road	14 Dublin Road	459	459
Catholic Chaplaincy	28-38 Elmwood Avenue	41	included below
Total Under construction		1,224	1,183
Approved (Not started) as at November 2024			
123 York Street Extension	Lands at the corner of Little York Street and Little Patrick Street	94	94
Catholic Chaplaincy	28-38 Elmwood Avenue	Included above	41
Ventry Street	41-49 Dublin Road and 3-5 Ventry Street	201	201
Olympic House	Lands to the northeast of Olympic House, east of Queen's Road and south of BMC	1,007	1,007
Fanum House	Lands comprising existing Fanum House, Norwood House and adjacent lands	560	560
Total Not started as at November 2024		1,862	1,903

5.21

Project Name	Address	Beds	CBRE (Nov 24)
Approved (Not started) since November 2024			
Library Street	Library Street and Little Donegall Street	795	-
Castle Street ¹	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street	895	-
Total Not started since November 2024		1,690	
Total Under construction/Approved not started		4,776	3,086

5.22

The Plans and Policy Team go on to state that ‘given that total student numbers are not known for future academic years, it is acknowledged that the ratio bedspaces to future student can only ever be a prediction at best. Given this context, it seems unlikely that the existing trend for growth in international student numbers, which has been a significant driver of demand for private-sector PBMSA developments, will continue at the same rate in the future. It is also unclear to what extent the existing pipeline of PBMSA developments will be delivered to meet the existing demand. However, should everything that has been approved, alongside this proposal at Corporation Street, all be delivered in full, the likely ratio of PBMSA bed spaces to full time students will remain broadly comparable with other similar university cities’.

5.23

Having regard to these factors, it is considered that a need for the proposal is established, and that criterion e. is satisfied.

Purpose Built Managed Student Accommodation in Belfast SPG:

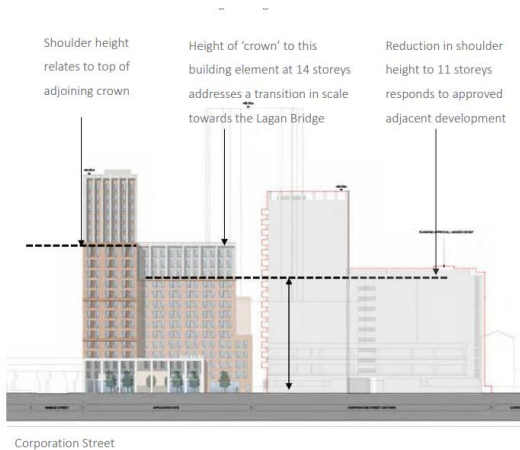
5.24

In the absence of specific planning policy at the time, in 2016 the Council published PBMSA Supplementary Planning Guidance to support the consideration of such planning applications. Updated SPG is currently the subject of public consultation and does not currently have determining weight

5.25

The 2016 SPG is material and sets out similar requirements to Policy HOU12 and other relevant policies in the Plan Strategy, covering areas such as accessibility, controlling development in established residential areas, open space, space standards, parking, waste and recycling. The Plan Strategy is the statutory Development Plan and carries greater weight than the 2016 SPG. Nevertheless, for the reasons set out in this report, it is considered that the proposal is consistent with the objectives of the guidance.

5.26	<p><i>Economic development:</i></p> <p>The Council's Economic Development Unit notes that the estimated construction cost of the development is £65 million. It is expected that approx. 88 construction jobs will be created during construction with approximately 21.5 jobs on operation. The Economic Development Unit advises that a Construction Employability and Skills Plan is required and this should be secured by a Section 76 planning agreement.</p>
5.27	<p>Having regard to the factors discussed above, the principle of PBMSA development in this location is considered acceptable.</p>
5.28	<p>The application also seeks additional use of the accommodation by further or higher education institutions outside term time. This is consistent with other PBMSA permissions across the city and would ensure that effective use is made of the building outside term and is considered acceptable as set out below.</p>
5.29	<p><u>Principle of Short Term Let in this location</u></p> <p>The building (no more than 50% of the rooms) is to be used as short term let accommodation outside of term time (namely July and August). Policy HOU13 provides 6 criteria to be met. Criteria e and f do not apply as the proposal is not within an HMA and does not involve a change of use from permanent residential use.</p>
5.30	<p>The proposed short-term use would be considered to strengthen and diversify the range of short-term accommodation in the city. The proposed location is within the city centre where the surrounding tourist accommodation is in the main provided by hotels. The proposal would strengthen the short-term range of accommodation and provide a meanwhile use outside of term time.</p>
5.31	<p>The site is highly accessible by public transport including Great Patrick Street Metro services, Laganside Buscentre Metro, Ulsterbus services, York Street Station and Grand Central Station.</p>
5.32	<p>The proposal is within close proximity to visitor attractions such as Belfast City Hall, Linen Hall Library and the Grand Opera House.</p>
5.33	<p>Appropriate management arrangements will be secured through the Section 76.</p>
5.34	<p>The short-term use is welcomed to ensure the building is in use outside of term time, the proposal complies with criteria a through d of Policy HOU13 and is considered acceptable.</p>
5.35	<p><u>Design and Placemaking</u></p> <p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and DES3 of the Plan Strategy. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development, while Policy DES3 relates to the assessment of tall buildings including any impact on the setting, character and appearance of listed buildings, conservation areas, ATCs, and historic monuments/gardens.</p>

5.36	The application follows a Pre-Application Discussion (PAD) process when issues relating to scale, height, massing and architectural treatment were discussed in detail.
5.37	<i>Scale, height and massing:</i>
5.38	The building comprises three built forms, each with varied overall heights. Along Corporation Street, the height rises from 5 to 20 storeys, along Gamble street it rises from 14 to 20 storeys and along Tomb street it is 9 to 14 storeys. The building at its highest point would measure 64.8m. Breaking up of the building forms on the site into a series of connected 'buildings' which are proportionally better balanced, create a shift in the rhythm and scale of forms as one approaches the Lagan Bridge to the north from the south.
5.39	The principle of a tall building on this site has been established through the local context and character of the site and its surrounding environment. This includes the neighbouring development Obel residential tower which is 28-storeys in height, the Royal Mail Building, the M3 Cross Harbour Bridge, the collective buildings at City Quays and the Build to Rent (BTR) scheme to the south of the development site which extends to 19-storeys along its northern edge (this application was recently approved by Committee but is yet to issue). The approved BTR scheme immediately adjacent to the site was a key consideration in the overall design for the site. The upper levels of this proposal would ensure a 5m offset from the southern boundary along Corporation Street. This is to satisfy the requirement for adequate physical separation of 10m from external balconies which are permitted in the approved BTR scheme adjacent. There will also be no development within the existing service zone. Image 3 below shows the relationship between this scheme and the adjacent 19 storey BTR approval.
5.40	<p><i>Image 3: Scheme read alongside adjacent application on Corporation Street</i></p>  <p>Shoulder height relates to top of adjoining crown</p> <p>Height of 'crown' to this building element at 14 storeys addresses a transition in scale towards the Lagan Bridge</p> <p>Reduction in shoulder height to 11 storeys responds to approved adjacent development</p> <p>Corporation Street</p>
5.41	Accommodation on upper levels adjacent to the approved scheme on 21-19 Corporation Street is setback 0.6m from the lower façade to create a greater proportional balance to this wing and introduce a shoulder height which relates to the 11-storey parapet height of the adjacent approval (see coloured elevations below). Upper-level accommodation at the corner of Gamble/Corporation Street has also been setback by 0.6m. This setback is increased to 3.5m further east along Gamble Street thereby emphasising the weighting of built form at the corner location. At the Gamble Street/Tomb Street corner, upper-level accommodation steps back from the facade below by around 15m. A further 'crown' has been created along the east facing wing on Tomb Street, with upper-level accommodation stepping back from the facade below by 0.6m to create an articulated frontage.

5.42	The Council's Senior Urban Design Officer (SUDO) has no objection to the proposal, stating that <i>"the proposed scale, height and massing is considered to respond appropriately to the site's aspect and orientation. It also formally addresses its position as a bookend/termination to the existing urban block providing new frontages to the three streets which bound its perimeter"</i> .
5.43	It is considered that the scale and massing of the building are appropriate to the site and surrounding buildings.
5.44	<p><i>Architectural treatment:</i></p> <p>The proposed materials have been designed to positively reflect the site and wider context of the area. A combination of multi-tone red brick and light grey aluminium cladding panels will be the dominant finishes on the proposal to ensure neutrality to existing built structures, and those of the wider surrounds. The intent to use brickwork for the main mass of the 'blocks' is to be contrasted with the precast concrete base and aluminium clad high level 'crown's which rest on top of each block. The light-coloured tone of the aluminium and precast concrete cladding draws on the stone and rainscreen cladding systems which exist in the wider context.</p>
5.45	The proposed facades have been articulated in a way that the detail and treatment of windows will shift vertically where they appear flush on lower levels, in contrast to upper levels where their depth is revealed through the depth of recess achieved in the shared spandrel panel.
5.46	The proposed grouping of windows helps to create a hierarchy and appropriate scale to the facades. A subtle shift is proposed within each of the three 'blocks' that define the development. These include those main facades of each block where an aluminium spandrel panel is utilised between paired windows as compared to end/gable facades which utilise a recessed brick panel between paired windows. A condition is included to approve the materials ahead of construction.
5.47	<p><i>Active frontage:</i></p> <p>The main entrance to the building is located along Corporation Street and is expressed through a formal colonnade and covered external space. This is three-storey in height and provides a civic response to the urban setting and services to increase the depth of public realm along Corporation Street. Active amenity spaces have been arranged to the main street frontages and to the central courtyard space (reception, social spaces, gym, study spaces, games space, cinema / event space and laundry) which provides well connected public realm and active amenity spaces. Access to the courtyard is provided from both Corporation Street and Tomb Street which will be managed / controlled access. The detailed design of access/gates will be conditioned to ensure a high quality of design and frontage. Accommodation has been planned to encircle the external landscape courtyard space.</p>
5.48	Ancillary accommodation has been considered where this will in some instances result in non-active frontages. It is proposed that these areas will be restricted to the service alley, Tomb Street and the north-east corner of Gamble Street. Where non-active frontages will occur on Tomb Street and Gamble Street, decorative perforated panels are proposed over louvred vents to plant rooms.
5.49	Bin storage has been consolidated along the southern boundary of the site, utilising the right of way for service access and providing managed smaller satellite bin stores along the northern edge of the central courtyard space.

5.55	<p><i>Masterplanning:</i></p> <p>As detailed above, the Planning Committee recently approved a 19 storey BTR scheme to the south of the development site in January 2024 (LA04/2021/2016/F) however the Decision Notice is still to be issued. The approved BTR scheme immediately adjacent to the site was a key consideration in the overall design evolution for this site. It was considered through the detailed PAD process the upper levels of this proposal would ensure a 5m offset from the southern site boundary along Corporation Street. This is to satisfy the requirement for adequate physical separation of 10m from external balconies which are permitted in the approved scheme on 21-29 Corporation Street. There will also be no development within the existing service zone.</p>									
5.56	<p>In summary, the proposal is considered acceptable having regard to Policies DES1, DES2, DES3 and relevant provisions of the SPPS.</p>									
5.57	<p><u>Impact on the Heritage Assets</u></p> <p>The subject site is mainly surrounded by vacant plots and contemporary buildings, ranging in height from 3 storeys to 28 stories (Obel Tower). There are no adjacent heritage receptors, however several Listed Buildings are located in the vicinity, including:</p> <p>HB26/50/173 Northern Bank, 1-9 Victoria St. Belfast (Grade: B2) HB26/50/234 Transport House 102 High Street Belfast (Grade: B+) HB26/50/055 Albert Clock Queens Square Belfast (Grade: A) HB26/50/093 Sinclair Seamen's Church Corporation Square (Grade: B+) HB26/50/056 First Trust Bank 4 Queen's Square Belfast (Grade: B+) HB26/50/062 Custom House Custom House Square Belfast (Grade: B+) HB26/50/306 Direct Wine Shipments 5-7 Corporation Square (Grade: B2)</p>									
5.59	<p>HED, Historic Buildings has considered the impacts of the proposals on the setting of the listed buildings and are content.</p>									
5.60	<p>HED Historic Monuments were also consulted and state that 'The application site is located in an area associated with the early ship-building in Belfast. The recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site'. They are content subject to conditions.</p>									
5.61	<p>It is considered that the proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS.</p>									
5.62	<p><u>Impact on Amenity</u></p> <p><i>Space standards:</i></p> <p>Criterion c. of Policy HOU12 requires PBMSA proposals to provide a quality residential environment for students in accordance with the space standards for HMOs set out in Appendix C of the Plan Strategy. The proposed bedrooms would exceed the relevant space standards as set out in the table below. Criterion c. is therefore satisfied.</p> <table><tr><th>Room type</th><th>Appendix C standard</th><th>Proposed</th></tr><tr><td>Standard bedroom</td><td>6.5 sqm</td><td>13 sqm</td></tr><tr><td>Studio</td><td>13 sqm</td><td>18</td></tr></table>	Room type	Appendix C standard	Proposed	Standard bedroom	6.5 sqm	13 sqm	Studio	13 sqm	18
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	Accessible studio	13 sqm	25 sqm																																										
5.63	<p><i>Open space and amenity space:</i></p> <p>The proposed level of internal and external amenity space being proposed is comparative to other student accommodation developments of a similar scale. The internal amenity consists of approximately 838 sqm at Ground Floor Level including: Gym, Games Room, Cinema, Events Space, Study Area, reception and an amenity hub located on the 13th floor equating to 192sqm. A total internal amenity space of 1030sqm is being provided. The external amenity comprises a total of 668 sqm which is being delivered in the form of a ground floor landscaped courtyard and an amenity roof terrace on the thirteenth floor. Table 5 sets this out below:</p>																																												
5.64	<p>Table 5 Schedule of Amenity Areas</p> <p>Internal</p> <table><tr><th>Level</th><th>Type</th><th>Area (sqm)</th></tr><tr><td>Ground</td><td>Gym / Changing / Showers</td><td>166</td></tr><tr><td>Ground</td><td>Games Room</td><td>100</td></tr><tr><td>Ground</td><td>Cinema/Flexible Event Space</td><td>125</td></tr><tr><td>Ground</td><td>Reception Space</td><td>88</td></tr><tr><td>Ground</td><td>Main Amenity Space</td><td>190</td></tr><tr><td>Ground</td><td>Quiet Study Space</td><td>85</td></tr><tr><td>Ground</td><td>Laundry</td><td>84</td></tr><tr><td>Thirteenth</td><td>Amenity Hub</td><td>192</td></tr><tr><td colspan="2">Total Area (sqm)</td><td>1030</td></tr></table> <p>External</p> <table><tr><th>Level</th><th>Type</th><th>Area (sqm)</th></tr><tr><td>Ground</td><td>Courtyard</td><td>296</td></tr><tr><td>Thirteenth</td><td>Amenity Terrace</td><td>372</td></tr><tr><td colspan="2">Total Area (sqm)</td><td>668</td></tr></table> <p>Overall Total Amenity Space (sqm) 1698</p>			Level	Type	Area (sqm)	Ground	Gym / Changing / Showers	166	Ground	Games Room	100	Ground	Cinema/Flexible Event Space	125	Ground	Reception Space	88	Ground	Main Amenity Space	190	Ground	Quiet Study Space	85	Ground	Laundry	84	Thirteenth	Amenity Hub	192	Total Area (sqm)		1030	Level	Type	Area (sqm)	Ground	Courtyard	296	Thirteenth	Amenity Terrace	372	Total Area (sqm)		668
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5.65	<p><i>Daylight and sunlight to bedrooms:</i></p> <p>A Daylight/Sunlight Assessment was carried out to ascertain whether the proposed development would offer acceptable daylight/sunlight amenity for prospective residents. With regard to the scheme performance assessments for this report, they have quantified the level of daylight and sunlight within the proposed development in two different scenarios: with and without the granted neighbouring scheme (Ref. LA04/2021/2016/F) in the surrounding context. Inclusion of the neighbouring granted scheme was important to assess the proposed scheme in its most constrained state.</p>																																												
5.66	<p>The compliance rates for the SDA (Spatial Daylight Autonomy) assessment are at 78% without the granted scheme in play. When the neighbouring scheme is included in the analytical model the compliance rate is reduced to 71%. This drop in compliance is to be expected considering the density and scale of the neighbouring scheme and scale of the neighbouring scheme. The SE (Sunlight Exposure) compliance rates range from 77% when assessed in the existing scenario and 60% when assessed in the cumulative scenario. Whilst a larger drop has been recorded, again it is to be expected. The Daylight/Sunlight Assessment concludes that the proposed development demonstrates satisfactory performance in relation to daylight and sunlight, particularly when considering the density and urban context of the proposal and the emerging trends in the immediate area. The impact and scheme performance assessments also reflect a worst-case scenario by incorporating the neighbouring granted building into the analytical model. This has ensured a robust assessment of the proposed scheme in this more constrained scenario.</p>																																												

5.67	<p><i>Management plan:</i></p> <p>A student management plan has been provided with the application and will be dealt with as part of the Section 76 planning agreement. This will deal with, amongst other matters, anti-social behaviour, noise and management to mitigate potential impacts on neighbours, and satisfying criterion d. of Policy HOU12. The proposal also seeks permission for the building to be used as Short Term Let Accommodation outside of term time (namely July and August). Prior to use as Short Term Let Accommodation, the owner shall submit a Short Term Let Management Plan which will provide details on how the Owner will manage and maintain the property during Non-Term Time Use as Short Term Let accommodation. This is dealt with as part of the Section 76 planning agreement.</p>
5.68	<p>In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.</p>
5.69	<p><u>Climate Change</u></p> <p>Policy ENV2 requires that consideration is given to proposals that include demolition and it should demonstrate that reuse is not appropriate or feasible. As part of the supporting evidence LIKE have prepared a Demolition Justification Statement. This sets out a consideration of the existing building design in which the primary facades facing north, east and west are composted on glazed curtain walling and the building presents a number of performance related challenges which allow excessive thermal gain and loss. The design is not sustainable by modern standards, as it complicates temperature regulation and energy efficiency within the structure. Additionally, the building has remained unused, and its potential for future adaptation is limited. A combination of these factors makes the building less viable for contemporary use. Strictly adhering to the guidelines for reuse and retrofitting on buildings in this instance would conflict with other important policies related to sustainability, climate change efficiencies and ecological enhancement.</p>
5.70	<p>Policy ENV2 also requires new development proposal to maximise opportunities to incorporate sustainable design features where feasible. Policy GB1 Green and Blue Infrastructure also requires new development to incorporate these features as part of the design. This proposal incorporates a number of green roofs at Level 1, 5, 9 and 14 as identified on the Roof Plan. These elements of green space incorporated on the roof amounts to a total green area of 639sqm (for clarity this figure is exclusive of the hardstanding roof terrace which equates to 372sqm). The green roof terraces will comprise grassed areas, and, planting will be provided on both the courtyard and roof terrace at level 13 which have been incorporated for biodiversity gain in line with Policy ENV2 and ENV3. A blue roof is also provided at level 14 which equates to 400sqm. Both the Green roof and Blue roof are forms of SUDs which is a requirement of policy ENV2, ENV3 and policy ENV5.</p>
5.71	<p>Furthermore, the developer has incorporated a number of Sustainable Design Measures which includes an energy efficient development, ensuring that the design and construction is carried out to the highest ESG standards. Examples include installing electric panel heaters for space heating and a Central Air Source Heat Pump for hot water demand. Low energy LED lighting will be installed throughout.</p>
5.72	<p><u>Open Space</u></p> <p>Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to</p>

	serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.
5.73	The proposed level of internal and external amenity space being proposed is comparative to other student accommodation developments of a similar scale. The internal amenity consists of approximately 838 sqm at Ground Floor Level including: Gym, Games Room, Cinema, Events Space, Study Area, reception and an amenity hub located on the 13th floor equating to 192sqm. A total internal amenity space of 1030sqm is being provided. The external amenity comprises a total of 668 sqm which is being delivered in the form of a ground floor landscaped courtyard and an amenity roof terrace on the thirteenth floor.
5.74	The requirements of Policy OS3 are met.
5.75	<p><u>Access and Transport</u></p> <p><i>Accessibility and parking:</i></p> <p>As previously mentioned, the site is located within the city centre and is readily accessible to various pedestrian and cycle linkways to the Ulster University Campus which is approx.400m to the northwest of the site. The site is also in close proximity to public transport links including; Great Patrick Street Metro services (90m walk), Laganside Buscentre Metro and Ulsterbus services (500m walk), York Street Station (1km walk) and Grand Central Station (1.8km walk). Due to the location and nature of the proposal, the scheme will be car-free as it benefits from high levels of accessibility to public transport. The majority of trips will be by sustainable modes of transport.</p>
5.76	The proposal includes for secure and covered cycle stores on ground floor level of the building which will provide a total of 128 no. bicycle spaces. The bicycle store can be accessed directly from the central courtyard area. Furthermore, the site benefits from being within close proximity to the National Cycle Network (NCN) Route 93 which is 200m east of the site on Corporation Street and runs north-south along Donegal Quay which is part shared use path and part cycle track. NCN Route 93, which is approximately 12km in length, is a dedicated urban cycle route connecting Victoria Park, Titanic Quarter, and to other NCNs.
5.77	The development site is in an area of Parking restraint BCC – Core Zone 1 as designated in the Belfast Metropolitan Transport Plan (BMTP). Within areas of parking restraint there is a presumption against additional car parking. The objective is to reduce the need for car borne commuting and promote a shift to other forms of transport. This development proposes a car-free environment and will encourage the use of sustainable forms of transport, with sustainable transport measures included within the Travel Plan. Due to the student nature of the proposal and the site benefitting from high levels of accessibility to public transport, no parking is being provided, which is consistent with other recently approved PBMSA schemes in Belfast.
5.78	The applicant has provided details of disabled parking in the vicinity of the site. Exchange Street (2 disabled spaces), Dunbar Street (2 disabled spaces), Little Donegal Street (2 disabled spaces), NCP Belfast City Quays (24 disabled spaces), St Anne's Square Car Park (21 spaces) and Q-Park Victoria Square (64 spaces). Satisfactory parking provision is therefore in place for disabled car users.

5.79	Dfl Roads offers no objection to the proposal, which is considered acceptable in terms of accessibility, parking and highway safety. Dfl Roads advises conditions, which are recommended.
5.80	The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.
5.81	<p><u>Health Impacts</u></p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.82	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through excellent linkages with the city centre and its shops, services and amenities.
5.83	Good levels of open space/amenity space are proposed in the form of a landscaped courtyard and amenity roof terrace.
5.84	The proposal includes a gym, which would support the physical and mental wellbeing of occupants of the development.
5.85	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant living environment for students, and well as enhancing the character and appearance of the area.
5.86	<p>The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><u>Environmental protection</u></p>
5.87	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and dust impacts.
5.88	<p><u>Contaminated land</u></p> <p>Environmental Health's response is still outstanding on contamination however NIEA: Regulation Unit has reviewed and commented on the relevant reports. They have stated that no unacceptable risks to environmental receptors have been identified for the development and offer no objection to the development provided conditions and informatives are placed. The proposal accords with Policy ENV1.</p>
5.89	<p><u>Air quality</u></p> <p>Further clarification was sought by Environmental Health (EH) with regards to air quality. This was provided and a final response from EH is expected imminently.</p>

5.90	<p><u>Noise and vibration</u></p> <p>Further clarification was sought by Environmental Health (EH) with regards to noise. This was provided and a final response from EH is expected imminently.</p>
5.91	<p>Subject to a final response from EH, it is considered that the proposal accords with Policy ENV1. Delegated authority is requested to resolve the final response from Environmental Health.</p>
5.92	<p><u>Flood Risk and Drainage</u></p> <p>Flood Maps (NI) indicates that a minor portion of the site does lie within an area of predicted pluvial flooding. DfI Rives has reviewed the Flood Risk Assessment, its logic and has no reason to disagree with its conclusions. A Drainage Assessment has been submitted and indicates that flood risk to and from a portion of the development will be managed by SuDS. Commenting on the efficacy of the proposed SuDS is outside Rivers Directorate area of knowledge and expertise. Consequently, Rivers Directorate cannot advise that the potential flood risk to the development, and from the development to elsewhere, has been satisfactorily addressed. The Planning Authority accept that sufficient SuDS measures are in place to manage this.</p>
5.93	<p>The proposal is considered to satisfy Policy ENV5.</p>
5.94	<p><u>Waste-Water Infrastructure</u></p> <p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of insufficient network capacity. It states that there are significant risks to the environment and detrimental impact on existing properties. NI Water advises that the applicant consults directly with NI Water on this issue.</p>
5.95	<p>NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. Moreover, NI Water has not provided direct evidence of expected harm that would result from the development. For these reasons, it would be unreasonable to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p>
5.91	<p><u>Natural heritage</u></p> <p>Policy NH1 relates to the protection of natural heritage resources.</p>
5.92	<p>DAERA has provided advice from its Natural Environment Division (NED) and indicated concern regarding the level of multiple survey reports. These reports were in fact submitted as part of the application and were provided via the Planning Portal consultee hub on 21st January 2025. However, it appears that DAERA did not follow the correct procedure, obtaining the documentation from the Planning Portal rather than the consultee hub and therefore did not see the redacted reports regarding protected species when issuing their response on 13th May 2025. This has been communicated to NED and a fresh consultation was issued on 20th May 2025. The response remains outstanding however it is anticipated that the issues can be resolved. SES will also need to be reconsulted following a final response from NED. It is anticipated that SES will advise that mitigation is provided by means of a condition to require submission and approval of the details of the method of sewage disposal. Delegated authority is sought</p>

5.93	to resolve the final responses from DAERA and SES subject to no substantive issues being raised.
5.94	DAERA: Regulation Unit has advised that it has no concerns about the proposal, advising conditions in relation to contamination. These conditions are recommended as appropriate.
5.95	Subject to a satisfactory further response from DAERA: NED and SES, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
5.96	<p><u>Waste Management</u></p> <p>The application is supported by a Waste Management Plan. This sets out provision for accommodating total waste generated from the building, segregation of waste for recycling and how convenient and safe access for depositing waste and collecting waste will be facilitated. The Council's Waste Management team has been consulted and is satisfied.</p>
5.97	<p><u>Employability and Skills</u></p> <p>The <i>Developer Contribution Framework</i> requires proposals for Major development to contribute towards Employability and Skills where necessary.</p>
5.98	<p>The Council's Economic Development Unit notes that the estimated construction cost of the development is £65 million. It is expected that approx. 88 construction jobs will be created during construction with approximately 21.5 jobs on operation. The Economic Development Unit advises that a Construction Employability and Skills Plan is required.</p>
5.99	<p>Typical interventions in the Employability and Skills Plan may include:</p> <ul style="list-style-type: none"> - creating access to employment opportunities - delivering training to upskill people - creation and delivery of apprenticeship opportunities - ring-fencing opportunities for under-represented groups - delivery of employability interventions - addressing barriers to employment and skills development - delivery of youth interventions
5.100	<p>The Construction Employability and Skills Plan should be secured by way of a Section 76 planning agreement.</p> <p><u>Section 76 Planning Agreement</u></p> <p>Should the application be approved, the following planning obligations should be secured by way of a Section 76 planning agreement.</p> <ul style="list-style-type: none"> • PBMSA Management Plan • Employability and Skills – to secure the submission and implementation of a Construction Employability and Skills Plan for the construction phase of the development. • Short term Let Management Plan

	<ul style="list-style-type: none"> • Public Realm – the public realm is divided into publicly adopted and privately maintained. The privately maintained public realm will be delivered by the applicant. The publicly adopted public realm can be delivered by either the Council (with a commuted sum of £245,000 from the applicant), or by the applicant. The agreed clause allows for either scenario.
5.101	These are considered necessary to make the proposed development acceptable.
5.102	A draft Section 76 planning agreement is at an advanced stage of negotiation and will need to be finalised before planning permission is granted.
5.103	<p><u>Pre-Application Community Consultation</u></p> <p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p>
5.104	Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in May 2024 (LA04/2024/0881PAN) and confirmed by the Council to be acceptable.
5.105	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received. A public event was held in July 2024 and a dedicated community consultation website established. Five people attended the public consultation event and only one comment card was received during the consultation process which supported the proposal.
5.106	The PACC report is considered compliant with the legislative requirements.
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, including resolving final responses from EH, NIEA: NED and SES as well provided that the issues are not substantive.
7.0	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.

	<p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p> <p>3. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure.</p> <p>Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.</p> <p>4. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan uploaded to the Planning Portal on 26th November 2024.</p> <p>Reason: In the interests of road safety and convenience of road users.</p> <p>5. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan uploaded to the Planning Portal on 26th November 2024.</p> <p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>6. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been prepared by a qualified archaeologist and implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council.</p> <p>The POW shall provide for:</p> <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition. <p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.</p> <p>7. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 6. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological programme of works.</p> <p>Reason: To ensure that the archaeological remains and features are properly analysed and recorded.</p> <p>8. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further</p>
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development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

9. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity

10. All landscaping works shall be carried out in accordance with the approved details on drawing no24a, dated 03/03/2025. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

11. No access gates shall be installed unless in accordance with details that shall have been submitted to and approved in writing by the Council before they are installed.

Reason: In the interests of the character and appearance of the area

12. Notwithstanding the submitted details, no external brickwork, windows or doors shall be applied, installed, implemented or carried out unless in accordance with a written specification and physical sample which shall have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

DRAFT INFORMATIVES

1. This planning permission includes conditions which require further details to be submitted to and approved by the Council. Please read the conditions carefully so that you know when this information needs to be provided and approved. It

	<p>could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <ol style="list-style-type: none"> 2. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement. 3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. 4. The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at https://planningregister.planningsystemni.gov.uk/.
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Development Management Report	
Committee Date: 17 th June 2024	
Application ID: LA04/2024/0211/F	
Proposal: Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site.	Location: Existing Football Stadium The Oval Parkgate Drive Belfast BT4 1EW.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Glentoran Social Partnership The Oval Parkgate Drive Belfast BT4 1EW	Agent Name and Address: Hamilton Architects 3 Joy Street Belfast BT2 8LE
Date Valid: 15 th March 2024	
Target Date: 11 th October 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: <p>The application seeks full planning permission for the redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6,000 spectators on site.</p> <p>There is no increase in capacity in respect of numbers. The existing Main stand has a seating capacity of 2,720 and the existing Railway stand holds 2,070 with the remaining located on the standing terraces on either end of the pitch. The proposed new grandstand will have a capacity of 3,300 and the new north stand will have a capacity of 1,100. The two areas of redeveloped standing terrace to bring total stadium capacity to 6,000.</p> <p>The proposed design is based on two single tier spectator stands on opposing touchlines, the larger grandstand will accommodate all internal accommodation with the smaller north stand accommodating visiting fans. Simple cantilevered roof design to both stands allow both buildings to integrate into the surrounding context without being overpowering. The Oval terracing will be maintained at goal ends and maintains the historic massing of the site.</p> <p>The playing field is proposed to be re-laid above its current level to solve historic drainage and flooding issues. This is being considered under a separate planning application.</p>	

The key issues for consideration of the application are set out below.

- Principle of development at this location
- Design, Placemaking and Impact on Amenity
- Access and transport
- Healthy Communities
- Built Heritage
- Natural heritage
- Climate change
- Flood Risk and Drainage
- Waste-water infrastructure
- Environmental protection
- Waste management
- Employability and Skills
- Pre-application Community Consultation

The Council has received five third-party representations, two of these are objections, two are in support of the scheme and one is neither objection nor support. These are summarised in the main report.

No objections have been received from consultees, subject to conditions.

The proposal is considered compliant with relevant policies and will not adversely impact on amenity of adjacent residents/landowners.

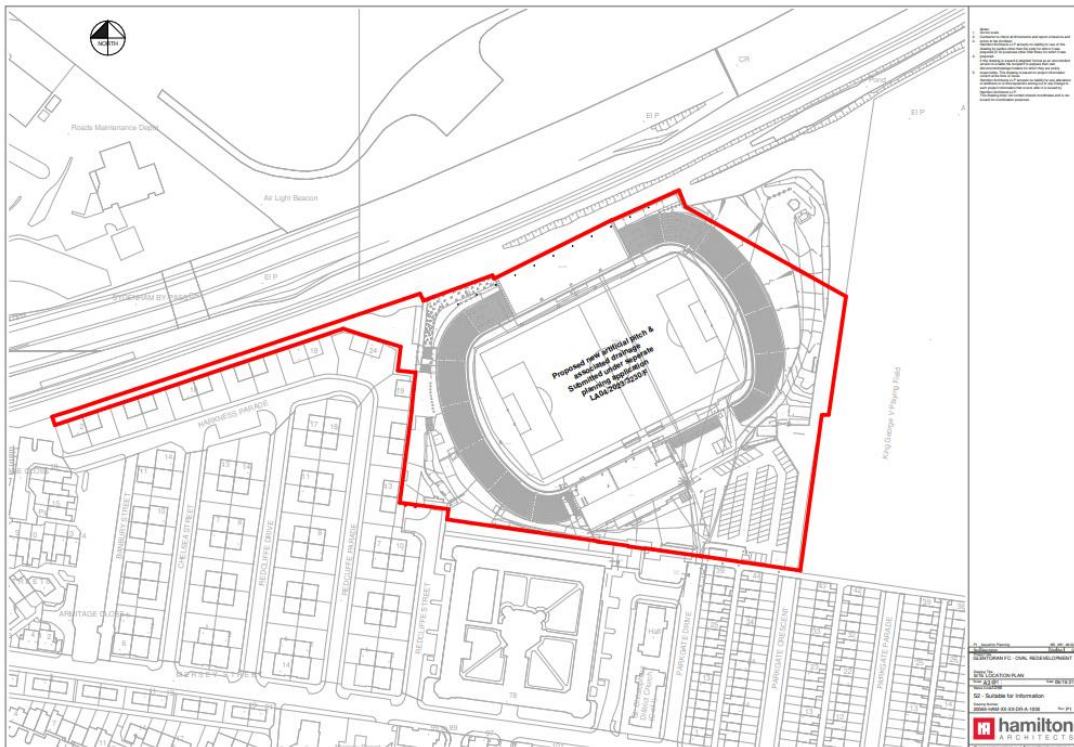
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

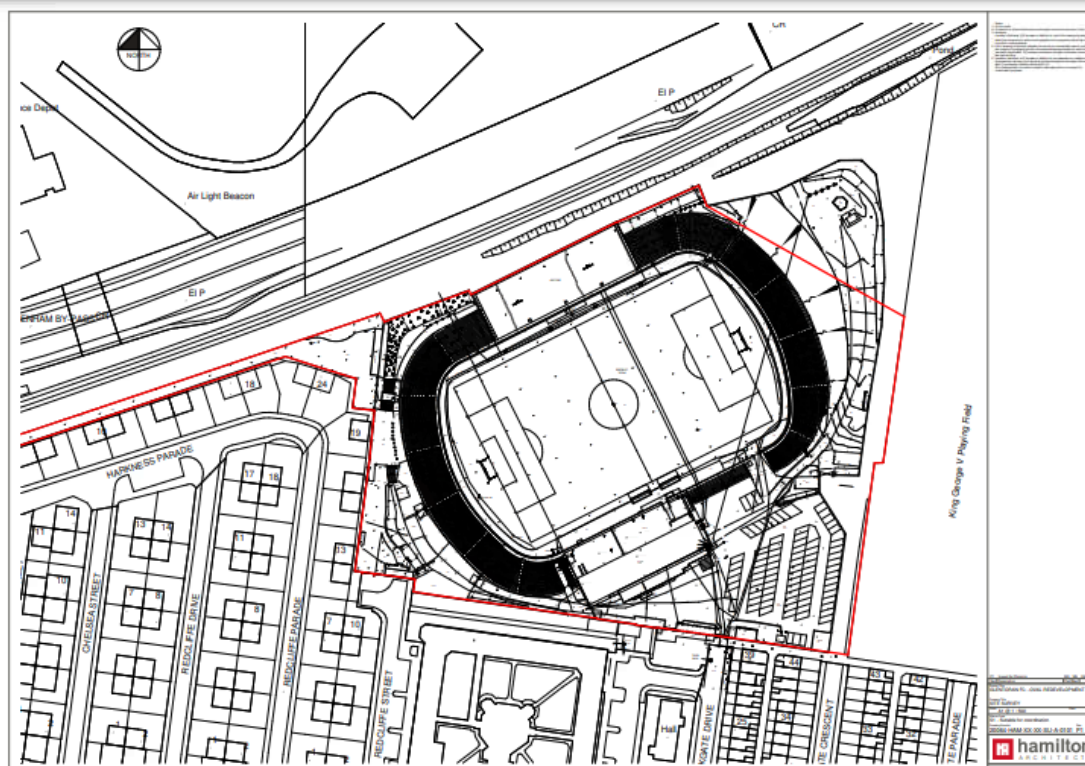
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other issues that arise provided the issues are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



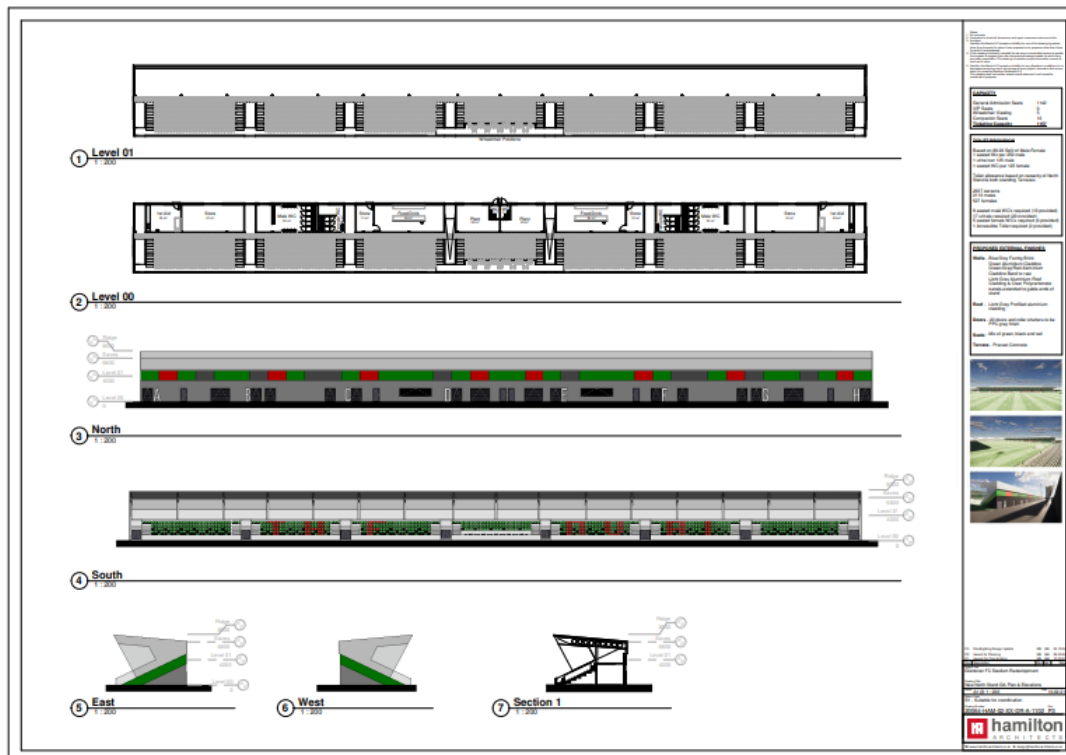
Existing Site Topography:



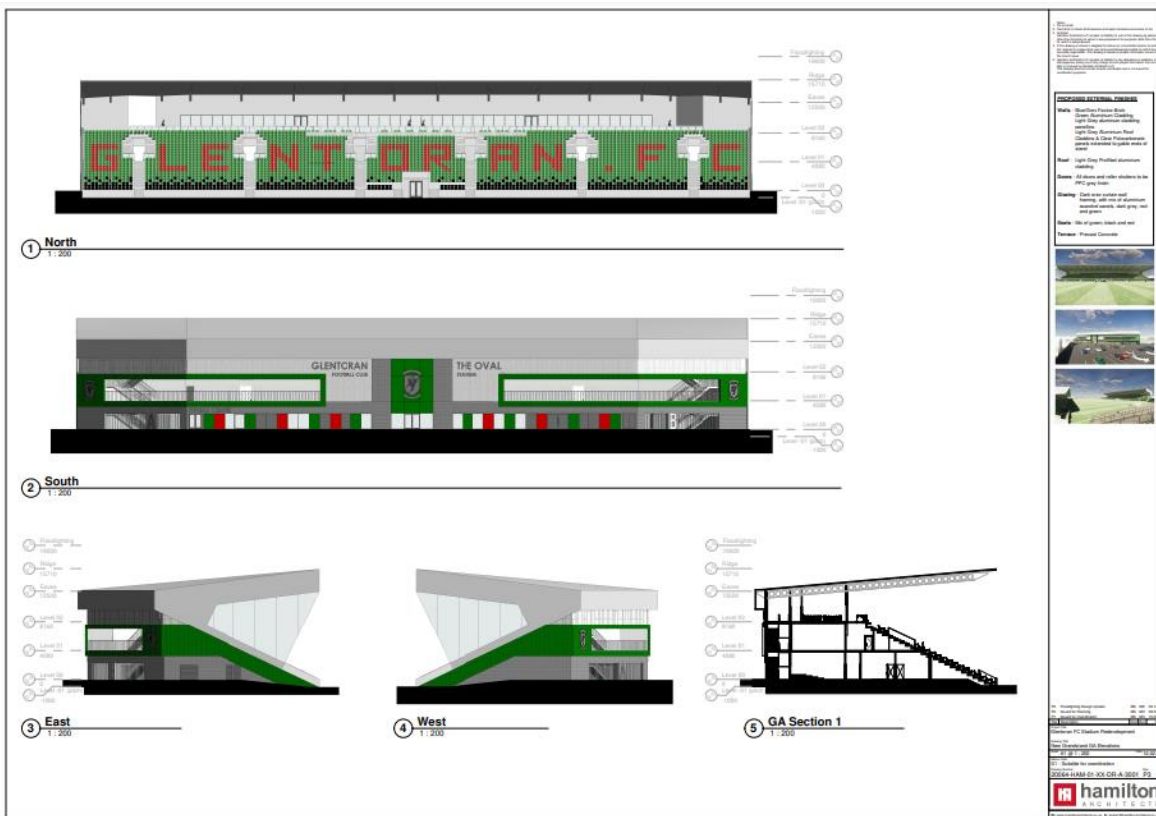
Proposed site Layout:



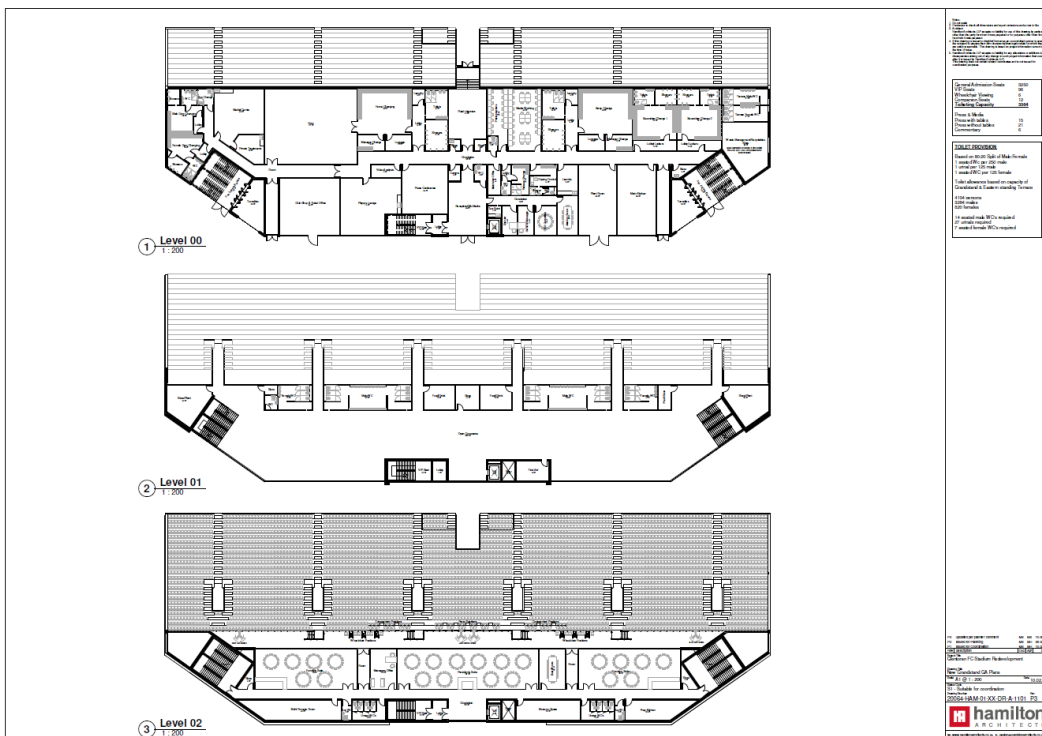
Proposed North Stand Plans and Elevations:



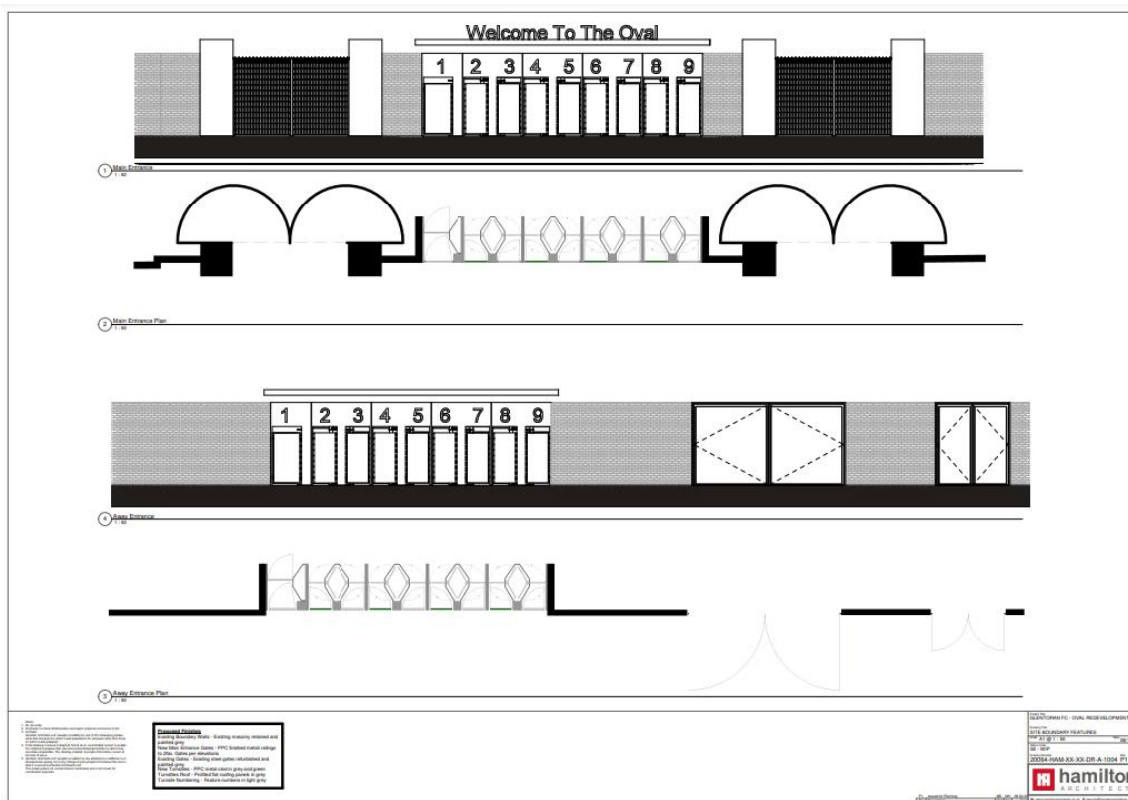
Proposed Grandstand Elevations:



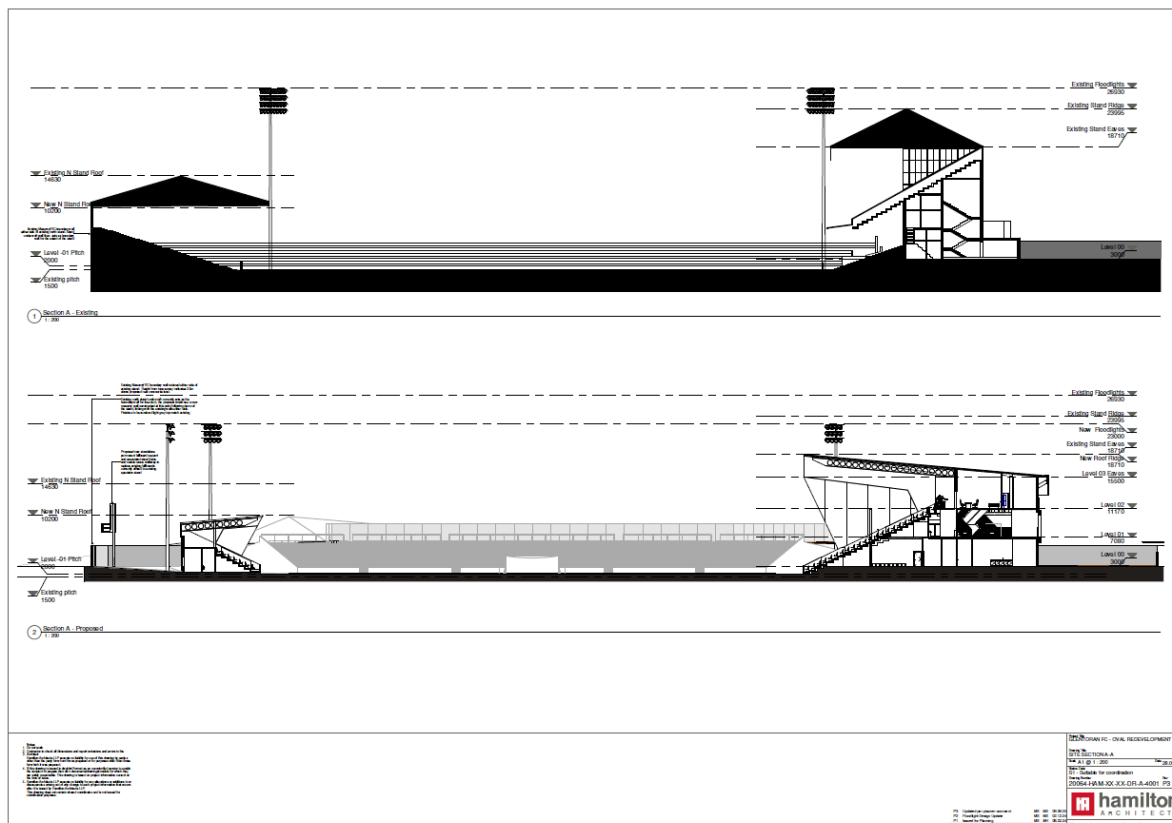
Grandstand Floor Plans:

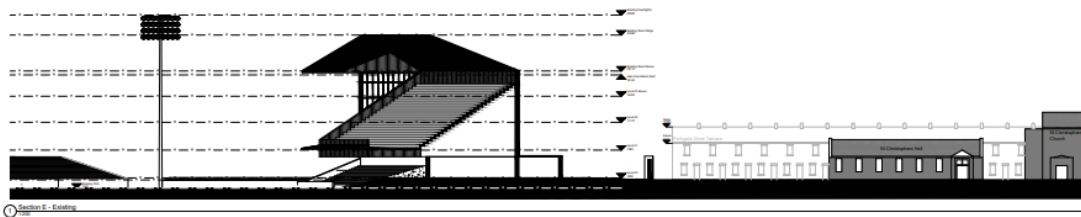


Site Boundary Features:



Existing and Proposed Site Sections:





Section E - Existing



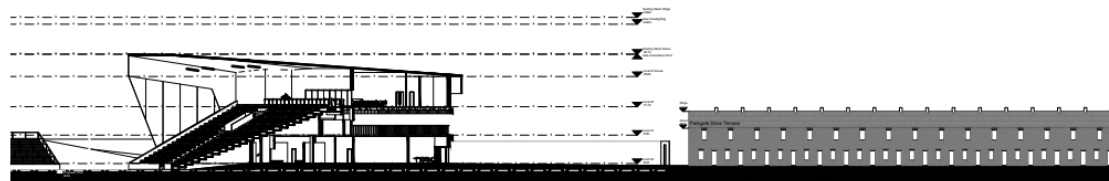
Section E - Proposed

Notes:
1. All dimensions are in feet and inches.
2. All elevations are in feet and inches.
3. All sections are in feet and inches.
4. All sections are in feet and inches.
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8. All sections are in feet and inches.
9. All sections are in feet and inches.
10. All sections are in feet and inches.

Project:	Highway 70 - Old Westmont
Client:	City of Westmont
Drawn by:	Hamilton
Check by:	Hamilton
Date:	10/18/2018
Scale:	1/8" = 1'-0"
Sheet:	01-01
Project:	Highway 70 - Old Westmont
Client:	City of Westmont
Drawn by:	Hamilton
Check by:	Hamilton
Date:	10/18/2018
Scale:	1/8" = 1'-0"
Sheet:	01-01



Section F - Existing



Section F - Proposed

Notes:
1. All dimensions are in feet and inches.
2. All elevations are in feet and inches.
3. All sections are in feet and inches.
4. All sections are in feet and inches.
5. All sections are in feet and inches.
6. All sections are in feet and inches.
7. All sections are in feet and inches.
8. All sections are in feet and inches.
9. All sections are in feet and inches.
10. All sections are in feet and inches.

Project:	Highway 70 - Old Westmont
Client:	City of Westmont
Drawn by:	Hamilton
Check by:	Hamilton
Date:	10/18/2018
Scale:	1/8" = 1'-0"
Sheet:	01-01
Project:	Highway 70 - Old Westmont
Client:	City of Westmont
Drawn by:	Hamilton
Check by:	Hamilton
Date:	10/18/2018
Scale:	1/8" = 1'-0"
Sheet:	01-01

Stadium Egress:

Stadium Egress:

Stadium Ingress:

1.0	Characteristics of the Site and Area
1.1	The application is an existing football ground consisting of two covered spectator stands along each touchline with standing terrace at goal ends. The changing facilities and clubhouse are all contained within the main stand. A car park and turnstiles make up the 2.75ha site. The site is bounded by a railway line and bypass on its north side and community playing fields on its east side. Residential development abuts the site on its south and west sides.
1.2	The surrounding area is inner-city and predominantly residential, characterised by two-storey red brick terraced houses.
1.3	Description of Proposed Development The application seeks planning permission for redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6,000 spectators on site.
2.0	PLANNING HISTORY
2.1	The site has no relevant planning history, however, the proposal was subject to Pre-Application Discussion (PAD) with officers and Proposal of Application Notice (PAN): LA04/2021/0960/PAN - Demolition of existing spectator stand to be replaced with 2 new all seater stands totalling 4000 capacity and reconfiguration of existing standing terracing at goal ends providing 2000 person capacity. New turnstiles and site works to include additional car parking and improved circulation routes within the site. LA04/2021/1605/PAD - Demolition of existing spectator stand to be replaced with 2 new all seater stands totalling 4000 capacity and reconfiguration of existing standing terracing at goal ends providing 2000 person capacity. New turnstiles and site works to include additional car parking and improved circulation routes within the site. LA04/2024/2142/F - Replacement of existing natural grass pitch with new synthetic 3G surface and associated drainage. Decision pending.
3.0	PLANNING POLICY
	Development Plan – Plan Strategy <u>Belfast Local Development Plan: Plan Strategy 2035</u>
3.1	Relevant Planning Policies: Policies in the Plan Strategy relevant to the application include the following: <i>Strategic Policies:</i>
3.2	Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas

	<p><i>Operational Policies:</i></p>
3.3	<p>Policy CI1 – Community Infrastructure Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for Major development Policy BH1 – Listed Buildings Policy BH5 – Archaeology Policy TRAN 2 – Creating an Accessible Environment Policy TRAN 3 – Transport Assessment Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adopting to Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable Drainage Systems (SuDS) Policy GB1 – Green and Blue Infrastructure Network Policy OS1 – Protection of Open Space Policy OS5 – Intensive Sports Facilities Policy NH1 – Protection of Natural Heritage Resources Policy LC1 - Landscape Policy HC1 – Promoting healthy communities</p> <p><u>Supplementary Planning Guidance</u></p>
3.4	<p>Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Planning and Flood Risk Waste Infrastructure</p>
3.5	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
3.6	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.7	<p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>

4.0	CONSULTATIONS AND REPRESENTATIONS <u>Statutory Consultees</u>
4.1	DFI Roads – No objection, subject to conditions. DFI Rivers – No objection NI Water – No objection DAERA NIEA - No objection subject to conditions Historic Environment Division (HED) – No objection, subject to conditions <u>Non-Statutory Consultees</u>
4.2	BCC Plans & Policy team – No objection BCC Environmental Health – No objection, subject to conditions BCC Urban Design – No objection BCC Landscape & Development – No objection BCC Economic Development Unit – No objection Translink – No objection NIE – No objection Belfast City Airport – No objection Shared Environmental Services (SES) – No objection, subject to a conditions RSPB – No objection <u>Representations</u>
4.3	The application has been advertised in the press and neighbours notified. Five third party representations have been received, two of these are objections, two are in support of the scheme and one is neither objection nor support. The points raised are summarised below.
4.4	Objections: <ol style="list-style-type: none"> 1. Lack of pre-community notification offered to local residents. 2. Health and Safety concerns, traffic impact upon foundations. 3. Disruption from site traffic during the construction phase, in particular from HGV lorries on children playing in the streets / school children, walking to and from school. Safe and easy access for residents to their property potentially heavy traffic. Safe and easy access at all times for emergency services to gain entry to property to attend to a family member who is disabled and requires medical attention regularly. 4. Potential for excessive noise from heavy HGV traffic, from early morning to late evenings and weekends which will have a huge impact upon residential areas. 5. Storage of building materials and HGV vehicles on site and at access to site during construction phase has in the past attracted antisocial behaviour causing damage to property and cars, causing huge impact upon residential areas. 6. Impact on car parking around the oval when a match is on. 7. Potential impact of microplastics on the natural environment and wildlife, rubber infill impacts on the ecosystem.

4.5	<p>Support:</p> <ul style="list-style-type: none"> 8. This redevelopment is long overdue and will enhance the experience for this local community. 9. Fully support the long overdue upgrade for facilities for the people of East Belfast. 10. The current condition of the existing stadium is unsuitable for families and now we have an opportunity to create a community hub for all to enjoy. A benefit for all ages, male and female. The people deserve modern facilities and an outlet for sport, social and leisure. East Belfast have been waiting an age for this. 11. The positives will be worth the disruption of any redevelopment works.
4.7	The other representation asked if toilets would be provided at the away end of the facility. Both stands have male and female toilets.
4.8	In respect of point 1, the applicant fulfilled their statutory obligation under section 27 of the Planning Act 2011 by carrying out pre-application community consultation. This is expanded on in the main assessment of the report.
4.9	The concerns raised under points 2 – 5 are addressed within the supporting construction environmental management plan (CEMP). Compliance with this will ensure minimal disruption on local residents during the construction phase. This should be secured via a condition.
4.10	In terms of point 6, the proposal will not increase stadium capacity. DfI Roads has offered no objection to the proposal.
4.11	Regarding point 7, the proposal does not involve the replacement of the existing pitch; this is subject to a separate planning application (LA04/2024/2142/F).
5.0	<p>PLANNING ASSESSMENT</p> <p>Development Plan Context</p>
5.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.

5.4	<p><u>Operational Policies</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1.</p> <p><u>Proposals Maps</u></p>
5.5	<p>Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
5.6	<p>Belfast Urban Area Plan 2001 – the site is zoned as Open Space.</p>
5.7	<p>Belfast Metropolitan Area Plan 2015 (v2004) – the site is zoned as an area of existing open space and is within a Local Landscape Policy Area and settlement limits.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is zoned as an area of existing open space and is within a Local Landscape Policy Area and settlement limits.</p> <p><u>Environmental Impact Assessment</u></p>
5.9	<p>The proposed development falls within Category 10(b) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 and therefore the Council is required under Regulation 12(1) to make a determination as to whether the proposal is EIA development. The Planning Service has determined that the proposal is unlikely to have any significant environmental effects in the context of the regulations and is not EIA development. Therefore, the application does not require to be accompanied by an Environmental Statement.</p> <p>Main Issues</p>
5.10	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development at this location • Design, Placemaking and Impact on Amenity • Access and transport • Healthy Communities • Built Heritage • Natural heritage • Climate change • Flood Risk and Drainage • Waste-water infrastructure • Environmental protection • Waste management • Employability and Skills • Pre-application Community Consultation

	<u>Principle of development at this location</u>
5.11	Policy CI1 (Community Infrastructure) and Policy OS5 (Intensive sports facilities) support the improvement of existing facilities subject to no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements for / no impact on access, car parking, drainage and waste disposal. Therefore, there is policy support for improvement of existing facilities, subject to detailed consideration of the issues.
5.12	The proposal is acceptable having regard to Policy OS1 and Policy OS5 of the Plan Strategy in that the sports facility is within the settlement limits and the proposal relates to the redevelopment of an existing open space and an intensive sports facility. It is considered that the proposal is deemed to have no adverse impact on the sporting potential of the facility. There is no loss of open space, rather an alteration / enhancement of its existing facilities. A small area of the site will be changed to facilitate improved parking facilities, however, it is not considered that this will adversely impact the function or setting of the open space and Local Landscape Policy Area. The principle of development is therefore considered acceptable.
	<u>Design, Placemaking and Impact on Amenity</u>
5.13	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, and DES2, of the LDP: Plan Strategy (PS). Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale, height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.
5.14	Policy DES1 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 and goes onto list 11 criteria, (a) to (k).
	<i>Existing design</i>
5.15	The existing grandstand to the southern side of the pitch is 2 tiered with part standing part seated to the lower tier and seated to the upper tier. This also contains the majority of the stadium accommodation on two storeys consisting of players and coaching rooms on ground floor with offices and function space on first floor. The steel framed structure is clad in facing brick and corrugated metal cladding with a pitched roof. The height is approximately 20m. The smaller North stand is opposite the grandstand and consists largely of the original concrete standing terrace with a simple pitched roof over the length of the touchline and seating installed on the terrace. Materials match those of the grandstand. The height is approximately 9m. The original concrete stepped standing terrace remains in place wrapping around the grass pitch in its oval shape, with a mix of grassed and gravel earth banking to its periphery.
	<i>Proposed form, scale and massing</i>
5.16	The existing structures are to be demolished and replaced with a new grandstand with a height of approximately 15m. from the original ground level and a new north stand with a height of approximately 5m. The new structures are to cover the footprints of the original buildings. The design of both consists of a simple cantilevered roof profile. This is a significant reduction in the height of the stadium.

5.17	However, the length and depth of both stands represents an increase. The footprint of the grandstand is 34m x 95m, which compared to the original is an increase of 14m x 45m. The north stand has a footprint of 115m x 11m; which is an increase of 55m in the length but a decrease in width by 13m.
5.18	The impact of these changes to the north stand to amenity is minimal due its location and height reduction. The nearest houses are 19 Redcliffe Parade and 24 Harkness Parade which are 28m and 36m distance respectively from the stand. The rear of these houses have no windows whilst a high brick wall also aligns the full extent of rear property lines and separates the houses from the stadium to the east, which also limits any negative impact. It is acknowledged that this will be closer to these properties when compared to the existing north stand which is approximately 60m from these houses. However, the spectator capacity will be less at 1,100 compared to the 2,070 of the original north stand, which will further limit its impact.
5.19	The closest residential property to the new grandstand is a block of single storey apartments at 78 Mersey Street and 39 Parkgate Drive and 44 Parkgate Crescent. The grandstand will be minimally closer to the Mersey Street apartments but any impact from this will be mitigated by the reduction in height. The extra length of the new grandstand will extend beyond the side gables of 39 Parkgate Drive and 44 Parkgate Crescent but will be at a distance of 37m and 46m respectively which will ensure there is no negative impacts greater than that from the existing stand.
5.20	The proposal is considered to satisfy the relevant criteria in Policies DES1, DES2, and OS5 of the Plan Strategy in respect of the impact of the siting scale, massing and overlooking on residential amenity. <i>Materials</i>
5.21	The building will feature contrasting shades of the club's official colours through brickwork, render, metal cladding and coloured aluminium glazing/panelling. This is considered appropriate for a football stadium and thus satisfies the relevant criteria in Policies DES1. <i>Layout</i>
5.22	The stadium will be built in its current orientation to maintain the characteristic oval design and maintain the current ingress/egress routes to and from the site. The main access is via Parkgate Drive to the south of the site and is used for all vehicular traffic to and from the stadium. There are 5 existing exit routes around the stadium which will be retained within the new design. There will be 4 to the southern boundary leading to Parkgate Drive, Redcliffe Street and Parkgate Crescent with the 5th to the northwest, leading to Armitage Close & Dee Street bridge via what is currently a caged walkway. Spectators will continue to enter the site via the current points albeit through new digital turnstiles along the south boundary and upon entering from the northwest. Utilising the established layout will ensure minimal impact on the amenity of nearby residents and the road network. This is considered to comply with Policy DES1 and Policy DES2.

	<i>Vehicular access and car parking</i>
5.23	Vehicular access will remain via Parkgate Drive with the inclusion of upgraded access routes within the site. The pedestrian cage at the at the northwest entrance is to be removed to allow this to also be utilised as an emergency vehicle entry point. Ancillary space around the stadium will accommodate upgraded parking provision, and accessibility to all sections of the ground. DfL Roads has been consulted and is content with regards to all parking and access arrangements. Policies TRAN 8 and 10 are considered to be satisfied.
	<i>Topography</i>
5.24	The proposed site layout will follow that of the existing stadium and has been designed to retain the natural topography of the site and reduce any cut/fill requirements with the exception of the eastern side of the site. Levels here will be raised by several metres in places to even out the ground to facilitate secure team and officials parking and a broadcast compound. These will be secured by a 4m retaining wall from the original ground level at the adjacent King George V Playing Field.
	<i>Boundary Treatments</i>
5.25	The existing boundary wall is to be retained along the northern, west and south sides. The northwest boundary that faces onto the railway line and Sydenham Bypass will be defined by a new open mesh PPC coated sports fencing to be constructed along the r boundary from finished ground level to a height of 3m. The access points will upgraded with new gates and turnstiles.
5.26	A new dry bond retaining wall constructed along the eastern site boundary. The height of this varies with level changes with maximum height of 4m above neighbouring King George V Playing fields. Open mesh PPC coated sports fencing to be constructed above retaining wall from finished ground level to a height of 3m. The retaining wall is to transition into a traditional rendered masonry wall along the main car park area. This will be 3m in height. As this separates the site from the adjoining public playing fields there will be no impacts on residential amenity in respect of dominance / overshadowing. The boundary treatments are considered to comply with Policy DES1 and DES2 of the PS.
	<i>Sense of Place</i>
5.27	The concept draws heavily on the positive aspects of the historic oval character and appearance of the existing stadium and surrounding area and will act as a focal point for the local community. The design is therefore considered to comply with criterion a. and b. of Policy DES1 as it responds positively to the local context and character and reinforces a sense of place.
5.28	The Council's Urban Design Officer was consulted and raises no objection in respect of the relationship between the proposal and neighbouring buildings.
	<i>Floodlighting</i>
5.29	Floodlighting will be upgraded to meet the requirements of UEFA category 3 stadia. Environmental Health has been consulted and is content that the floodlighting as proposed will not result in any negative light spill. This is complaint with the relevant criteria in Policy DES1 and Policy OS5 of the LDP.

	<u>Access and transport</u>
5.30	Whilst spectator capacity is not changing from the current situation, the proposal involves increasing the size of the car park to include a parking area for team buses and officials.
5.31	The site is a highly accessible location within the city having direct access to the road network and public transport and is in between two railway halts (Sydenham and Titanic). The Newtownards Road is close by which is serviced by the Glider. The supporting Travel Plan identifies several cycle routes linking the site to the wider cycle path network whilst 20No. cycle stands are to be provided within the stadium grounds.
5.32	The stadium is a significant travel generating use and a Travel Plan has been submitted as required by Policy TRAN 4. DfI Roads has advised that the proposed Travel Plan is acceptable.
5.33	Regarding on-site parking, the proposal includes 8 disabled parking spaces within the car park. There will be a total of 122 spaces, which is an increase of 36 spaces from the existing 86 spaces.
5.34	DfI Roads have no objection to the parking and travel arrangement for the proposed development, subject to conditions. The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, and TRAN6.
	<u>Healthy Communities</u>
5.35	The proposal is considered to comply with Policy HC1 in that it promotes healthy communities through active travel and good placemaking.
	<u>Built Heritage</u>
5.36	A scheduled WWII Pill Box (DOW 004:017) is located in close proximity to the site. This is a monument of regional importance and is scheduled for protection under the Historic Monuments and Archaeological Objects (NI) Order 1995. Historic Environment Division (Historic Monuments) has assessed the proposal and is content that it will not have an increased impact on the setting of the Scheduled Monument.
5.37	However, while the scheduled pill box is outside the red line application site, HED (Historic Monuments) would seek to ensure that no deliberate or inadvertent disturbance occur within the scheduled area during construction works and has recommended two conditions: one for protective fencing to be erected near the monument to protect it during the construction phase; and the other to afford HED access to it to check for compliance. These are necessary precautions given the close proximity of the application site to the monument and considered reasonable.
5.38	<p>The application site impacts upon a number of listed buildings which are of special architectural or historic interest and protected by Section 80 of the Planning Act (NI) 2011. The listed buildings below are deemed to be impacted by this application:</p> <ul style="list-style-type: none"> • Mersey Street Primary School; • 78 Mersey Street (now in use as residential apartments); and • St Christopher's Church of Ireland, Mersey Street.

5.40	<p>HED (Historic Buildings) has assessed the proposal against policies within the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12 (setting) and Policy BH1 (Listed Buildings) of the Plan Strategy, advising that it is content that the proposal will not have any negative impact on these buildings. Officers consider that the proposal accords with these policies.</p> <p><u>Natural heritage</u></p>
5.41	<p>The application site is in close proximity to the Connswater river which is hydrologically linked to Inner Belfast Lough Area of Special Scientific interest (ASSI), Belfast Lough Special Protection Area (SPA) and Ramsar Site.</p>
5.42	<p>DAERA NIEA, Natural Environment Division (NED) and Shared Environmental Services have considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.</p>
5.43	<p>It is considered that the proposal is in compliance with Policy NH1.</p> <p><u>Climate change</u></p>
5.44	<p>Policies ENV2, and ENV3 relate to environmental resilience and associated impacts.</p>
5.45	<p>Policy ENV2 states that proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. The main grandstand on the South side of the pitch was constructed in 1953 and the smaller stand dates back to 2000. The applicant states that the existing facilities have surpassed the end of the practical life span and are not fit for purpose to meet the standards of modern stadia, they lack the requirements for functionality and accessibility and as such are proposed to be demolished and replaced with fit for purpose facilities. It is not considered practical nor cost effective to re-use the existing structures, having regard to Policy ENV2.</p>
5.46	<p>Policy ENV2 states that planning permission will be granted for development that incorporates, where feasible, measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.</p>
5.47	<p>The applicant states that the building will be designed to BREEAM Excellent standard (or equivalent). BREEAM considers a large number of factors including Heating, Materials, Transport, Pollution and many more to achieve the prescribed credit rating and is continually assessed at all stages and is a globally recognised standard. The essence of this design is to remove continual maintenance, integrate sustainable measures such as PV power panels, sustainable heating and good insulated airtight construction all serving to consolidate and reduce running and life cycle costs.</p>
5.48	<p>A condition is recommended to require the development to be constructed to BREEAM Excellent standard, or comparable, in compliance with Policies ENV2, EN3 and DES2.</p>
5.49	<p>The existing grass bank to the southwest of the site will be retained. This along with the pitch will act as a natural soakaway and minimise flood risk. This is considered to be in compliance with Policy ENV5.</p>

	<u>Flood Risk and Drainage</u>
5.50	Flood Maps (NI) indicates that the site lies outside the 1 in 100 year climate change fluvial or 1 in 200 year climate change coastal flood plain. As such a Flood Risk Assessment is not required. A Drainage Assessment has been submitted and DfI Rivers upon consultation has advised that they have no reason to disagree with its conclusions. The proposal is considered compliant with Policy ENV4 of the PS.
	<u>Waste-water infrastructure</u>
5.51	NI Water has also been consulted and they advised there is a public foul sewer within 20m of the proposed development boundary which can adequately service these proposals. This is compliant with Policy SP1a which requires that necessary infrastructure is in place to support new development.
	<u>Environmental protection</u>
5.52	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations including light pollution from the proposed floodlights. Environmental Health has confirmed that it has no objections, subject to conditions. The proposal is therefore considered to comply with the relevant parts of Policy ENV1 and also OS5 in respect of the impact of the proposed floodlights.
	<u>Waste management</u>
5.53	No waste management plan was submitted in support of the proposal as the capacity will not be changed from the existing. There will be a storage area in the undercroft of the grandstand for bins.
	<u>Employability and Skills</u>
5.54	The applicant has provided a skills assessment which has been considered by the Council's Economic Development Unit. It is understood that the proposal is reliant on public funding (to be secured through the DfC "NI Football Fund") and would require social value clauses as part of the funding programme. Therefore, the Economic Development Unit advises that an Employability and Skills Developer Contribution is not required in this case.
	<u>Pre-application Community Consultation</u>
5.55	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.
5.56	The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.
5.57	The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:

	<ul style="list-style-type: none"> • To allow the public to engage in the project, the applicant published a notice in the press on 16 April 2021, approximately 5 weeks prior opening dedicated telephone lines as an alternative to the public event (suspended due to Covid 19 restrictions). These telephone lines were open from 17th-21st May 2021 to allow the public to book a phone session with the design team. Phone sessions were held on 21st and 22nd May 2021; • A Brochure outlining the proposal and methods of consultation were mail dropped to 5,720 Residential and Business addresses within the BT4 postcode in the proximity of the site; • A dedicated website was set up and included all details and documents of the project submitted with the PAN and outlined all the consultation methods available including comments through the website. Website was live from 15th May until the 12-week consultation period ended; • The PAN was provided to a list of community interests in the area via email on 14th April 2021; • All elected members within the Electoral Area received a copy of the PAN on 14th April 2021. An invitation to attend an online information presentation of the proposals was also extended and individual political parties were presented to on 12 & 14 May 2021.
5.58	In addition, a meeting was facilitated with Parkgate Community Association during the week commencing 7 th June 2021.
5.59	<p>The PACC report states that the majority of feedback to the public consultation was relatively supportive, although a few specific issues were raised:</p> <ul style="list-style-type: none"> • The need to improve on-site parking and reduce the amount of on street car parking during matchdays; • The need to reduce anti-social behaviour in the surrounding area associated with matchdays; • Concerns on where turnstile/egress gates are positioned in relation to neighbouring residents dwellings; • Belfast City Airport queries relating to safeguarding of aerodromes with the stadium being within the flightpath of the City Airport main runway, queries related mainly to construction works and floodlighting towers in terms of height and light restrictions as well as limited possibilities of attracting birds to the site
5.60	A video meeting with Belfast City Airport representatives took place on 11th August 2021 at 2pm with members from Hamilton Architects and the club to discuss/alleviate any concerns raised around the proximity to the City Airport.
5.61	<p>In response to the feedback, the proposal was modified as follows.</p> <ul style="list-style-type: none"> • Consideration of a comprehensive matchday management plan for spectators arriving to site to minimize the impact on local residents, this will include continuing and building upon the off-site drop off locations currently utilized by the club and forms part of the Transport Assessment included with the planning submission. • An agreement as part of the management plan to help address concerns relating to anti-social behaviour surrounding the stadium on matchdays through continued community engagement and improved facilities on site.

5.62	<ul style="list-style-type: none"> A review of the proposed spectator capacity in relation to existing egress gates around the perimeter of the site has resulted in a reduction in the amount of egress routes required on general matchdays to safely exit fans from the ground while minimizing the impact on neighbouring streets. <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other issues that arise provided the issues are not substantive.
7.0	<p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development hereby approved shall not be operated unless provision has been made for foul and surface water drainage in accordance with the approved plans and Drainage Strategy drawing, published on the public Planning Portal on 15/03/2024 and Drainage Assessment (Rev 02), published on the public Planning Portal on 22/08/2024.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site and to ensure the project will not have an adverse effect on the integrity of any European site.</p> <p>3. The development hereby approved shall not be occupied unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.</p> <p>Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable modes of transport.</p> <p>4. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.</p> <p>Reason: To ensure adequate car parking within the site.</p> <p>5. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan, published to the public Planning Portal on 15 March 2024</p>

	<p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>6. No site works of any nature or development shall take place until protective fencing has been erected to protect the scheduled monument WWII Pill Box (DOW 004:017) that is in close proximity to the northeast boundary of the site in accordance with details that shall have first been submitted to and approved in writing by the Council. No works of any nature or development shall be carried out within the fenced area. No erection of huts or other structures, no storage of building materials, no dumping of spoil or topsoil or rubbish, no bonfires, nor any use turning or parking of plant or machinery shall take place within the fenced area. The fence shall not be removed until the site works and development have been completed.</p> <p>Reason: to prevent damage or disturbance of archaeological remains within the application site.</p> <p>7. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Council in consultation with the Department for Communities' Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: To ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>8. The floodlighting hereby approved shall not operate outside the hours of 0800 to 2200.</p> <p>Reason: In the interests of residential amenity.</p> <p>9. Prior to the operation of the development, an Artificial Obtrusive Light Verification report shall be submitted to and approved in writing by the Council. The report shall demonstrate that the lighting scheme has been installed and shall verify that all artificial floodlighting connected with the development has been measured or determined not to exceed the Ev Lux levels (presented in table 'Existing Baseline Lighting Installation vs Proposed Lighting' contained within the Hamilton Architects letter dated 12th March 2025) at light sensitive receptors. The lighting shall not exceed these levels at any time.</p> <p>Reason: In the interests of residential amenity.</p> <p>10. The development shall not be operated or occupied unless details of the means of ventilation and extraction shown on the approved plans for the dispersal of cooking smells/fumes, including details of its method of construction, odour control measures and noise levels, have been submitted to and approved in writing by the Council. The details cannot include new external chimneys or flues unless already shown on the approved plans. The approved scheme shall be installed before the use hereby permitted commences on site and shall be retained as such at all times.</p> <p>Reason: To safeguard the amenity of adjoining properties and the general locality.</p>
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	<p>11. The ventilation and extraction system shall be installed in accordance with the approved plans and documentation before the use hereby permitted commences on site and shall thereafter be retained as such at all times.</p> <p>Reason: To safeguard the amenity of adjoining properties and the general locality.</p> <p>12. The turnstiles shall open at least 1 hour 30 minutes before the start of all games taking place at the ground. The turnstile opening times shall also be noted on all tickets associated with that particular event.</p> <p>Reason: To safeguard the living conditions and amenity of residents in nearby properties.</p> <p>13. Bars within the stadium shall open no earlier than 1 hour 30 minutes before kick-off and shall close no later than 1 hour 30 minutes after all games.</p> <p>Reason: To safeguard the living conditions and amenity of residents in nearby properties.</p> <p>14. The Public Address System shall not be tested until 1 hour prior to kick-off with no broadcasting after the game unless there is a need for an urgent safety message.</p> <p>Reason: To safeguard the living conditions and amenity of residents in nearby properties.</p> <p>15. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Environmental Construction Management Plan has been submitted to and approved in writing by the Council. The Final Environmental Construction Management Plan shall include 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.</p> <p>Reason: To protect ecology and safeguard the amenities of the area. Approval is required upfront because construction works have the potential to harm the amenities of the area.</p> <p>16. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) until a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment shall consider the Pentland Macdonald Ltd report entitled 'Preliminary Contamination Risk Assessment, The Oval (Glentoran FC), Parkgate Drive, Belfast, for Hamilton Architects' (dated January 2022 and referenced PM21-1154). The Quantitative Risk Assessment shall follow best practice and include:</p> <p>A detailed site investigation in line with BS 10175:2011+A2:2017 (or any standard that reproduces or replaces this standard). Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard).</p> <p>A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in line with current Environment Agency guidance. In</p>
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	<p>addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665 (or any standard that reproduces or replaces this standard).</p> <p>Based on the outcome of this risk assessment, a Remediation Strategy may be required. If necessary, the Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.</p> <p>The development shall not be carried out unless in accordance with the approved Remediation Strategy.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>17. In the event that a Remediation Strategy is required, prior to operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p> <p>18. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>19. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and approved in writing by the Council.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
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	<p>20. After completing any remediation works under condition 19, and prior to operation of the development, a verification report shall be submitted to and approved in writing by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>21. The development hereby approved shall be constructed to BREEAM Excellent rating (or comparable) and written evidence of such shall be submitted to the Council within 2 years of the date of occupation of the development.</p> <p>Reason: To ensure that the development mitigates and/or adapts to climate change.</p> <p>DRAFT INFORMATIVES</p> <ol style="list-style-type: none"> 1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 2. This planning permission includes conditions which require further details to be submitted to and approved by the Council. Please read the conditions carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 3. The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.
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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2025/0535/F	Committee Meeting Date: 17 th June 2025
Proposal: Variation of conditions 1, 2, ,3, 4 ,5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location.	Location: Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane, Glanaulin, 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast
Referral Route: Section 54 Variation of Condition on previously approved Major approval	
Recommendation:	Approval
Applicant Name and Address: Finbarr Grogan BW Homes and Construction Ltd. 25F Longfield Road Eglinton BT43 3PY	Agent Name and Address: Emma Mcilwaine TSA Planning 20 May Street Belfast
Date Valid: 27 th May 2025	
Target Date: 23 rd December 2025	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>This application seeks planning permission for the variation of conditions 1, 2, ,3, 4 ,5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location.</p> <p>The wording of conditions will not change as such, with amendments relating solely to approved drawing numbers, with approved layout drawings, sections and Private Streets Determination drawings impacted by the proposed omission of dwellings.</p> <p>The original planning permission was granted on 10th March 2021 LA04/2020/0804/F for a proposed major mixed use development comprising 653 residential dwellings (549 social housing units and 104 affordable housing units); 2 replacement residential care homes; mixed use area including local neighbourhood retail centre (1 convenience retail anchor unit and 3 retail/hot food/coffee shop units and hotel; Class B business uses within employment zone comprising a mix of 6 Class B1a offices; 1 Class B1b/B1c call centre and R&D office; and 11 Class B1b/B1c/B2 call centre and R&D offices/light industrial units.; community facilities including community building; MUGA pitch and play area. Development includes 2 vehicular site access points from Monagh By-Pass (1 signalised), associated internal road network, pedestrian and cycle ways,</p>	

public open space, children's play area(s), landscaping, 2 no. waste water treatment works, and all other site and access works.

The application is accompanied by a Non Material Change application, for the reduction in units, under the reference LA04/2025/0814/NMC which is recommended for approval and will issue under delegated authority.

The key issues for the assessment of the application are:

- Proposed Housing Density
- Revised Road Layout
- Open Space
- Section 77.

The reduction in number of dwellings is considered acceptable in principle, with the resultant density not raising any policy issues. The increase in communal open space is acceptable with the resultant treatment of the north-eastern part of the site more sympathetic to existing topography.

DFI Roads have been consulted in relation to the amendments to the Private Streets Layout but have not yet responded. No issues are anticipated with the only alteration relating to the approved turning head in the north-eastern corner of the site. Subsequently delegated authority is requested to deal with the response and any issues arising provided they are not substantive.

None of the wording of the condition have been amended as a result of the updated drawings.

The only impact on the agreed Section 76 is the resultant implications for the open space management clause. The omission of 31 units will increase the level of communal open space, and in turn the quantum of open space identified for management within the S76. This will be addressed under a Section 77 agreement, which facilitates modifications to agreed Legal Agreements.

Recommendation

Having regard to the development plan and subject to DFI Roads response the proposed variations to conditions is considered acceptable.

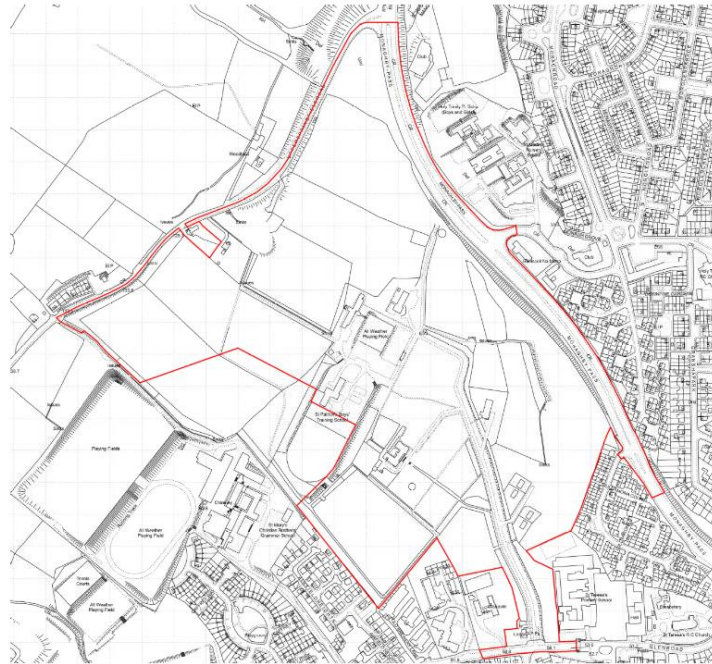
It is therefore recommended that planning permission is granted and the conditions are varied as proposed.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 77 planning agreement, and deal with the outstanding DFI Roads response and any other issues that may arise, provided that they are not substantive.

All other conditions of planning approval LA04/2023/2390/F and LA04/2020/0804/F, which have not already been discharged, still apply.

Case Officer Report

Site Location Plan



Original Approved Layout



Revised Proposed Layout



1.0	Description of Proposed Development
1.1	Variation of conditions 1, 2, ,3, 4 ,5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location.
1.2	The proposal impacts a number of approved drawings listed in the conditions of the original approval, with a total of 13 conditions to be varied. There is no change to the wording of the conditions. The conditions will be updated to reflect the submitted drawings which exclude the 31 previously approved drawings.
1.3	The proposal will result in a reduction from 653 approved dwellings to 622.
1.4	The removal of the dwellings will also result in the removal of the approved retaining structure. The existing slope will be retained and landscaped with woodland planting.
1.5	The road layout will be amended to shorten the approved turning head which is no longer required as access to the previous 4 dwellings at the northern end of the site (B199-B122).
1.6	The application is accompanied by a Non-Material Change under the reference LA04/2025/0814/NMC.

2.0	Description of Site
2.1	The site is located on the western edge of the Belfast Urban Area and just within the settlement limits as defined the Belfast Urban Area Plan and Belfast Metropolitan Area Plan 2015. The site has an area of approximately 35.5Ha and is bound by housing and schools to the south and south-west, the Upper Springfield Road and Belfast Hills to the north and north-west and a major arterial road to the east (Monagh By-Pass). The site itself is well defined with mature planting along all boundaries, and within the site itself. The site, currently being developed, rises steeply from the southern-most point on the Glen Road to the northern edge along the Upper Springfield Road. In terms of the Glen Road portion, the frontage is quite limited and occupies only a narrow existing access point. Low level hedging defines the extent of the eastern boundary with the Monagh By-Pass with the higher parts of the site abutting the Upper Springfield Road, which defines the settlement limit, are bound by a mix of 2-3m high vegetation and a 3m high railings.
2.2	The site is now under construction with a number of dwellings now occupied.
2.3	The site in now served by a new access and signalised junction off Monagh By-Pass. The following zonings apply to the site: The site is zoned as a Mixed Use Site (Zoning BT002) in BMAP 2015 (published September 2014) as shown in the map below. The Zoning has a number of Key Site Requirements and those of relevance are discussed below under the report.
3.0	Planning History of the application site
3.1	<p>Z/2010/1284/O - Proposed major mixed use development comprising residential use (mixture of private and social/affordable housing); residential institutions in the form of replacement support/care homes; business uses; light industry; local retail, retail services, professional services and community and cultural uses within a single shopping/commercial area; an education campus; an hotel; a variety of open space and recreational provision and associated infrastructure improvements. Approved 6th December 2013</p> <p>LA04/2020/0804/F - Proposed major mixed use development comprising 653 residential dwellings (549 social housing units and 104 affordable housing units); 2 replacement residential care homes; mixed use area including local neighbourhood retail centre (1 convenience retail anchor unit and 3 retail/hot food/coffee shop units and hotel; Class B business uses within employment zone comprising a mix of 6 Class B1a offices; 1 Class B1b/B1c call centre and R&D office; and 11 Class B1b/B1c/B2 call centre and R&D offices/light industrial units.; community facilities including community building; MUGA pitch and play area. Development includes 2 vehicular site access points from Monagh By-Pass (1 signalised), associated internal road network, pedestrian and cycle ways, public open space, children's play area(s), landscaping, 2 no. waste water treatment works, and all other site and access works. Approved 10th March 2021</p> <p>LA04/2023/2390/F- Section 54 application to vary a number of conditions (of planning approval LA04/2020/0804/F) to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road. Approved 10th March 2025.</p> <p>LA04/2025/0814/NMC- The proposals are brought forward following an amendment to approved layout in the north eastern portion of the site, adjacent to the Upper Springfield Road. The previously approved retaining wall at this location has been removed, and existing sloped ground levels retained, resulting in the removal of a number of approved dwellings at this location. Recommended for Approval.</p>

4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	<p>The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • SP1a Managing growth and supporting infrastructure delivery • SP2 Sustainable development • SP3 Improving health and wellbeing • SP5 Positive placemaking • SP7 Connectivity • SP8 Green and blue infrastructure network • RD1 New Residential Developments • HOU 1 Accommodating New Homes • HOU 2 Windfall Housing • HOU 4 Density of Residential Development • HOU 6 Housing Mix • DES1 Principles of Urban Design • DES2 Masterplanning approach for Major development • TRAN 6 Access to Public Roads • OS3 Ancillary Open Space
4.4	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
4.5	The site is zoned as a Mixed Use Site (Zoning BT002) in BMAP 2015.
4.6	<p><u>Regional planning policy</u></p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)</p>

	<p>Creating Places</p> <p><u>Other Relevant Policies</u></p> <p>Developer Contribution Framework</p>
5.0	<p>Statutory Consultees</p> <p>DFI Roads- Awaiting response.</p>
6.0	<p>Non-Statutory Consultees</p> <p>N/A</p>
7.0 7.1	<p>Representations</p> <p>One objection was received and is summarised below:</p> <ul style="list-style-type: none"> • Requests more affordable housing. <i>Case Officer's Response: The proposal is to reduce the amount of housing rather than propose any further housing.</i> • States the built houses are an eyesore. <i>Case Officer's Response: Design is not a material consideration in this application.</i>
8.0	<p>ASSESSMENT</p>
8.1	<p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> • Proposed Housing Density • Revised Road Layout • Open Space • Section 77. <p>Proposed Housing Density</p>
8.2	<p>The proposal will result in a reduction of 31 approved dwellings from 653 to 622. This reduces the proposed housing density from 25 dwellings per hectare to 24 per hectare. It is acknowledged that the resulting density is below the average minimum density of 25dph and therefore contrary to Policy HOU4.</p>
8.3	<p>Policy HOU4 however, states that the density bands are to be used as a guide and development proposals outside the bands will be determined on their own merits. It was acknowledged in the original approval that the proposed density responded to the constraints of the site with a high level of mature landscaping of which the majority is subject to a Tree Preservation Order, the significant level changes and the semi-rural location. The omitted dwellings are located on the northern edge of the site adjacent to the settlement limits and on a severe slope which makes construction challenging. Given the peripheral/ edge of settlement location of the changes and minimum change to density it is accepted that the exclusion of the dwellings would not impact the residential quality of the scheme and is considered acceptable.</p>
8.4	<p>Furthermore the proposal remains to comply with the key site requirements as established in draft BMAP with the inclusion of a minimum of 300 social dwellings.</p> <p>Revised Road Layout</p>
8.5	<p>The original approval included a turning head in the north-eastern corner of the site which accessed four dwellings. The proposed turning head has subsequently been shortened.</p>

8.6	DFI Roads have been consulted but have not yet responded. No issues are anticipated with the minor alteration to the turning head and delegated authority is requested to deal with the response and any issues arising provided they are not substantive.
8.7	<p>Proposed Open Space</p> <p>The dwellings to be removed will be replaced by an area of woodland planting. Whilst not contributing to any useable open space within the site due to existing topography, it will provide a level of visual amenity which contributes to the overall quality of residential environment, with the use of woodland planting will contributing to this. The proposal remains compliant with Policy OS3.</p>
8.8	<p>Section 77</p> <p>A Section 77 agreement is required to modify the original Section 76 and manage the additional open space created by the exclusion of the previously approved dwellings. Legal Services has confirmed that the planning agreement has been agreed in principle with the applicant and while not signed the application is being expedited to allow occupation. Delegated authority is requested to finalise the Section 77 agreement provided there are no substantive issues arising.</p>
10.0	Recommendation
10.1	This application was submitted under Section 54 of the Planning Act (Northern Ireland) 2011. This applies to applications for planning permission of land without complying with conditions subject to which a previous planning permission was granted.
10.2	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted, subject to conditions and a Section 77 planning agreement.
10.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 77 planning agreement, and deal with the outstanding DFI Roads response and any other issues that may arise, provided that they are not substantive.
11.0	Draft Conditions
11.1	<p>Save for the amendment in conditions Nos. 2-5 (inclusive) below no development shall take place unless in the sequence set out in the approved Phasing Plan (Drawing No. XX) published on the planning portal XX unless the Council grants its prior written approval to any variation.</p> <p>Reason: To ensure appropriate phasing of the development.</p>
11.2	<p>Notwithstanding the approved Phasing Plan (Drawing No. XX published on the planning portal XX) and submitted details, prior to occupation of the 100th residential unit, a temporary equipped play park shall be installed in Phase 4 in accordance with details which shall have first been submitted to and approved in writing by the Council. The temporary equipped play patch shall remain in situ in accordance with the approved details until the approved Local Equipped Area of Play (LEAP) has been implemented in Phase 12 in accordance with the approved details. The Council shall be notified in writing on occupation of the 100th residential unit.</p> <p>Reason: To ensure equipped play area facilities are available for residents having regard to Policy OS 2 of PPS8.</p>

11.3	<p>Notwithstanding the approved Phasing Plan (Drawing No. XX published on the planning portal XX) and submitted details prior to construction of Phase 10 the equipped play park in Phase 9 shall be installed in accordance with the approved details and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing prior to construction of Phase 10.</p> <p>Reason: To ensure equipped play area facilities are available for residents having regard to Policy OS 2 of PPS8.</p>
11.4	<p>Notwithstanding the approved Phasing Plan (Drawing No. XX published on the planning portal XX) and submitted details the equipped play park Multi Use Games Area (MUGA) and Community Centre shall be constructed and ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>Reason: To ensure equipped play area and neighbourhood facilities are available for residents having regard to Policy OS 2 of PPS8 and Policy QD1 of PPS7.</p>
11.5	<p>Notwithstanding the approved Phasing Plan (Drawing No. XX published on the planning portal XX) and submitted details the Retail Units and associated access and parking in Phase C1 shall be constructed and fitted out ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>Reason: To ensure appropriate neighbourhood facilities are available for residents having regard to Policy QD1 of PPS7.</p>
11.6	<p>Prior to occupation of any phase of the development, a Verification Report for that phase shall be submitted to and approved in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health by demonstrating that the required remedial measures have been incorporated within the proposal.</p>
11.7	<p>If during the development of a phase, new contamination or risks are encountered which have not previously been identified, works in that phase must cease and the Council shall be notified in writing immediately. This new contamination shall be fully investigated in accordance with best practice and the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-therisks. In the event of unacceptable risks being identified, and prior to occupation of that phase, a Further Remediation Strategy and subsequent Verification Report for that phase shall be submitted to and approved in writing by the Council. If required by the Council, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health and environmental receptors.</p>

11.8	<p>After completing the remediation works under condition 6; and prior to occupation of that phase of the development, an Environmental Verification Report for that phase must be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks, as applicable. The Environmental Verification Report shall 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.9	<p>All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should unforeseen contamination be identified during this process, Conditions 6 and 7 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use</p>
11.10	<p>The storm drainage of the site, during site clearance, construction and operational phases of the development, must be designed to the principles of Sustainable Drainage Systems (SuDS) in order to minimise the polluting effects of storm water on the watercourses on site. Construction of SuDS should comply with the design and construction standards as set out in the Construction Industry Research and Information Association (CIRIA) manual C753 (2015) The SuDS Manual.</p> <p>Reason: To ensure that the appointed contractor implements this mitigation during construction phase to protect on site watercourses and connected European Sites.</p>
11.11	<p>A working strip adjacent to the culvert shown on drawing numbers 118 and 120 (published on the planning portal 13/10/20); drawing number 28 (published on the planning portal 07/03/25) and drawing numbers X and X (published on the planning portal (X/X/X) shall be retained and kept free of impediments (including tree planting hedges fencing sheds and other structures). The working strip should have a minimum width of 5 metres and be provided with clear access and egress at all times. Reason: To ensure the adequate protection of drainage infrastructure.</p> <p>Reason: To ensure the adequate protection of drainage infrastructure.</p>
11.12	<p>No demolition of any remaining building(s) will commence until an updated bat survey, and updated Bat Mitigation Plan (if required) is submitted to and approved in writing by the Council. The updated BMP will include additional mitigation measures should any bats be found.</p> <p>Reason: To mitigate for impacts on bats using the site.</p>
11.13	<p>No tree, hedgerow or scrub removal shall take place between 01 March and 31 August inclusive in any calendar year, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before clearance/ demolition and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. The written confirmation shall be submitted to the Council within 6 weeks of such works commencing.</p>

	Reason: To protect breeding birds
11.14	<p>All existing trees on the site with the exception of those identified for felling on the Park Hood Tree Constraints Plan ref. L202E (Drawing No. X) published on the planning portal X/X/X) shall be permanently retained. No retained tree shall be cut down uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance without the prior written consent of the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
11.15	<p>No equipment, machinery or materials are to be brought on the site for the purpose of development of a particular phase, including demolition and site clearance, until all retained trees in that phase (as shown on Drawing Numbers 13 (6629-L-206B), 14 (6629-L-207B), 15 (6629-L-208B) published on the Planning Portal 23/10/20 (LA04/2020/0804/F) and Drawing Numbers 07 (6629-L-203D), 08 (6629-L-204D) and 09 (6629-L-205C) date published on the Planning Portal 23/10/20 as being retained) have been protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations and the recommendations in the Dr Philip Blackstock Tree Survey and Report dated July 2019. These protection measures shall remain in place until the construction works for that phase are complete and all plant and machinery has been removed from the site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p> <p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development works to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p>
11.16	<p>All demolition and excavation works within the Root Protection Area of any tree that is to be retained shall be carried out in accordance with recommendations outlined within the Arboricultural Method Statement contained within the Dr Philip Blackstock Tree Survey and Report dated July 2019.</p> <p>Reason: To ensure damage is not caused to protected trees by the development hereby approved.</p>
11.17	<p>The development hereby approved shall be conducted in accordance with the Construction Management Plan (CMP) as detailed on the Park Hood Tree Constraints Plan ref. L202B (Drawing No. X published on the planning portal XX/XX/XX).</p> <p>Reason: To minimise risk of damage to protected trees during the construction phase</p>
11.18	<p>All trees which are removed shall be compensated for by the planting of new native species trees in accordance with approved plan No. X published on the Planning Portal on XX/XX/XX. All new planting shall be carried out within the first available planting season planting season after the last residential unit within each phase of the development hereby approved has been occupied. Any new trees which, within a period of five years from the completion of the development, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p>

11.19	<p>Reason: To compensate for the loss of existing trees and ensure the maintenance of a high quality of landscaping.</p> <p>All proposed landscaping and planting works shall be carried out in accordance with the approved details on the Park Hood drawings No. 13 (6629-L-206B) to 15 (6629-L-208B); 16 (6629-L-211B); and 17 (6629-L-212B) Landscape Plans / Proposals published on the Planning Portal on 23/10/20 (LA04/2020/0804/F) and drawings No. X (6629-L-203E) No. X (6629-L-204E) and No. X (6629-L-205D) Landscape Plans/Proposals published on the Planning Portal on X/X/X. No phase of the development hereby approved shall be occupied until the planting for that phase has been completed or within the first available planting season after occupation of that phase whatever is the sooner or unless otherwise agreed in writing by the Council.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.20	<p>All soft landscaping shall be managed and maintained in accordance with the Park Hood 'Landscape Management and Maintenance Plan' (Appendix 3 of the Glenmona Technical Clarifications Report/ Project No. 6909), published on the planning portal 23/10/20.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.21	<p>Prior to the commencement of operation of any commercial premises providing hot food, an updated odour risk assessment report with details of the proposed scheme to control cooking odours emanating from the premises shall be submitted to and approved in writing by the Council. Externally located air extraction flue(s) and termination point(s) shall be depicted on elevation drawings and details of any proposed odour abatement technology shall be provided. The report shall demonstrate that the proposed scheme for the control of odours has been designed in accordance with industry guidance EMAQ+ 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' issued September 2018 as detailed in the RPS ES Vol11 Appendix 14b - EMAQ Odour Detail. The premises shall not operate unless the approved details are in place.</p> <p>Reason: Protection of amenity of neighbouring properties</p>
11.22	<p>Prior to the installation of any combustion plant(s) where the single or combined NOx emission rate is greater than 5mg/s, an updated air quality impact assessment for that plant shall be submitted to and approved in writing by the Council. The assessment shall include specification details, including emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The updated assessment must also demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development. The combustion plant(s) and associated flue(s) must thereafter be installed in accordance with the approved details.</p> <p>Reason: Protection of human health.</p>
11.23	<p>Prior to the installation of any external plant or equipment in association with the approved retail units 1 to 4, a noise report shall be submitted to and approved in writing by the Council. The report shall include annotated drawing/s showing the location of the plant, details of type of plant, accompanying noise data, mode of operation and details of any noise mitigation measures. Additionally, the report must demonstrate that the rated sound level from the operation of external plant and equipment will not exceed the background sound level (daytime and night time) and/or the target noise limits presented</p>

	<p>in the RPS Group report entitled 'Glenmona Mixed Use Development, Volume I, Environmental Statement Main Text' at any nearby noise sensitive receptor, when measured and/or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: In the interests of amenity.</p>
11.24	<p>Prior to commencement of development of the hotel, a Noise Impact Assessment shall be submitted to and approved in writing by the Council. The report must include an assessment of the potential noise sources associated with the approved detail, to include but not be limited to:</p> <ul style="list-style-type: none"> - Assessment of potential entertainment noise breakout, if applicable, with particular reference to the low frequency content usually associated with entertainment noise, and predicted impact at nearby noise sensitive receptors; - Assessment of the potential noise impact at nearby noise sensitive receptors from patrons using the external area/s, having regard to capacity of external area/s and hours of use; and - Identification of any necessary noise insulation/ mitigation measures required to ensure the proposal shall not have an adverse impact on nearby noise sensitive receptors. - The assessment should refer to relevant guidance and British Standards such as BS4142:2014, BS8233:2014, WHO guidelines for community noise 1999 and NR curves, as appropriate. <p>The hotel shall not be occupied unless the approved details have been implemented.</p> <p>Reason: In the interests of amenity.</p>
11.25	<p>The rated sound level from the operation of all combined plant and equipment, associated with the hotel element of the development, must not exceed the background sound level (daytime and night time) and/or the target noise limits presented in RPS Group report entitled 'Glenmona Mixed Use Development, Volume I, Environmental Statement Main Text' at any nearby noise sensitive receptor, when measured and/or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</p> <p>Reason: Protection of residential amenity.</p>
11.26	<p>Prior to the installation of any external plant or equipment in association with the approved Use Class B2 light industrial units 7, 8, 9, 10 and 11, a noise report shall be submitted to and approved in writing by the Council. The report shall include annotated drawing/s showing location of plant, details of type of plant, accompanying noise data, mode of operation and details of any noise mitigation measures. Additionally the report must demonstrate that the rated sound level from the operation of the external plant and equipment will not exceed the background sound level and/or the target noise limits presented in RPS Group report entitled 'Glenmona Mixed Use Development, Volume I, Environmental Statement Main Text' at any nearby noise sensitive receptor, when measured and/or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'. Use Class B2 lighting industrial units 7, 8, 9, 10 and 11 shall not be occupied unless the approved details have been implemented.</p> <p>Reason: Protection of Residential Amenity.</p>

11.27	<p>The rated sound level from the operation of the combined external plant and equipment associated within the hereby permitted development (industrial units 7, 8, 9, 10 and 11) must not exceed the background sound level and/or the target noise limits presented in RPS Group report entitled 'Glenmona Mixed Use Development, Volume I, Environmental Statement Main Text' at any nearby noise sensitive receptor, when measured and/or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</p> <p>Reason: Protection of residential amenity.</p>
11.28	<p>All glazing installed in association with the hereby permitted development must provide a minimum sound reduction of 35 dB RW (C;Ctr), as specified in the RPS Group report entitled 'Glenmona Mixed Use Development, Technical Clarifications Report, Response to Belfast City Council EHS, October 2020, Planning Application LA04/2020/0804/F'.</p> <p>Reason: Protection of amenity of end users.</p>
11.29	<p>An acoustically treated alternative means of ventilation must be incorporated into the habitable rooms of all residential properties within the hereby permitted development and must provide a minimum of 35 dB RW (C; Ctr), as specified in the RPS Group report entitled 'Glenmona Mixed Use Development, Technical Clarifications Report, Response to Belfast City Council EHS, October 2020, Planning Application LA04/2020/0804/F'.</p> <p>Reason: Protection of residential amenity.</p>
11.30	<p>No service collections or deliveries to the hereby permitted Use Class B2 light industrial units shall be permitted between the hours of 23:00 and 07:00.</p> <p>Reason: Protection of residential amenity.</p>
11.31	<p>No vehicle movements shall be permitted within the service area of approved retail units 1 to 4 (as shown on Drawing No. 15 (IBHO673 1003 Rev. E) published on the Planning Portal on 06/03/25) between the hours of 23:00 and 07:00.</p> <p>Reason: Protection of Residential Amenity</p>
11.32	<p>The approved MUGA shall not be used outside the hours of 08:00 to 22:00.</p> <p>Reason: Protection of residential amenity</p>
11.33	<p>The approved play area shall not be used outside the hours of 08:00 to 22:00.</p> <p>Reason: Protection of residential amenity.</p>
11.34	<p>The approved community centre shall not be used outside the hours of 08:00 to 22:00.</p> <p>Reason: Protection of residential amenity.</p>
11.35	<p>No part of the development shall be occupied or otherwise become operational until the revised junctions on the Monagh By-Pass (A55) have been constructed in general accordance with the following approved drawings: i. IBH0673/0002 Rev A, 'External Works Location Plan', published on the Planning Portal 13/10/20.</p>

	<p>ii. IBH0673/2000 Rev A, 'External Works Proposed Layout Sheet 1' Drawing No. 97, published on the Planning Portal 13/10/20.</p> <p>iii. IBH0673/2001 Rev A, 'External Works Proposed Layout Sheet 2' Drawing No. 98, published on the Planning Portal 13/10/20.</p> <p>iv. IBH0673/2002 Rev A, 'External Works Proposed Layout Sheet 3' Drawing No. 99, published on the Planning Portal 13/10/20.</p> <p>v. IBH0673/2010 Rev A, 'External Works Proposed Geometry Sheet 1' Drawing No. 100, published on the Planning Portal 13/10/20.</p> <p>vi. IBH0673/2011 Rev A, 'External Works Proposed Geometry Sheet 2' Drawing No. 101, published on the Planning Portal 13/10/20.</p> <p>vii. IBH0673/2020 Rev A, 'External Works Proposed Visibility Sheet 1' Drawing No. 102, published on the Planning Portal 13/10/20.</p> <p>viii. IBH0673/2021 Rev A, 'External Works Proposed Visibility Sheet 2' Drawing No. 103, published on the Planning Portal 13/10/20.</p> <p>ix. IBH0673/2040 Rev A, 'External Works Typical Cross Section' Drawing No. 108, published on the Planning Portal 13/10/20.</p> <p>x. IBH0673/2050 Rev A, 'External Works Proposed Traffic Signal Layout Sheet 1' Drawing No. 109, published on the Planning Portal 13/10/20.</p> <p>xi. IBH0673/2051 Rev A, 'External Works Proposed Traffic Signal Layout Sheet 2' Drawing No. 110, published on the Planning Portal 13/10/20.</p> <p>xii. IBH0673/2052 Rev A, 'External Works Proposed Traffic Signal Layout Sheet 3' Drawing No. 111, published on the Planning Portal 13/10/20.</p> <p>xiii. IBH0673/2700 Rev A, 'External Works Construction Details Sheet 1' Drawing No. 144, published on the Planning Portal 21/01/20.</p> <p>All works, including the traffic signals, shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including approval of the necessary Departures/ Relaxations from standard and required Road Safety Audits.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the improvement of the road network for the convenience of road users.</p>
11.36	<p>No phase of development shall be occupied until the necessary vehicular accesses for that phase including visibility splays and any forward sight distance have been constructed in accordance with the following approved drawings:</p> <p>i. IBH0673/1010 Revision E 'Proposed Levels and Visibility Overall with Sheet Numbers' Drawing No. X, published on the Planning Portal XX/XX/XX and bearing the DfI Roads determination stamp.</p> <p>ii. IBH0673/1011 Revision A 'Proposed Levels and Visibility Sheet 1 of 6' Drawing No. X, published on the Planning Portal XX/XX/XX and bearing the DfI Roads determination stamp.</p> <p>iii. IBH0673/1012 Revision F 'Proposed Levels and Visibility Sheet 2 of 6' Drawing No. X, published on the Planning Portal XX/XX/XX and bearing the DfI Roads determination stamp.</p> <p>iv. IBH0673/1013 Revision F 'Proposed Levels and Visibility Sheet 3 of 6' Drawing No. 25, published on the Planning Portal 06/03/25 and bearing the DfI Roads determination stamp.</p> <p>v. IBH0673/1014 Revision A 'Proposed Levels and Visibility Sheet 4 of 6' Drawing No. 85, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>vi. IBH0673/1015 Revision A 'Proposed Levels and Visibility Sheet 5 of 6' Drawing No. 86, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p>

	<p>vii. IBH0673/1016 Revision A 'Proposed Levels and Visibility Sheet 6 of 6' Drawing No. 87, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users</p>
11.37	<p>No dwelling shall be occupied until the associated hard surfaced area have been constructed in accordance with the approved layout Drawing Nos; 2509-RPP-ZZ-XX-DR-A00004 Revision P04 'Site Layout Parking A1L' Drawing No. X published on the planning portal XX/XX/XX. The area 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.</p> <p>Reason: To ensure that adequate provision has been made for parking.</p>
11.38	<p>No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of the development.</p> <p>Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.</p>
11.39	<p>The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
11.40	<p>The residential care homes, local neighbourhood retail centre, Class B business uses or hotel shall not be operated or occupied individually until a respective Commercial Travel Plan for that individual use/building has been submitted to and approved in writing by the Council. The Travel Plan shall include clear and unambiguous objectives and targets, together with a time-bound programme of implementation, monitoring and regular review and improvement, and be based on the particulars contained within the approved Travel Plan published on the Planning Portal on 12/05/20. Each individual unit shall not be operated or operated unless in accordance with its respective Commercial Plan approved by the Council.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.41	<p>Prior to occupation of the residential unit that they serve, hard standing areas within the curtilage of dwellings shall be carried out in accordance with the 'private access/driveway' details set out in approved plan Nos. 2509-RPP-ZZ-XX-DR-A-00-025 (Overall Boundary Treatments) Drawing Nos. X,X,X published to the planning portal on XX/XX/XX and 29, 30 and 31 (Zone A1, A2, B1, B2, D, F1, F2, G1, G2 and H Boundary Treatments)</p>

	published on the planning portal on 13/10/20, or as otherwise agreed in writing by the Council.
	Reason: To ensure the provision of a quality residential environment having regard to Planning Policy Statement 7
11.42	<p>Notwithstanding the provisions of Article 3, Part 3 (Class A) of the Schedule of the Planning (General Permitted Development) Order (NI) 2015 (or any legislation revoking that Order and re-enacting those provisions) no development shall take place forward of the front elevation of any dwelling hereby approved, including the erection of fencing, walls, gates or other means of enclosure, without prior planning approval.</p> <p>Reason: To preserve the integrity of the design and layout of the development and to enable the Local Planning Authority to consider whether planning permission should be granted for such works.</p>
11.44	<p>Informatives</p> <ol style="list-style-type: none"> 1. This permission should be read in conjunction with previous approval LA04/2023/2390/F and its associated drawings, reports and Section 76 Legal Agreement 2. The drawing refs referred to above correspond with those drawings submitted to the Council in respect of this application and published to the Planning Portal NI on: XX 3. This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands. 4. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development.
	Representations from elected members: N/A

ANNEX	
Date Valid	27 th May 2025
Date First Advertised	6 th June 2025
Date Last Advertised	N/A
Date of Last Neighbour Notification	2 nd June 2025

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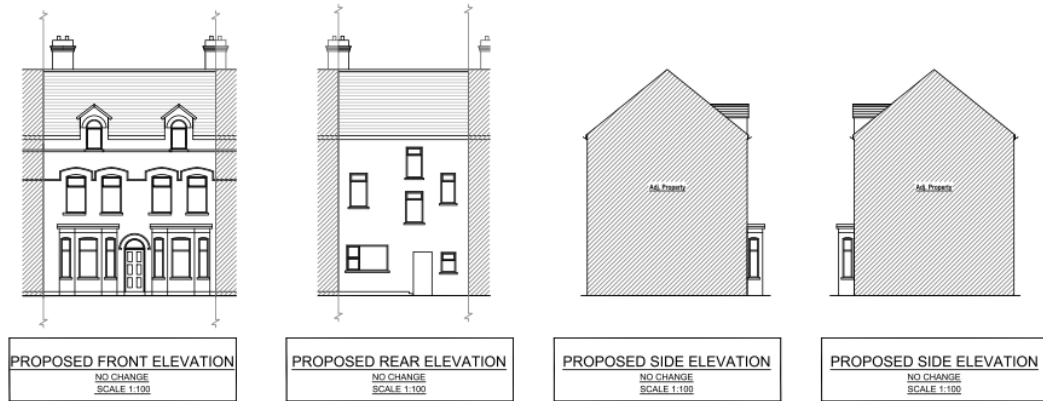
Development Management Report Committee Application

Summary	
Committee Meeting Date: 13 th May 2025	
Application Ref: LA04/2024/1654/F	
Proposal: Change of use from a 7-bedroom dwelling house (C1) to a 7 bed/ 9 person House of Multiple Occupancy (Sui generis)	Location: 432 Falls Road, Belfast, BT12 6EN
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr. Rónán McLaughlin).	
Recommendation: Approval subject to condition	
Applicant Name and Address: Gerald Mackle Callan House, Milford, BT60 3NZ	Agent Name and Address: Marc McNeice The Breague, 73 Lisanally Lane, Armagh, BT61 7HF
Date Valid: 21 st October 2024	
Target Date: 3 rd February 2025	
Contact Officer: Ciara Reville, Principal Planning Officer	
<p>Executive Summary: This application seeks full planning permission for the change of use from an existing dwelling to a 7-bed house in multiple occupation (HMO).</p> <p>The key issues for consideration of the application are set out below:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the surrounding area. • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection <p>7 objections have been received with the issues raised addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> 1. Concerns regarding amenity 2. Concerns over lack of parking. <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on Falls Road has not yet been reached. Officers consider that the proposal will not be harmful in terms of traffic, parking, impact on residential amenity or the amenity of the surrounding area.</p>	
<p>Recommendation: Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>	

1.0	Drawings and Imagery
1.1	<p>Site Location Plan</p> 
1.5	<p>Proposed Floor Plans</p>  <div data-bbox="357 1809 533 1854">PRO. GROUND FLOOR PLAN SCALE 1:50</div> <div data-bbox="724 1809 900 1854">PRO. FIRST FLOOR PLAN SCALE 1:50</div> <div data-bbox="1091 1809 1267 1854">PRO. SECOND FLOOR PLAN SCALE 1:50</div>

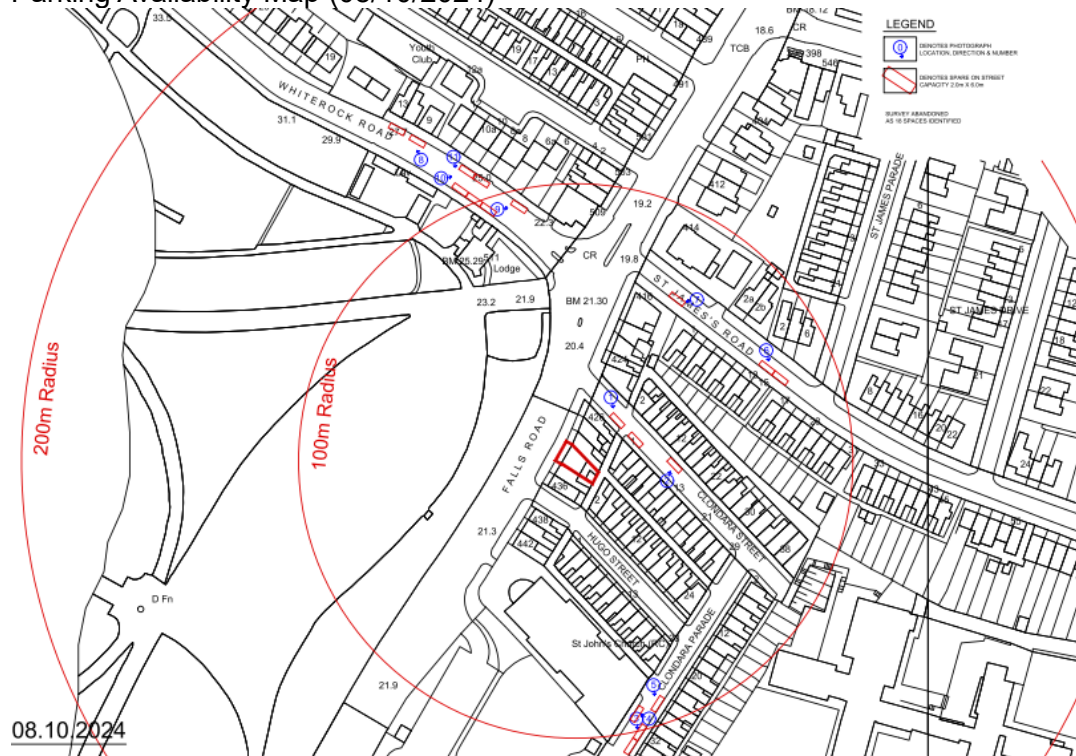
1.6

Proposed Elevations



1.7

Parking Availability Map (08/10/2024)



1.8	<p>Parking Availability Map (09/10/2024)</p>
2.0	Characteristics of Site and Area
2.1	The application site is located at 432 Falls Road and comprises a three-storey terraced dwelling. The property features an enclosed rear amenity space that backs onto an alley. The surrounding area is characterised by a mix of residential, retail, and community uses.
2.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
3.0	Description of Proposal
3.1	This application seeks full planning permission for the change of use from an existing dwelling (C1) to a 7-bed house in multiple occupation (HMO) (Sui Generis).
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – Plan Strategy Belfast Local Development Plan: Plan Strategy 2035
4.2	Strategic Policies Policy SP2 – Sustainable development
4.3	Operational Policies Policy ENV1 – Environmental quality Policy HOU10 – Housing management areas (HMAs) Policy RD1 – New residential developments Policy BH3 – Area of townscape character Policy TRAN8 – Car parking and servicing arrangements Policy OS3 – Ancillary open space
4.4	Supplementary Planning Guidance Residential Design Transportation Waste Infrastructure

4.5	Development Plan – zoning, designation and proposal maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.6	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.7	Relevant Planning History Z/2001/2782/F – 432 Falls Road – Change of use from dwelling house to house of multiple occupancy – Permission granted 28/12/2001 Z/2008/2521/F – 432 Falls Road – Change of use from dwelling to provide 3no apartments plus dormer window to 2 nd floor rear – Permission granted 09/11/2009 Z/2010/0452/F – 432 Falls Road – Change of use from dwelling to provide 3no apartments plus dormer window and external staircase at rear (Amendment to previous approval Z/2008/2521/F) – Permission granted 18/05/2010
5.0	Consultations and Representations
5.1	Non-Statutory Consultation: - Conservation Belfast City Council - no objection to this proposal. Statutory consultation: - DFI Roads – No objection
5.2	The application has been advertised and neighbours notified. The Council has received 7 letters of representation raising the following concerns:- 1. Off-street Car Parking 2. Waste disposal 3. Anti-social behaviour Points 1-3 are considered in the report below, additional points raised are considered as follows: <ul style="list-style-type: none"> • Devaluing of property – This is not a material consideration and is outside the remit of the planning service. • Impact on sewage – The proposal will not intensify the use of the existing dwelling. The existing dwelling and proposed HMO will be connected to the main sewerage network. • Additional occupancy – The proposal will not intensify the current use of the property.
6.0	Planning Assessment
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan (“Departmental Development Plan”) until the Local Policies Plan is adopted.

6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.
6.5	Belfast Urban Area Plan 2001 - The site is located within the settlement development limit in the BUAP and is not zoned for any use.
6.6	Belfast Metropolitan Area Plan 2015 (2004) - In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Falls/ Donegall Road (Ref: BT 042).
6.7	Belfast Metropolitan Area Plan 2015 (v2014) - In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Falls/ Donegall Road (Ref: BT 042). The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
7.0	Key Issues
7.1	The key issues for consideration of the application are set out below: <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the surrounding area • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
7.2	<i>The principle of an HMO at the location</i>
7.2.1	The site is not located within a Housing Policy Area or development node as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that: <i>‘Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street’.</i>
7.2.2	The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together: <ol style="list-style-type: none"> 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600m, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.
7.2.3	According to the LPS Pointer Address database there are 96 domestic properties on Falls Road. This would allow for 9 HMO properties on the Falls Road before the 10% threshold would be exceeded. There are currently 4 HMO properties along the Falls Road so 5 more could become HMO properties before the threshold is reached.
7.2.4	Each application is considered on its own merits and officers consider that this proposal is compliant with policy HOU10 for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
7.2.5	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
7.3	<i>Impact on the character and appearance of the surrounding area</i>
7.3.1	The proposed development will not result in any external alterations to the property, ensuring that its appearance remains unchanged. Additionally, there are no internal modifications that would alter the existing room configuration, meaning there will be

	no intensification of the property layout. As a result, it is expected that the proposal will have no adverse impact on the appearance or character of the surrounding area.	
7.4	<i>Impact on the character and appearance of the Falls/ Donegall ATC</i>	
7.4.1	The site is located within the Falls/ Donegall Road ATC. There are to be no alterations to the building.	
7.4.2	The proposal will not create conflict with the character of the Falls Road and the overall character of the area will be maintained. The proposal is therefore considered to comply with Policy BH3 – ‘Areas of townscape character’.	
7.5	<i>Impact on residential amenity</i>	
7.5.1	<p>Policy RD1 applies as set out above and states that ‘<i>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:</i></p> <p><i>a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas</i> - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.</p> <p><i>b) Does not unduly affect the privacy or amenity of neighbouring residents</i>, including overlooking, loss of light, overshadowing, dominance, noise or other <i>disturbance</i> - Officers consider that the scheme will not give rise to any of the issues listed in criterion b. There will be no further overlooking, loss of light, overshadowing and dominance than that which already exists. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</p> <p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure</i> - There is sufficient space for cycle parking. The site is a convenient walking and cycling distance of major centres of health care, employment, education, churches, community facilities and the city centre. The site is well served by public transport - bus and glider services provide links between the area and the city centre, with two stops located less than 5-minute walk away.</p> <p><i>d) Provides appropriate open space</i> - The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.</p> <p><i>e) Keeps hard surfacing to a minimum</i> - No hard standing is proposed as part of this application.</p> <p><i>f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C</i> - The proposal exceeds the minimum space standards as set out in the Belfast Local Development Plan: 2035 and provides a generous level of accommodation for a 7-bedroom, 9-person HMO.</p> <p>Accordingly, the proposal is in full compliance with the relevant HMO space standards. A breakdown of the required and proposed provision is outlined below:</p> <table><tr><td>7 Bedroom/ 9 Person HMO</td></tr></table>	7 Bedroom/ 9 Person HMO
7 Bedroom/ 9 Person HMO		

		Minimum Requirement	432 Falls Road Measurement
	Bedrooms Total	42sqm	80.3sqm
	Bedroom 1 GF	6.5sqm	12.5sqm
	Bedroom 2 1 st	6.5sqm	15.7sqm
	Bedroom 3 1 st	6.5sqm	10.1sqm
	Bedroom 4 1 st	6.5sqm	8sqm
	Bedroom 5 Attic (floorspace >1.5sqm in height)	6.5sqm	15.2sqm
	Bedroom 6 Attic (floorspace >1.5sqm in height)	6.5sqm	8.6sqm
	Bedroom 7 Attic (floorspace >1.5sqm in height)	6.5sqm	6.5sqm
	Combined Kitchen/ Living Room	19.5sqm	31.6sqm
	<p>Overall, the proposed layout offers suitable and well-proportioned living accommodation for future occupants.</p> <p><i>g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street - All units have safe and secure access from the front door of the dwelling.</i></p> <p><i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light - All habitable rooms in the dwelling have access to natural light.</i></p>		
7.5.2	<p>The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO proposal comprises 7 bedrooms for the intended use of up to 9 persons and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.</p>		
7.5.3	<p>As indicated above, the HMO will further require to be licensed with BCC which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.</p>		
7.5.4	<p>The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.</p>		

7.5.5	<p>Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:</p> <p>a) <i>Any units are self-contained</i> - This criterion is not applicable.</p> <p>b) <i>Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm</i> - Officers consider that this criterion is met (refer to section 7.6 below).</p> <p>c) <i>The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling</i> – This criterion is not applicable to this proposal as a HMO is not considered to be a sub-division.</p> <p>d) <i>Conversions above commercial premises do not prejudice the commercial functions of the business</i> - This criterion is not applicable to this proposal.</p> <p>Taking account the nature of the proposal and the criteria set out above the proposal is considered to comply with Policy RD3.</p>
7.6	<i>Traffic, Parking and Access</i>
7.6.1	Officers acknowledge the objections to parking and whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.
7.6.2	Policy TRAN8 – Car parking and servicing arrangements states that, ‘ <i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i> ’. Existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development.
7.6.3	A parking survey was provided demonstrating that adequate parking is available within a radius of 150 metres walking distance from the application site to serve the proposal and concludes that the scheme will not be detrimental to on-street parking in the prevailing area.
7.6.4	The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. DfI Roads has considered the Parking Survey submitted under this application and has confirmed there is sufficient parking within the vicinity of the proposal. Furthermore, the site is in a sustainable location with regular bus services operating in proximity and accessible to services and amenities in the local and wider area.
7.7	<i>Waste and refuse collection</i>
7.7.1	Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.
7.7.2	<p>The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI set out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 7 bed HMO this would equate to the typical production of 760L of waste per week. The total waste production is broken down into the following types of waste:</p> <ol style="list-style-type: none"> 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3. collected weekly).
7.7.3	<p>The following bins would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI.</p> <ol style="list-style-type: none"> 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste.

	<p>2. Recycling – 3 x recycling packs (3 x 55L) – collected weekly.</p> <p>3. Food waste – 4 x food bins (4 x 23L) – collected weekly.</p>
7.7.4	<p>The SPG advises that applicants must provide a layout of the waste storage area demonstrating that all of the required bins can be accommodated in a way that:</p> <ul style="list-style-type: none"> • users can easily deposit any type of waste into the corresponding bins without moving them around; and • bins can be easily removed for collection.
7.7.5	<p>Taking account of the guidance set out in the Waste SPG 3 sets of bins would be required to serve the proposed HMO which according to the SPG would equate to an area of 2.0 x 1.8 (3.6sqm) for each set of bins, this proposal would require 3 sets of bins and so a total area of 10.8 sqm would be required.</p>
7.7.6	<p>The applicant has provided a plan which demonstrates that there is adequate provision for bin storage and that the bins can be easily accessed, whilst retaining an adequate amount of residential amenity space. A condition is recommended to ensure bin storage is provided within the curtilage of the property.</p>
7.7.7	<p>The rear amenity space measures 29.3 sqm. The provision of the minimum storage area for three sets of bins would leave approximately 18.5 sqm remaining for amenity provision. The dwelling benefits from a considerable amenity space compared to other houses as many have extended into the rear where the proposed site has not. The site is located within a 12-minute walk away from Bog Meadows Nature Reserve and a 10-minute walk from the Falls Park Playground which include significant open space and a play park, which occupants of the proposed HMO can avail of. The provision of amenity space is considered acceptable taking account of the local context and the proximity to open space facilities.</p>
7.7.8	<p>Officers consider that the information provided satisfactorily demonstrates that the proposed waste management arrangements are acceptable.</p>
8.0	Recommendation
8.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.</p>
8.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.</p>
<p>Draft Conditions</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The development shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the property has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times.</p> <p>Reason: To ensure adequate management of waste and in the interests of the amenities of the area.</p>	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2024/1865/O	Committee Meeting Date: 17 June 2025
Proposal: 3no. detached dwellings part 2 storey part 3 storey	Location: Land between No 22 Squires View and Nos 57 & 59 Squires Hill Road, Belfast.
Referral Route: Section 3.8.1 of the scheme of Delegation. An elected Member of the Council (Cllr Jordan Doran) has requested for the application to be referred to the Planning Committee.	
Recommendation:	Approval
Applicant Name and Address: Sentry Properties Limited 31a Main Street Ballyclare BT39 9AA	Agent Name and Address: Dermot Monaghan MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ
Date Valid: 28 th October 2024	
Target Date: 10 th February 2025	
Contact Officer: Lisa Walshe, Principal Planning Officer (Development Management)	
Executive Summary: <p>This application seeks planning permission for 3 detached, split-level residential properties which are two storeys at the front and three storeys at the rear. The site comprises a vacant parcel of land located between 22 Squires View and 57 and 59 Squires View. The site is located on a steep gradient which falls by approximately 10m from east to west from Squires Hill Road towards the Crumlin Road. The site is also located on a moderate decline when approaching the site from south to north with levels falling from 169.40 to 166.84.</p> <p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> - Principle of residential dwellings at this location - Impact on existing residential - Housing density - Adaptable and accessible accommodation - Design - Amenity space - Overshadowing - Overlooking - Access and parking - Waste management - Landscaping and trees - Topography of the site - Climate change 	

DFI Roads have offered no objection to the proposal following receipt of drawing no.6, uploaded to the planning portal on 12th December 2024.

NI Water have recommended refusal on the basis that there is no available capacity in the downstream Wastewater Infrastructure and no viable developer-led solution is available to achieve a foul connection.

The BCC Tree Officer requested further information including a management and maintenance plan; a proposed planting and landscaping scheme and a tree protection plan. This information was not submitted by the applicant.

Following submission of a biodiversity checklist, NIEA: Natural Environment Division have no objection to the development.

Recommendation

Having regard to the development plan, planning history on the site and other material considerations, the proposal is considered unacceptable and refusal is therefore recommended. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Case Officer Report

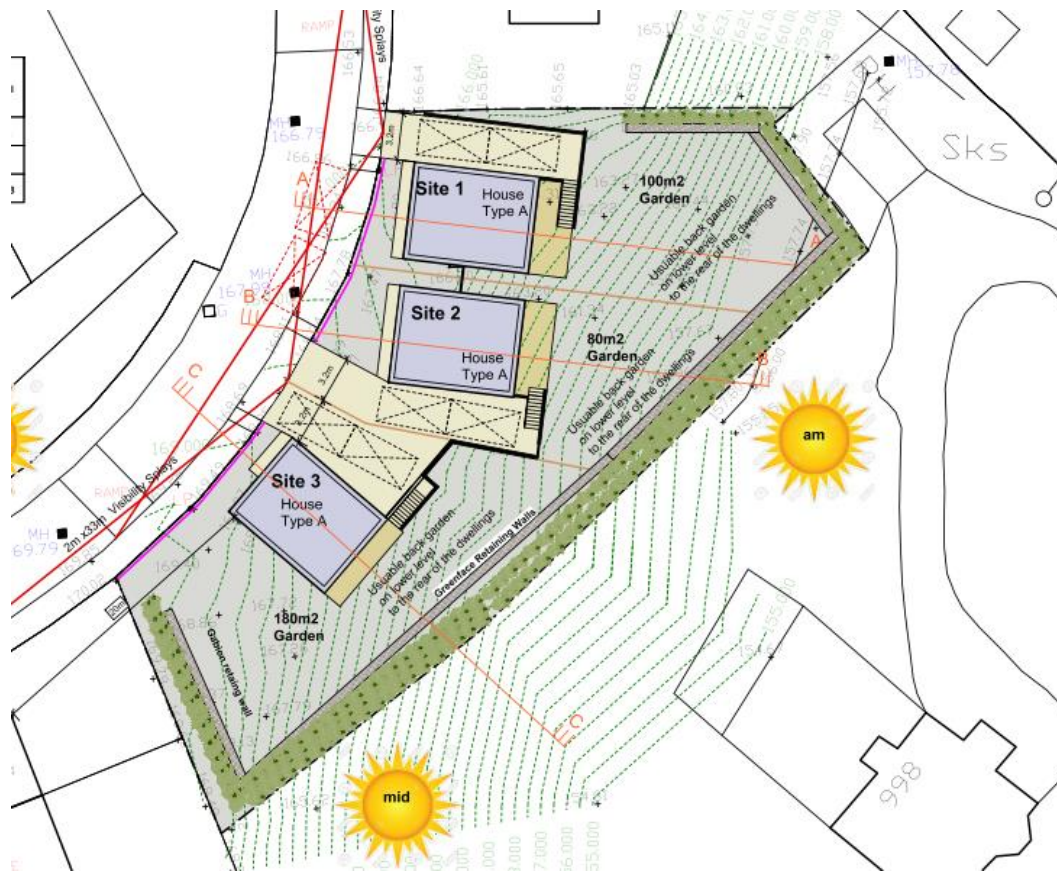
Site Location Plan



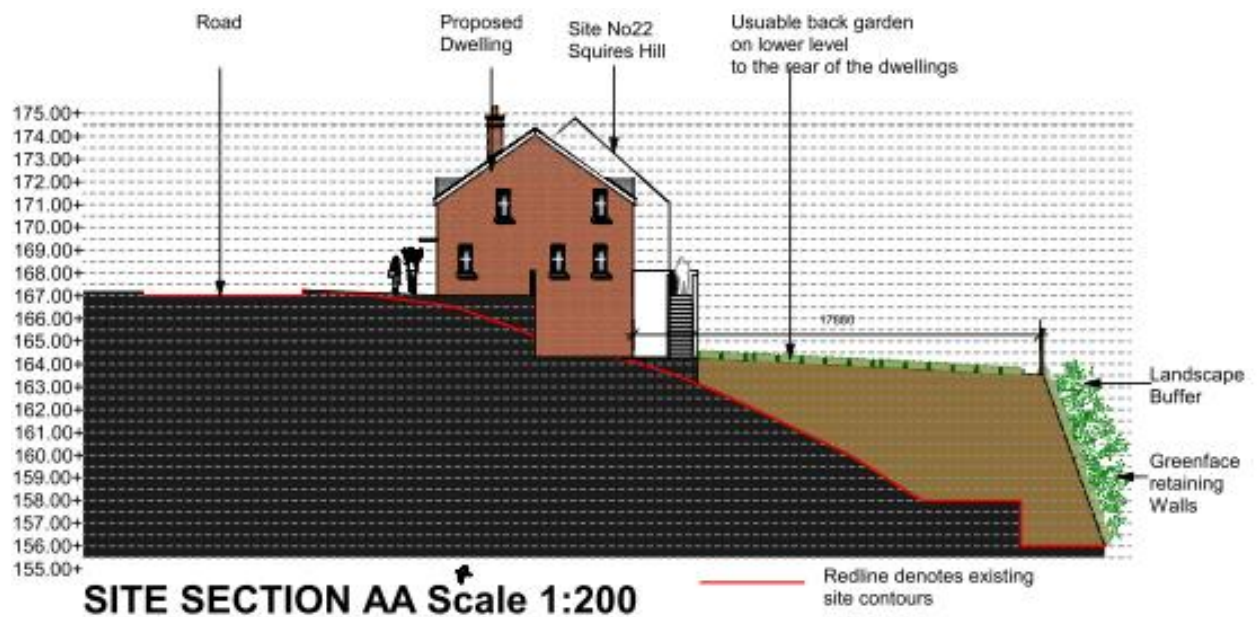
Existing Site Plan

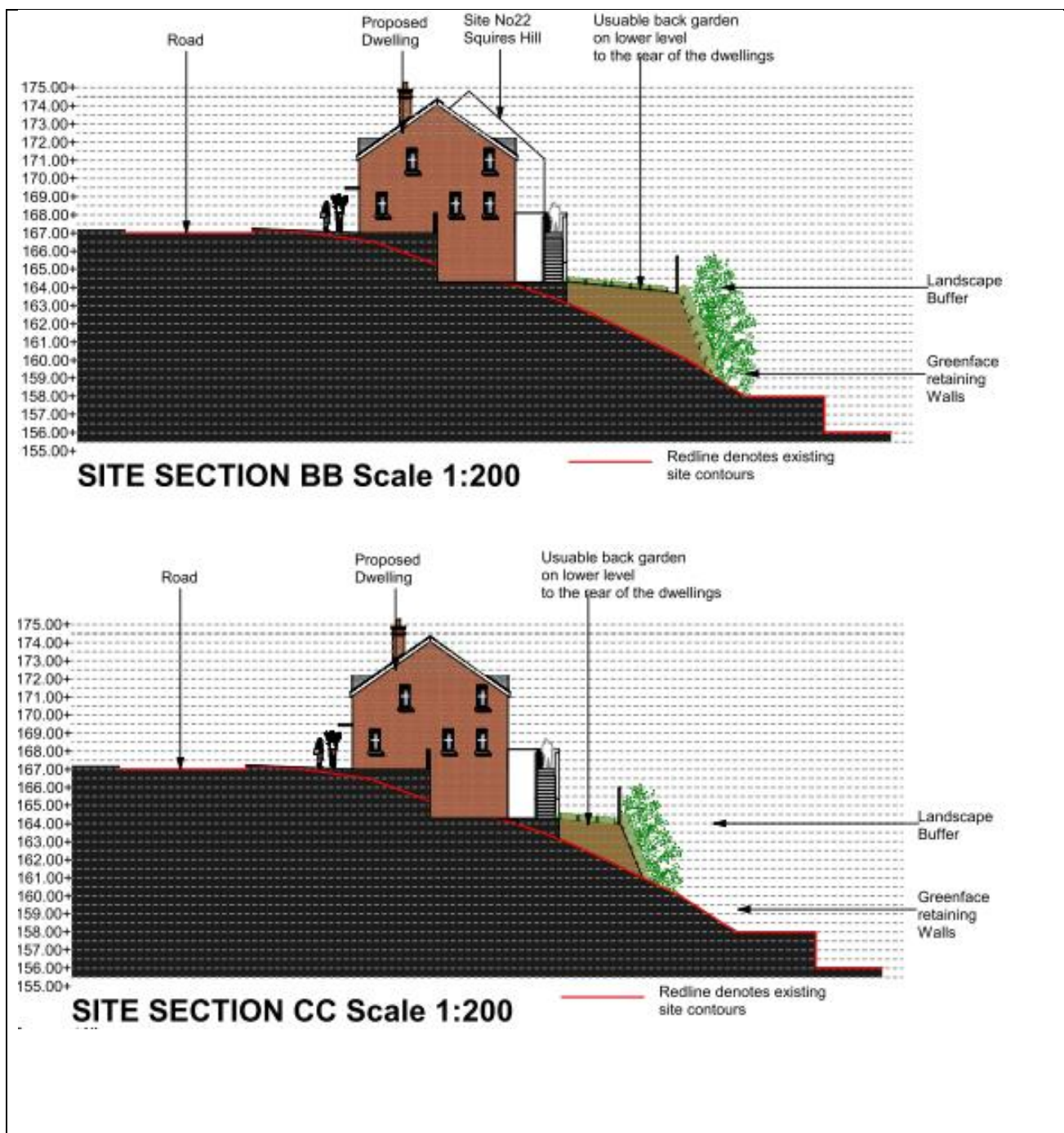


Proposed Site Plan



Proposed Sections





1.0	Description of Proposed Development
1.1	The proposal seeks outline permission for 3 no detached residential properties located on a split level of part 2-storey and part 3-storey design. The proposal includes parking for 2 cars within the curtilage of each of the dwellings. A greenface retaining wall is proposed along the western boundary of the site.
2.0	Description of Site
2.1	The application site relates to an area of land measuring 0.12ha and is located within the development limit of Belfast. The site is zoned for housing in both versions of BMAP. The remainder of the zoning was approved for housing under application Z/1998/2945 and subsequently developed for 54 properties.

2.2	The site is a vacant parcel of land located between 22 Squires View and 57 - 59 Squires View. The site is located on a steep gradient which falls by approximately 10m from west to east from Squires Hill Road towards the Crumlin Road. The site is also located on a slight gradient when travelling towards the site on Squires Hill Road in a northerly direction, with levels falling from 169.40 to 166.84.
2.3	There is a hedge located along the western boundary of the site which was planted as part of the landscaping for the overall residential development under application Z/1998/2945 with trees and shrubs located at the southwest of the site. The landscaping of the site was included within the conditions of the original planning permission for 54 houses.
2.4	An existing retaining wall is located along the eastern boundary, separating the site from the land at no. 998 Crumlin Road.
2.5	The surrounding area is predominantly 2-storey, semi-detached residential properties. There are 2 detached properties located directly to the north of the site.
3.0	Planning History of the application site
3.1	Z/1998/2945 – Squires Hill Crescent and the rear of 1000 Crumlin Road. Development of 54 semi-detached dwelling houses. Permission granted 05/09/2000
3.2	LA04/2020/0359/F – 30m South of 22 Squires View. 4 semi-detached dwellings. Permission refused 04/06/2021
	Surrounding history
3.3	Z/2010/1625/F – Lands opposite No's 1-3 Squires View. Two detached dwellings and garages (Amended Address). Permission granted 02/11/2011.
3.4	Z/2007/1837/F – 60 Squires Hill Road. Erection of two-storey detached dwelling (Amended plans). Permission granted 10/04/2008. (Property now no. 1A Squires View)
3.5	LA04/2023/3305/O – 998 Crumlin Road. Erection of a detached dwelling & associated domestic garage. Permission granted 14/06/2024.
3.6	LA04/2024/1178/RM - 998 Crumlin Road. Erection of a detached dwelling & associated garage. Pending decision.
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been

	published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:
4.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.0	PLANNING POLICY
5.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy HOU4 – Density of residential development Policy HOU7 – Adaptable and accessible accommodation Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy OS1 – Protection of Open Space Policy TRE1 – Trees Policy NH1 – Protection of Natural Heritage Resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Trees</p>
5.2	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
5.3	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>

6.0	Statutory Consultees DFI Roads- No objections NIEA – no objection NI Water – refusal
7.0	Non-Statutory Consultees BCC Tree Officer – further information requested
8.0	Representations
8.1	<p>15 letters of objection have been received and 1 non-committal representation. The main issues raised are summarised as follows:</p> <ul style="list-style-type: none"> a) Green belt land should be protected b) Site is a wildlife habitat with bats and badgers present c) Significant damage to existing properties as a result of extensive piling required d) Increase traffic e) Loss of privacy f) Clearing of trees and shrubs on site g) Impact on views from no. 59 h) Overlooking into rear amenity area of no. 59 (first floor windows are obscure – no overlooking. No overlooking from GF windows – hall and toilet – also obscure) i) Entrance and egress the proposed properties would cause a danger to pedestrians using the footpath j) Sewage and waste capacity issues k) De-value surrounding properties l) Presence of the existing green break should be retained for visual amenity m) Lack of need for an additional 3 houses at this location n) Overshadowing of no.1A Squires View directly across from site <p>Full consideration has been given to all relevant concerns noted in the representations in the assessment of the application below.</p>
9.0	ASSESSMENT
	<u>Principle of development</u>
9.1	<p>The application site forms part of a larger residential development of 54 units which was approved under application Z/1998/2945 in 2000. On the approved Landscaping Proposals Plan of the previous approval, the current application site was shown as a steep slope with no built form and a hedge and trees around its boundaries. A note on the Landscape Proposal stated 'All banks to be topsoiled and planted with grass and wildflower seeds.' This landscape proposal was conditioned in the approval under Z/1998/2945.</p>
9.2	<p>In November 2011, planning approval was granted for two houses to the north of the application site under planning application Z/2010/1625/F. The site which was assessed under application Z/2010/1625/F was not as steep as the existing application site. Sections submitted as part of that application show that the levelling works required for the development were not as extensive as what is shown on the site sections for this proposed outline and required less engineering/retaining structures.</p>
9.3	<p>Although the site is zoned for housing in both versions of draft BMAP and the principle of residential development within the area has been established under applications Z/1998/2945 and Z/2010/1625/F, the application site has never been developed due to the</p>

	steep topography of the site. This portion of land formed part of the approval of Z/1998/2945 as a landscaped area which provided a visual break between the properties on Squires Hill and Squires View. Due to the constraints of the land, the site is not considered appropriate for housing. It would also create a conflict with the conditions/approved plans of the host approval.
9.4	<p><u>Character of established residential area</u></p> <p>Policy RD1 states that residential proposals should not create conflict with adjacent land uses, remaining in conformity with the character of any established residential uses.</p>
9.5	The levels shown across the Proposed Site Plan relate to the existing site levels and do not reflect the proposed site levels which are shown in the sections on the same drawing no. 03B. The proposed levels are provided on the section drawings across the site.
9.6	The site is a steep bank within the wider residential development. The sections demonstrate that the site falls in a steep decline from west to east from 167 to 157 (a decline of 10m). Up to 2m of fill is required on the western side of the bank to create a level ground floor access (165-167). The rear garden areas require significant fill which varies in depth across the sites to create useable garden space. The property noted as 'site 1' shows infill up to 8m at the rear. 'Site 2' requires approximately 4m of fill and 'Site 3' would require 3m fill.
9.7	The proposed split-level design, with a two-storey frontage and three-storey rear elevation would not remain in conformity with the character of the established residential area. By definition, an established residential area is dominated by a recognisable form housing styles with associated private amenity space or gardens. The definition contained in Appendix B of the Plan Strategy also notes that "properties may exhibit comparable design styles including common architectural detailing and treatment... however it is recognised that there are also settled housing areas where there is a greater range and mix of dwelling styles and where the overall pattern of development is less uniform." The existing housing development of Squires View and Squires Hill is characterised by two storey dwellings and level access to the rear. The overall pattern of development would be considered uniform in its design and layout. Although there are no public views of the application site outside of the existing residential development, the form and design would be at odds with the existing properties and would result in a design which is out of character to the area.
9.8	Paragraph 3.1.6 of the residential design SPG states particular care will be necessary in preparing layout proposals on sloping sites in order to minimise the impact of differences in level between adjoining properties, existing or proposed and it may be appropriate to consider the use of split-level dwellings. In this case the site is being inappropriately engineered with significant infill to create the levels required to facilitate a split-level development. The topography of the site does not naturally allow for development, even that of split-level design.
9.9	Based on the indicative levels shown on the sections and the ground levels of the adjacent properties at no's 22, 57 and 59 Squires Hill Road, it does not appear that there would be a significant impact on these neighbours in terms of the differences in levels. However, in the absence of existing and proposed site levels overlaid on the proposed site plan across the development site and the neighbouring properties it is difficult to know for certain what the impact on these properties would be.
9.10	The SPG states that particular care will be necessary in preparing layout proposals on sloping sites in order to minimise the impact of differences in level between adjoining

	<p>properties, existing or proposed. Outline planning approval has been granted for a dwelling at no. 998 Crumlin Road under application reference LA04/2023/3305/O. Although this development has not yet been constructed it remains to be a material consideration when assessing the impact of the proposed development. The level difference and creation of retaining walls would have a significant impact on this property. The difference in levels between the site at Crumlin Road and the top of the proposed retaining structure would be approximately 9m at a distance of 25m approx. This, with the dwellings on top, would be unduly prominent on this property and result in harm in respect of over-dominance. This is contrary to Policy RD1 and Policy DES1 of the LDP PS.</p> <p><u>Design</u></p>
9.11	<p>Policy DES1 - Principles of urban design and policy RD1 - New residential development are applicable to new residential development. These policies seek to ensure the highest quality of urban design is met and the amenities of residents are protected. As this proposal is for outline permission to establish the principle of housing development on this site, design details are not required at this stage. In the applicant's planning statement, they have noted that matters relating to siting, design external appearance, access and landscaping are reserved and that illustrative drawings have been submitted for information only. Whilst these details can be reserved, the supporting illustrative details do not demonstrate that appropriate development can be accommodated on the site. In order to achieve meaningful open space to the rear of the properties, each of the dwellings would sit ahead of the established building line of Squires Hill Road. The private amenity areas would meet the space standards set out in Creating Places, however the site would require between 3 - 8m of infill to achieve a usable rear amenity space. This level of engineering of the site demonstrates that the site is not appropriate for development. The proposal is therefore considered to be contrary to Policy DES1 and Policy RD1 for the reasons outlined above.</p>
9.12	<p>Although it has not yet been constructed, material consideration is given to the approved residential dwelling at no. 998 Crumlin Road which lies to the east of the site on a lower level. This outline permission, reference number LA04/2023/3305/O, expires 13 June 2029. A subsequent reserved matters application (LA04/2024/1178/RM) was received on 03 July 2024 and remains under consideration by the planning authority. The FFL of the dwelling at no. 998 Crumlin Road is noted as 141.00 (figure taken from the submitted site plan as part of the reserved matters planning application). The ridge height of the proposed dwellings (as shown on the sections of the submitted illustrative drawings) is noted to be 174.00. The height difference of 33m is substantial and would result in a development which is significantly dominant when viewed from the dwelling at no. 998 Crumlin Road. Although the ridge height of the proposed dwellings appears to be similar to the adjacent property at no. 22 Squires Hill Road, the proposed dwellings on site would sit closer to the dwelling at no. 998 Crumlin Road and therefore have a greater impact. For this reason, the proposed development is considered unacceptable. The proposal therefore fails to comply with Policy RD1 and Policy DES1.</p>
9.13	<p>Policy HOU7, adaptable and accessible accommodation also applies to all new homes. The criteria under this policy could be reserved matters if the principle of development was considered acceptable.</p>
9.14	<p><u>Density</u></p> <p>Policy HOU4 relating to density advises that within the outer Belfast area the average density for residential development is 25-125 units per hectare. The site measures 0.12ha</p>

	and as such the proposed density for the site would be between 3-15 dwellings. The proposal therefore meets the lower end of the density band.
9.15	<p><u>Climate Change</u></p> <p>SuDs measures and details regarding design and layout would be reserved matters.</p>
9.16	<p><u>Access and Car Parking</u></p> <p>DFI Roads were consulted and is content in principle, subject to conditions. Therefore, it is considered that there would not be any issues relating to traffic, access or parking based on the illustrative plans and as such the proposal would comply with policies TRAN 6 and 8 of the LDP.</p>
9.17	<p><u>Open space</u></p> <p>Open Space is not defined within the LDP, however the SPPS defines ‘open space’ as <i>“all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.”</i></p>
9.18	<p>The SPPS states that <i>‘open space, whether or not there is public access to it, is important for its contribution to the quality of urban life by providing important green lungs, visual breaks and wildlife habitats in built-up areas.’</i> Paragraph 6.200 also goes on to state that open space can enhance the character of residential areas.</p>
9.19	<p>Policy OS 1 of the LDP PS states that the council will support the retention and improvement of existing open space throughout the district area. There is a general presumption in favour of retaining all such lands, including protecting any character and amenity value, whether specifically identified in the LDP or not unless the lands are identified in the LDP for an alternative use. Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015). Although the site is currently zoned for housing and not zoned as open space it acts as a visual break within the built development of the wider residential area and was approved as an area of open space in the original planning approval under Z/1998/2945. There is a presumption against the loss of existing open space which applies irrespective of ownership, public access, physical condition or appearance.</p>
9.20	<p>The site as existing provides a visual break between Squires Hill Road and the newer Squires View development and as such has significant amenity value. The redevelopment of the site is not considered to bring substantial community benefits that decisively outweigh the loss of this open space. The provision of these 3 dwellings would not make a significant contribution to meeting any housing shortfall in the area. The proposal is therefore considered to be contrary to Policy OS1 in that officers are not satisfied that the loss of the open space would not result in detriment to the overall green infrastructure provision.</p>

9.21	<p><u>Natural Heritage, Trees and Landscaping</u></p> <p>Policy TRE1 states that the council will seek to protect existing trees from new development, particularly those that are of visual, biodiversity or amenity quality and significance.</p>
9.22	<p>There is a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity. The proposal, if permitted, would result in the loss of shrubs and hedging which make a valuable contribution to the environment, biodiversity and visual amenity by way of a buffer to the built residential development at Squires Hill. However, there are no trees on the site and whilst the Council's Tree Officer assessment makes clear that the construction process will require considerable 'cut and fill' operations in close proximity to an existing tree group adjacent to the site southern boundary, these trees are of little amenity value due to poor condition and could be easily compensated for at Reserved Matters stage. The proposal is not considered to conflict with Policy TRE1.</p>
9.23	<p>NIEA NED have acknowledged that there is suitable nesting and foraging habitat for birds on site within the trees along the South boundary of the site and the scrub vegetation within the site. However, NED did not object to the development nor were ecological reports requested. NIEA HED also advised that any removal of hedgerow/vegetation should be replaced with like-for-like planting comprising a range of native and tree species. It is considered that the proposal would not have an unacceptable effect on any habitat and thus adheres to Policy NH1.</p>
10.0	Recommendation
10.1	<p>Due to the constraints of the site, the principle of residential development is not considered acceptable.</p>
10.2	<p>Having regard to the development plan, planning history on the site and other material considerations, the proposal is recommended for refusal.</p>
11.0	Draft Refusal Reasons
11.1	<p>The proposal is contrary to the Belfast Local Development Plan: Plan Strategy 2035 Policy OS1: Protection of Open Space, in that the loss of the open space would be detrimental to the overall green infrastructure provision in the locality and the redevelopment of the site is not considered to bring substantial community benefits which decisively outweigh the loss of the open space.</p>
11.2	<p>The proposal is contrary to the Belfast Local Development Plan: Plan Strategy 2035 Policy RD1: New Residential Developments and Residential Design SPG in that it fails to respect the characteristics and features of the site and, if permitted, would result in a form of development that is not in conformity with the character of the established residential area and would create conflict with adjacent land uses by way of over-dominance.</p>
11.3	<p>The proposal is contrary to the Belfast Local Development Plan: Plan Strategy 2035 Policy DES1 – Principles of urban design and Residential Design SPG in that it fails to respond positively to local context and character through architecture and urban form and would, if permitted, result in a form of development that is not of a high quality, sustainable design due to inappropriate engineering operations, ground remodelling works and associated retaining structures and would encroach beyond the established building line.</p>

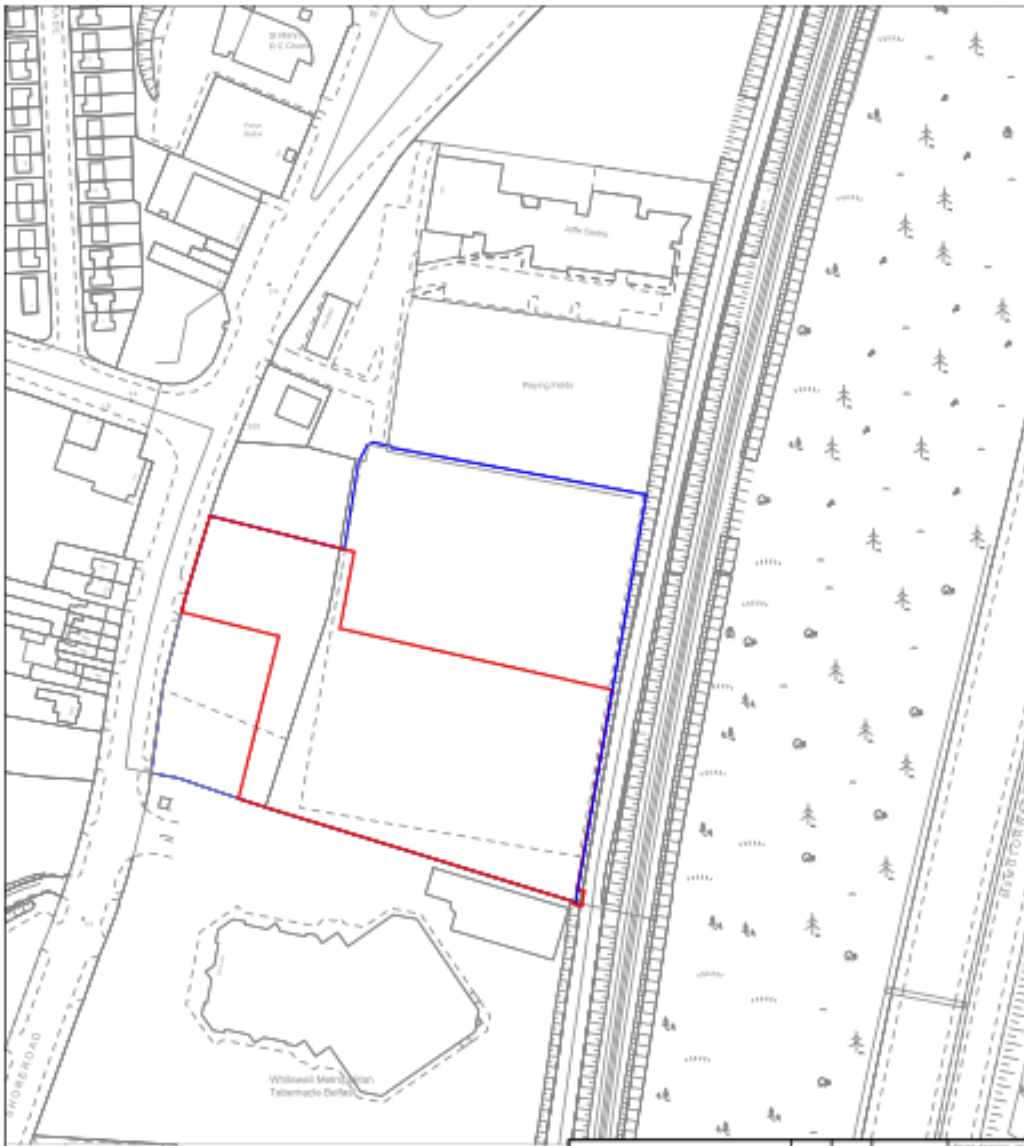
Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/4543/F	Committee Meeting Date: 17th June 2025
Proposal: Proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting.	Location: 885 Shore Road, Belfast, BT36 7DH
Referral Route: Council is Applicant	
Recommendation:	Approval
Applicant Name and Address: Stephen McCullough Belfast City Council 9 Adelaide 9-21 Adelaide Street Belfast	Agent Name and Address: James McMonagle, Gregory Architects 4 Crescent Gardens Belfast BT7 1NS
<p>Executive Summary</p> <p>The application seeks planning permission for a proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting.</p> <p>The site is located at 885 Shore Road in North Belfast. Onsite there are sports pitches with small pavilions and associated parking. There are a number of trees throughout the site and around the site periphery.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • Principle of the proposed use • Access and Transportation • Impact on amenity • Impact on the character and appearance of the area • Open space • Climate change • Health impacts • Environmental protection • Contaminated land • Natural heritage and protected species • Trees <p>Statutory consultees have raised no objection, with the exception of NI Water, however final consultee responses from Environmental Health, DAERA: Natural Environment Division and Shared Environmental Services are outstanding.</p>	

Recommendation

Having regard to the development plan and other material considerations, the proposal is acceptable.

It is recommended that planning permission is approved. Delegated authority is sought for the Director of Planning and Building Control to resolve final responses from Environmental Health, DAERA: Natural Environment Division (NED) and Shared Environmental Services, finalise the wording of conditions and deal with any other issues that arise, provided that they are not substantive.

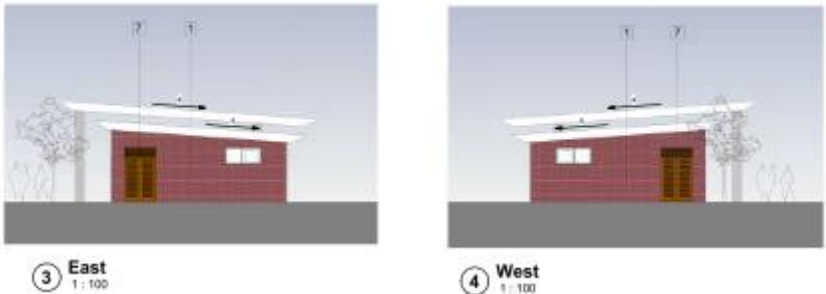
Officer Report					
1.0	Drawings				
1.1	Site Location				
<div><p>The map shows a site location with a red outline indicating a specific area and a blue outline indicating a larger area. The site is adjacent to a road labeled 'SHORE ROAD' and a wooded area labeled 'Whitwell Mountain'. The map also shows various buildings and infrastructure.</p></div> <div><table><tr><td>Site Location</td><td>1694-01</td><td>SL01</td><td>02</td></tr></table><p>gregory architects</p></div>		Site Location	1694-01	SL01	02
Site Location	1694-01	SL01	02		

Proposed Site Layout



Proposed Elevations



	
2.0	Characteristics of the Site and Area
2.1	<p>The site is located at 885 Shore Road, Belfast. The site encompasses playing fields and is enclosed with fencing. There are existing pavillions within the site. To the west of the site lies an existing NIE sub station and an area for car parking. Further north of the site is the Loughshore Education Resource Centre which is an education resource centre. To the south of the site is Whitewell Church. There are a number of trees throughout the site and around the site periphery. The site is zoned as land identified as open space designated in dBMAP.</p>
3.0	Description of Proposal
3.1	<p>The application seeks full planning permission for a proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.1.1	<p>Policies in the Plan Strategy relevant to the application include the following:</p> <ul style="list-style-type: none"> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – Sustainable development Policy SP3 – Improving health and wellbeing Policy CI1 – Community Infrastructure Policy OS5 – Intensive sports facilities Policy OS7 - Floodlighting Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS) Policy HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources Policy TRAN1 – Active Travel – Walking and Cycling

4.2	<p>Policy TRAN2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Relevant Planning History Z/2009/0086/F - Installation of temporary sports changing facilities (soccer), including erection of 1.8m high security fencing and upgraded pedestrian access path (bitmac) from existing car park. – Permission Granted 21/05/2009</p> <p>Z/2012/0511/F - 3G pitch with floodlighting, dugouts and stand, 6no 5-a-side pitches and associated car parking (amended description, amended red line and amended plans received) – Permission Granted 17/04/2013</p> <p>Z/2014/0557/F - New 3g pitch with floodlighting, dugouts, fencing and 200 seater stand. previously approved pitches to be altered slightly and associated car parking to be provided – Permission Granted 14/03/2017</p>
5.0	Consultations and Representations
5.1	<p>Statutory Consultations. NI Water – Refusal DFI Roads – No objection subject to conditions. Historic Environment Division (HED) – No objection DAERA – Comments outstanding Shared Environmental Service – To be reconsulted once DAERA comments returned Translink – No Objection DfI Rivers – No Objection</p>
5.2	<p>Non-Statutory Consultations Environmental Health – Comments outstanding Trees Belfast City Council – No objection subject to conditions.</p>
5.3	<p>Representations The Council has received no representations from neighbours or third parties.</p>
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.1.1	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>

6.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.1.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in section 4.0 of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
6.1.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.1.6	The site is zoned as land identified as open space in both dBMAP (v2004) and dBMAP (v2014).
6.2	Key Issues
6.2.1	The key issues to be considered in this application are: <ul style="list-style-type: none"> • Principle of the proposed use • Access and transportation • Impact on amenity • Impact on the character and appearance of the area • Open space • Climate change • Health impacts • Wastewater infrastructure • Flooding • Environmental protection • Contaminated land • Natural heritage • Protected species • Trees •
6.2	Principle of the proposed use Given the proposal retains recreational use, the use of the site has already been established. The proposal seeks to alter the playing surface from grass to an all-

6.3	<p>weather surface. It is considered that the proposal, which will provide enhanced recreational facilities, provides a betterment for the community.</p>
	<p>Access and Transportation</p> <p>The scale of development and transport implications of the proposal were assessed by DFI Roads and considered to be acceptable. The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN6, and TRAN 8, and relevant provisions of the SPPS.</p>
6.4	<p>Impact on Amenity:</p> <p>Policy CI1 relating to community infrastructure expresses that the Council will seek to protect and provide development opportunities for community health and leisure among other facilities based on local need. There should be no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated. The proposed new changing pavilions, turnstiles, ancillary facilities and floodlighting are not located immediately adjacent to any neighbouring dwellings for loss of light or overshadowing to occur. BCC Env H raised no concerns with regards to proposed floodlighting subject to conditions should approval be granted.</p>
6.5	<p>Character and Appearance of the Area:</p> <p>The proposed pavillions and floodlighting are considered sympathetic to the existing site and surrounding area, and not would have a negligible visual impact on the locality. Public views of the surface would read as green space/playing surface. The associated fencing and in particular floodlights would have a greater visual impact. However, public views of such structures would largely be limited to near distance views from Shore Road which is West of the site.</p>
6.6	<p>All structures are of a scale and character that would be reasonably expected at a sports facility. The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. It is considered that existing trees around the site periphery would also filter views of the structures and on balance, the proposal would not result in unacceptable detrimental visual impacts.</p>
6.7	<p>Open Space</p> <p>Policy OS5 relating to intensive sports facilities states that planning permission will be granted for the provision of new and extended intensive sports facilities where it is located within settlement limits, is accessible and there are no unacceptable impacts on the amenity of people living near-by.</p>
6.8	<p>The proposal complies with the policy, it is located within an accessible location within a settlement and will not impact on the amenity of near-by residents as for the reason previously stated.</p>
6.9	<p>Climate change</p> <p>Policy ENV2 states that planning permission will be granted for development that</p>

	incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposed building uses a fabric first design approach to reduce energy demand by minimising heat loss and optimising solar gain. The site waste management plan includes a BRE smart waste system which will be used to prevent waste, reuse where possible and recycle, and last resort put waste to landfill.
6.10	The proposed pitch is to include materials to that are natural and biodegradable demonstrated by the use of corn cobs, cork or olive pits filling. This will be secured via condition.
6.11	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The proposal naturally includes large areas of open green space and therefore complies with Policy ENV5.
6.12	<p>Health Impacts</p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods. The site is highly accessible and will provide an excellent community infrastructure that will help contribute to the health and wellbeing of the community over a long-term basis. The proposal is considered to satisfy the requirements of Policy HC1.</p>
6.13	<p>Wastewater infrastructure</p> <p>Policy SP1A requires that necessary infrastructure is in place to support new development. NI Water have recommended the proposal be refused due to network capacity issues. They highlighted the downstream catchment is constrained by overloaded sewage infrastructure including one or more downstream Unsatisfactory Intermittent Discharges (UID's) which are causing a negative impact on the environment. This part of Belfast catchment is constrained by lengths of downstream sewer operating above capacity. NI Water suggested the Applicant should liaise directly with them.</p>
6.14	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has objected to the proposal on grounds of network capacity issues. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm and detrimental impact on existing properties. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.
6.15	

6.16	DAERA: Water Management Unit (WMU) also highlighted concerns with respect to sewage disposal and suggested this should be agreed in writing with NI Water or a Consent to Discharge granted prior to commencement of development.
6.17	DAERA: WMU requested further information relating to the maintenance and management of the 3G pitch. Details of the how the infill crumb will be prevented from entering the drainage system as well as a cleaning/maintenance schedule were forwarded and they responded with no further objections and directed BCC Planning towards DfI Rivers as the authoritative body with regards to flooding. The proposed pitch is to include materials to that are natural and bio degradable demonstrated by the use of corn cobs, cork or olive pits filling and this will be secured via condition.
6.18	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy. A condition will be included to require full details of foul and surface water drainage be submitted and agreed prior to commencement of the development.
6.19	<p>Flooding</p> <p>The site lies within the Q100 floodplain and development is not normally permitted within that. The proposal is considered an exception however (U4 as an exception within an undefended area) since it is the use of land for sport and outdoor recreation. Both a Flood Risk Assessment as well as Drainage Assessment were submitted in support of the proposal. DfI Rivers were consulted and are satisfied with the mitigation measures proposed and it is therefore considered that the proposal complies with policy and acceptable flood risk protections measures are proposed.</p>
6.20	<p>Environmental Protection</p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and odour impacts. Whilst comments are outstanding currently in relation to the risk posed by contaminated land, previous comments confirm EHO have no objection to the proposal relating to all other aspects. Delegated authority is sought to resolve a final response</p>
6.21	<p>Contaminated Land</p> <p>The contaminated land reports provided with the application have been reviewed by Environmental Health and further information was requested. This was submitted and a further consultation was issued to Environmental Health. Delegated authority is sought to resolve a final response.</p> <p>Natural Heritage and protected species</p> <p>Policy NH1 relates to the protection of natural heritage resources. Policy NH1 and Policy OS7 relates to the protection of protected species. NIEA and SES were consulted on the proposal. At the time of writing comments from NED are outstanding. Initial comments returned raised concern regarding the impact of floodlighting on bats, as well as some tree felling. Additional information submitted by the Agent pertaining to this issue has been forwarded for review to NED. Once received SES will be</p>

6.22	<p>reconsulted. Delegated authority is sought to resolve the final responses from DAERA and SES subject to no substantive issues being raised.</p> <p>Trees</p> <p>The BCC Tree Officer requested additional information in order to fully assess the potential impact of the proposal. A tree protection plan as well as detailed landscaping details were submitted and forwarded for comments. Details submitted within the tree schedule show 9 x existing trees recommended to be removed due to poor condition, the 9 x trees are outside the boundary area. It is noted within the condition survey to notify the applicable landowner of their poor condition so appropriate action can be taken. 1 beech tree (TP27) to be taken to a monolith (reduced to its main stem) due to poor condition which will help retain future habitat value as non-living standing wood; 3 willow and 1 sycamore trees are to be removed to facilitate the proposal which are low in terms of public visual amenity value and young according to BCC Tree Officers. Any trees removed should be compensated with suitable and appropriate replacement tree planting along with additional landscaping features to help ensure future site privacy aspects are met. There should be a strong emphasis on the Southery boundary. 12 no trees are proposed as replacement planting and a final soft landscaping plan shall be conditioned be agreed in writing with the council prior to any works commencing on site.</p>
6.23	<p>The proposal would not cause an unacceptable loss of existing trees which contribute significantly to local environmental quality. Appropriate conditions are necessary to ensure the protection of existing trees and to secure appropriate planting of additional trees</p>
7	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is approved.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the approval reason and deal with any other issues that arise, provided that they are not substantive.
<p>DRAFT CONDITIONS:</p> <p>1.The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2.No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p>	

3. The proposed pitch is to include materials that are natural and biodegradable (such as corn cobs, cork or olive pits filling).

Reason: In the interests of environmental protection.

4. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.

Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.

5. The vehicular access, including visibility splays, shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.

Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.

7. The hereby approved floodlighting scheme shall be installed in line with the submitted design scheme presented in the Ledture lighting report entitled: 'MALGROVE PAVILLION AND PITCHES', uploaded to the planning portal on 8th May 2024 to ensure compliance with the Institute of Lighting Professionals Guidance on the Reduction of Obtrusive Lighting at nearby houses.

Reason: Protection of Residential Amenity

8. The approved floodlighting scheme and the pitch shall not be operational between the hours of 22:00 and 07:00hrs on any day.

Reason: Protection of residential amenity

9. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity

10. No development shall commence on site unless a soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all trees, hedgerows and other planting which are to be proposed; a planting specification to include [species, size (minimum heavy standard), position and method of planting of all new trees and shrubs]; and a programme of implementation.

Reason: In the interests of the character and appearance of the area, and to promote

sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

11. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

DRAFT INFORMATIVES

1. This planning permission includes conditions which require further details to be submitted to and approved by the Council. Please read the conditions carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
2. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.
3. The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at <https://planningregister.planningsystemni.gov.uk/>.

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2025/0122/F	Committee Meeting Date: 17 TH June 2025
Proposal: Demolition of 4 no garages and erection of 2 no. semi-detached dwellings, part 2 storey part 3 storey	Location: Lands Between 14 and 16 Lancedean Road, Belfast, BT6 9QP
Referral Route: Section 3.8.1 of the scheme of Delegation. An elected Member of the Council (Cllr Long) has requested for the application to be referred to the Planning Committee.	
Recommendation:	Approval
Applicant Name and Address: Tera Developments Ltd Donegall House 7 Donegall Square North Belfast BT1 5GB	Agent Name and Address: Hadleigh Jess HR Jess Ltd 1 Jordanstown Road Newtownabbey BT37 0QD
Date Valid: 28 th January 2025	
Target Date: 13 th May 2025	
Contact Officer: Lisa Walshe, Principal Planning Officer (Development Management)	
Executive Summary: <p>This application seeks planning permission for 2 semi-detached, split level residential properties which are two storeys at the front and three storeys to the rear. There are 4 single storey garages currently located on the site. The site slopes in a northwest direction from the Lancedean Road towards the Upper Knockbreda Road to the rear of the site.</p> <p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> - Principle of residential dwellings at this location - Impact on existing residential dwellings - Housing density - Adaptable and accessible accommodation - Design - Amenity space - Overshadowing - Overlooking - Access and parking - Waste management - Landscaping and trees - Climate change <p>DFI Roads, BCC Tree Officer and Environmental Health have offered no objections to the proposal subject to conditions. NIW have no objection to the proposal.</p>	

Recommendation

Having regard to the development plan, planning history on the site and other material considerations, the proposal is considered acceptable and recommended for approval. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Case Officer Report

Site Location Plan



Proposed Elevations



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

PROPOSED LOWER GROUND FLOOR PLAN

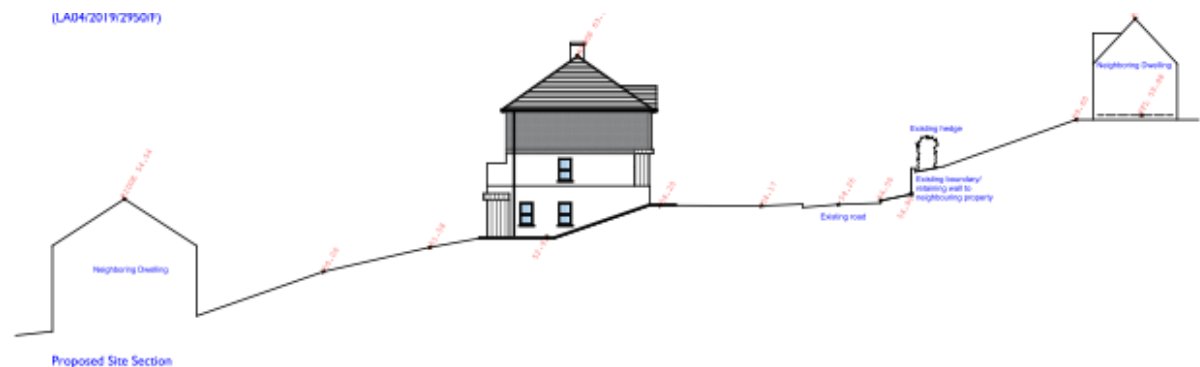
PROPOSED GROUND FLOOR PLAN

PROPOSED FIRST FLOOR PLAN

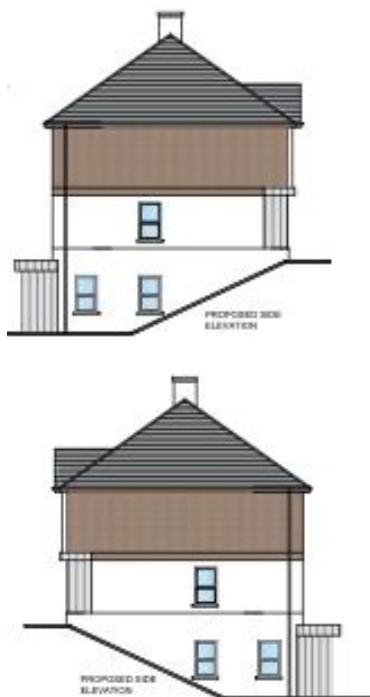
Landscape Plan



Proposed Sections



Proposed Side Elevations



1.0	Description of Proposed Development
1.1	The proposal seeks full planning permission for the erection of 2 semi-detached dwellings of split-level design with 2 storeys located on the Lancedean Road elevation and 3 storeys at the rear of the property. The development will result in the demolition of 4 existing single storey garages currently located on site.
2.0	Description of Site
2.1	The application site relates to an area of land measuring 0.1ha and is located within the development limit of Belfast. The site is white land within the BUAP and both versions of BMAP. The site slopes from the Lancedean Road to the Upper Knockbreda Road.
2.2	The dwellings located on the northern side of Lancedean Road are predominantly semi-detached properties with a 2 storey elevation fronting onto Lancedean Road and a 3 storey elevation to the rear facing the Upper Knockbreda Road. The properties along Lancedean Road vary in terms of materials, scale and massing and design.
3.0	Planning History of the application site
3.1	Y/2006/0033/F – Demolition of 4no. garages and erection of 2no. semi-detached two storey dwellings, with attic over and basement. Permission granted 10/05/2006
3.2	LA04/2019/2950/F - Demolition of 4 garages, construction of a dwelling house to include one replacement garage, house to be part single, part two storey and associated site works. Permission granted 23/06/2020

3.3	LA04/2024/0999/F – Demolition of 4no. garages and erection of 2 no. semi-detached 3 storey dwellings. Application withdrawn.
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	<p>The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p>BUAP – The site is located within the development limit of Belfast and is whiteland in BUAP.</p> <p>Draft BMAP - The site is located within the development limit of Belfast and is whiteland in both versions of BMAP.</p>
5.0	PLANNING POLICY
5.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><u>SP1 – Growth Strategy</u> <u>SP2 – Sustainable development</u></p> <p>Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU7 – Adaptable and accessible accommodation</p>

	<p>Policy DES1 – Principles of urban design</p> <p>Policy RD1 – New residential developments</p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality</p> <p>Policy ENV2 – Mitigating environmental change</p> <p>Policy ENV3 – Adapting to environmental change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 - Sustainable drainage systems (SuDS)</p> <p>Policy TRE1 – Trees</p>
5.2	<p><u>Supplementary Planning Guidance</u></p> <p>Residential Design</p> <p>Sustainable Urban Drainage Systems</p> <p>Trees</p>
5.3	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
5.4	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
6.0	<p>Statutory Consultees</p> <p>DFI Roads- No objection subject to conditions</p> <p>NI Water – Approval</p>
7.0	<p>Non-Statutory Consultees</p> <p>BCC Tree Officer – No objection subject to conditions</p> <p>Environmental Health – No objection subject to conditions</p>
8.0	<p>Representations</p>
8.1	<p>9 letters of objection have been received from 5 third party representations. The main issues raised are summarised as follows:</p> <ul style="list-style-type: none"> a) Planning was previously refused for the same proposal b) Traffic issues c) Parking concerns d) Subsidence e) Detrimental effect to the environment and existing properties f) Impact of development on tree roots g) Old site map used which does not show neighbouring garages and extensions h) Overdevelopment of the site i) Excessive scale and massing j) Overshadowing k) Loss of privacy l) Less grassland to absorb runoff m) Proposed development is not in conformity with the design, layout and urban morphology of Lancedean Road and Upper Knockbreda Road.

	<p>Full consideration has been given to points a) to m) in the assessment of the application below.</p> <p>n) Error within the 'Supporting Planning Statement' which makes reference to the Crumlin Road.</p> <p><i>This was made in error for a small portion of the applicants planning statement relating to the surrounding area of the site, the majority of the statement is referencing the correct application site. The case officer has not assessed the application based on this and has conducted their own site visit and assessment of the site and surrounding area.</i></p> <p>o) Loss of views and amenity</p> <p><i>The loss of views is not a planning consideration. The impact on amenity has been assessed within the body of the report.</i></p>
9.0	ASSESSMENT
9.1	<p><u>Principle of housing at this location</u></p> <p>The principle of residential development has been established on site under previous planning applications. The development approved under application LA04/2019/2950/F is extant and will expire on 21/06/2025. Although the extant approval was for 1 residential unit, the proposed footprint is similar to that of the previously approved dwelling. The footprint of the single dwelling was 106m² and the footprint of the proposed dwellings is 103m² in total.</p>
9.2	<p><u>Housing Density</u></p> <p>Policy HOU4 relating to density advises that within the outer Belfast area the average density for residential development is 25-125 units per hectare. The site measures 0.1ha which would relate to an acceptable density of at least 2.5 dwellings on site. The proposal therefore falls just below the recommended density for a site of this area. The proposal replicates the existing densities on this portion of the street which predominantly houses semi-detached properties on similar sized plots of land. Taking account of the sloping nature of the site and surrounding context, the proposed density is on balance considered acceptable.</p>
9.3	<p><u>Character of established residential area</u></p> <p>Policy RD1 states that residential proposals should not create conflict with adjacent land uses, remaining in conformity with the character of any established residential uses.</p>
9.4	<p>The site is located at the end of a row of 7 no. two storey dwellings. These existing dwellings are split-level with a further basement level at the rear, owing to the sloping</p>

	nature of the land. The single storey dwellings on the opposite side of the road sit high above the road and are accessible via steps.
9.5	A key consideration of this application is the topography of the site which falls in a downward slope from the Lancedean Road towards the Upper Knockbreda Road. The proposed development accommodates the topography in an acceptable manner using split-level design, comparable to neighbouring dwellings. The Residential Design SPG is supportive of the use of split-level dwellings on sloping sites which do not require prominent retaining walls. In terms of layout, scale, proportions, massing and appearance of buildings the scheme is acceptable.
9.6	The proposed split-level design, with a two-storey frontage and three-storey rear elevation would mirror the design of the 7 properties from no. 2-14 which are split level (part 2 and part 3 storeys). Following amendments to the proposal, it is considered the proposed landscaping assists with integration and mitigates the visual impact of the proposal.
9.7	There is a mix of dwelling styles and materials within the surrounding area and on balance, it is considered that the proposed dwelling respects the surrounding context and is appropriate to the character of the area. The proposed dwellings are to be finished in part red brick and part white painted render, which are materials found in the immediate area and are considered appropriate
9.8	The existing garages are of poor quality and the proposed development will result in an improvement to the streetscape. It is therefore not considered that the proposal will be detrimental to the character of the area.
9.9	The proposal is considered to respond positively to the local context and character in compliance with Policy DES1.
9.10	<p><u>Residential quality and Impact on amenity</u></p> <p><i>Overlooking</i></p> <p>The proposed dwellings sit higher than the property to the rear at no. 158 Upper Knockbreda Road. The separation distance of approximately 24m to the rear elevation alleviates concerns of overlooking. The proposed development sits further back on the site than the 2019 previously approved dwelling, however the separation distance is still considered to be acceptable. This is in compliance with the Residential Design SPG which states that a separation distance of no less than 20m should be maintained between facing windows of the main habitable rooms.</p>
9.11	A single-storey garage has been built to the rear of the property at 158 close to the boundary with the application site. A garage is also located adjacent to the site at no. 16 Lancedean Road. The location map and site plans submitted are from outdated OS data which do not show these garages, however the case officer noted them during the site visit. As these are not habitable rooms there are no concerns of overlooking or overshadowing from the development.

9.12	The proposed gable windows on the lower ground floor will be to facilitate a stairway and sitting room. The ground floor gable windows will be for a stairwell and will be conditioned to be fitted with obscure glazing. There are no gable windows provided at first floor level. Obscure glazed windows and proposed boundary treatments will help mitigate any potential overlooking from the proposed development.
9.13	The proposal is compliant with Policy RD1 in terms of overlooking. <i>Overshadowing</i>
9.14	A shadow analysis was undertaken by the case officer for the spring and autumn equinox using the online Suncalc programme and using the maximum height of the proposed development. The results are as follows: <ul style="list-style-type: none"> • 21 March – overshadowing of rear garden of no. 160 Upper Knockbreda Road in the early morning (8am-9am), overshadowing to the rear garden of no.158 Upper Knockbreda Road in the morning (10am-12am), overshadowing of the garage and driveway of no. 16 Lancedean Road in the afternoon (12-3pm). • 21 September – overshadowing of rear elevation and rear garden of no. 160 Upper Knockbreda Road in the early morning (9am-10am), overshadowing of rear garden and garage of no. 158 Upper Knockbreda Road from 10-11:30am and overshadowing of garage and driveway of no. 16 Lancedean Road from 12:30-4pm.
9.15	Although there is some degree of overshadowing of the neighbouring properties this is to be expected within an urban setting and is not to an unacceptable degree. The proposal would not result in the unreasonable loss of light to habitable rooms and private garden areas during the afternoon and evening.
9.16	The proposal is considered compliant with Policies DES1 and RD1 in relation to overshadowing and loss of light. <i>Space standards</i>
9.17	The proposal is compliant with Policy RD1 in that it would create quality and sustainable residential environments. The proposed dwellings meet the residential space standards set out in Appendix C of the LDP for a 3-bedroom 3 storey dwelling (95-100m ²). The internal floorspace of each dwelling measures 103m ² .
9.18	Adequate provision has been made for private amenity space within the proposed development, in accordance with the provisions of Creating Places and criterion d. of Policy RD1.

9.19	<p><u>Adaptable and Accessible accommodation</u></p> <p>Policy HOU7, adaptable and accessible accommodation also applies to all new homes. The internal layout of the proposed development complies with the criteria set out within HOU 7 and is considered acceptable.</p>
9.20	<p><u>Landscaping</u></p> <p>There are 3 trees proposed along the front boundaries of the proposed development and 6 proposed trees to the rear and side comprising cheery, rowan and serviceberry trees planted at heights of 2.5m to 4.25m at the time of planting. The rear proposed boundary treatments and hedging along the side boundary will help prevent overlooking as the trees and landscaping features establish within the site over time.</p>
9.21	<p>It is noted within the BCC Tree officer's consultation response that the adjacent neighbouring tree has a number of overhanging branches above the existing garages. This tree would require pre-construction tree surgery to enable construction. It is advised that the owner of the tree should fully consent and agree to future works upon the tree.</p>
9.22	<p>The proposal is compliant with Policy TRE1 in that the proposal would result in a net gain in tree numbers.</p>
9.23	<p><u>Access and Car Parking</u></p> <p>The proposed parking layout shows parking within the curtilage of the site for 1 car at each property. A parking survey was submitted to demonstrate available on street parking within the street. The existing garages have the potential to accommodate 4 cars at the site.</p>
9.24	<p>DFI Roads were consulted in relation to the proposal and have offered no objection to this development proposal. In their consultation response they stated that they were satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. Conditions have been attached.</p>
9.25	<p><u>Climate change</u></p> <p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. The applicant's supporting planning statement states that <i>redevelopment of this site will ensure that best practice architectural and energy efficient standards will upgrade the existing building fabric and ensure sustainability into the future.</i></p>
9.26	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal incorporates various hard and soft landscaping elements to assist an overall sustainable drainage solution including the planting of trees and hedges. The proposed design incorporates modern standards of building techniques, adequate</p>

<p>9.27</p> <p>9.28</p> <p>9.29</p>	<p>insulation and sustainable construction methods</p> <p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. A portion of the site will comprise landscaped rear garden space which will assist in the reduction of runoff.</p> <p><u>Waste-water infrastructure</u></p> <p>NI Water has confirmed that there is available capacity at the Waste Water Treatment Works and there is a public foul sewer and public water main within 20m of the proposed development boundary which can adequately service these proposals.</p> <p>NI Water have no objection to the proposal following the submission of a Wastewater Impact Assessment relating to the site.</p>
<p>10.0</p> <p>10.1</p>	<p>Recommendation</p> <p>Having regard to the development plan, supporting planning guidance, planning history on the site and other material considerations, the proposal is considered acceptable on balance and is recommended for approval.</p>
<p>11.0</p>	<p>Draft Conditions</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011</p> <p>2. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), the ground floor windows on the side (eastern and western) elevations shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent).</p> <p>Reason: To safeguard the privacy of adjacent properties.</p> <p>3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity.</p>

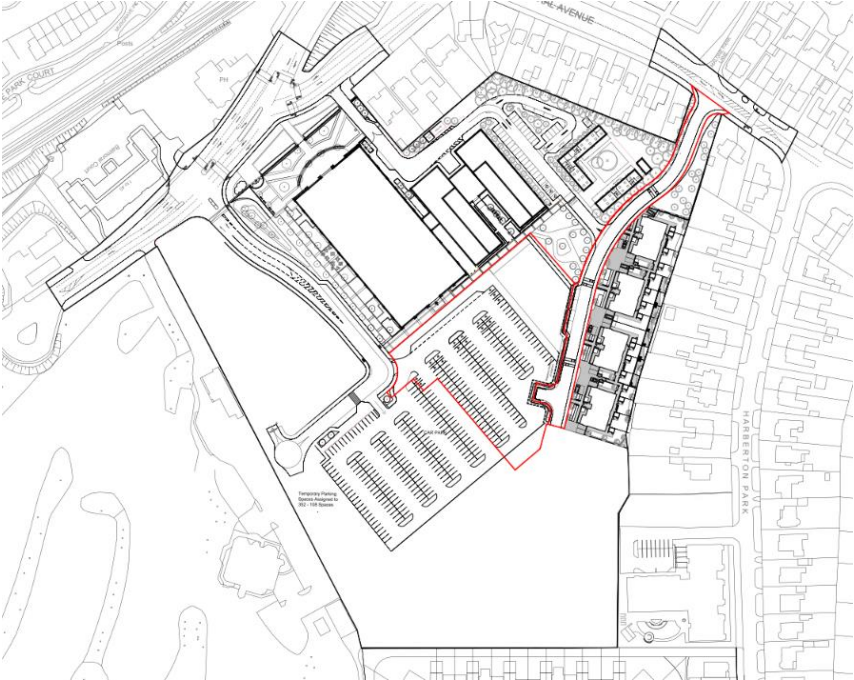
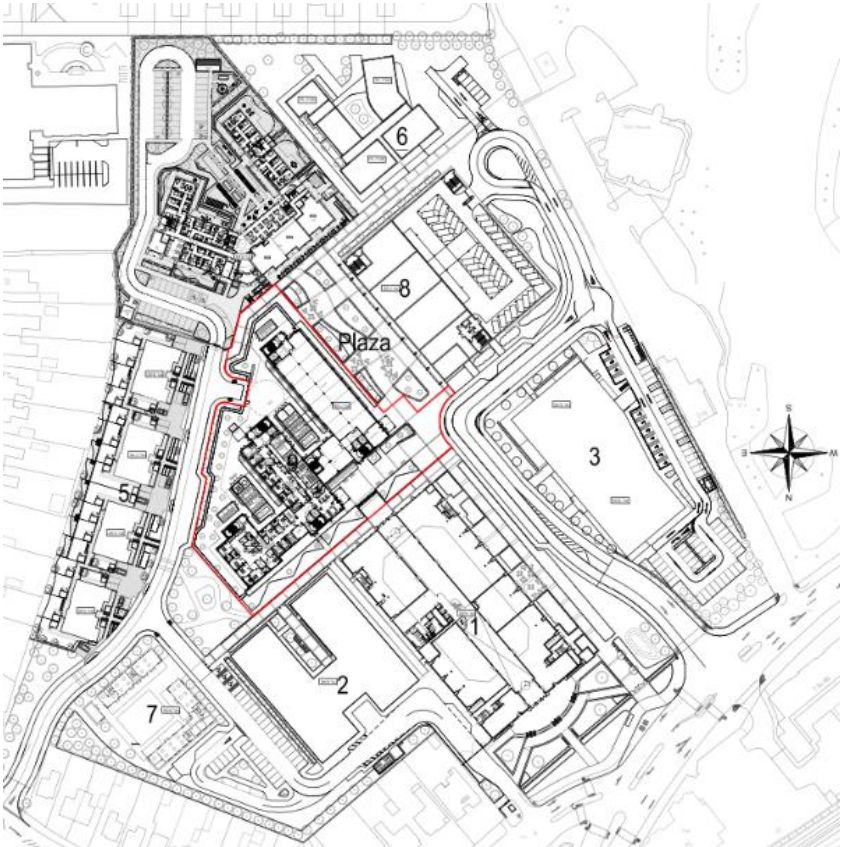
	<p>4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>5. No works shall commence on site (including demolition and site clearance) unless 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/hedge protection 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.</p> <p>Reason: To safeguard existing tree(s) in the interests of visual amenity. Approval is required upfront to ensure that important trees are not permanently damaged or lost.</p> <p>6. There shall be no storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA.</p> <p>7. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p> <p>8. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.</p>
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	<p>Reason: To ensure adequate car parking within the site.</p> <p>9. The vehicular accesses shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>Draft Informatives</p> <p>1. Drawing Numbers This decision relates to the following approved drawing numbers:01, 02, 06, 07A, 09, 10, 11, 12</p> <p>2. Compliance with planning permission Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>3. Discharge of condition(s) This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>4. Non-planning requirements The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.</p>
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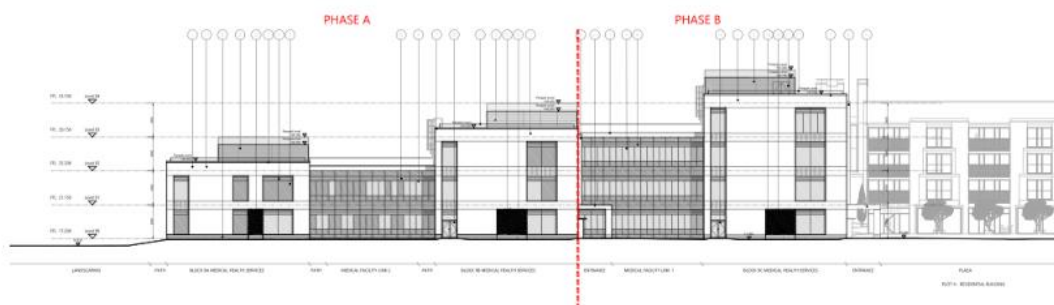
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Committee Application

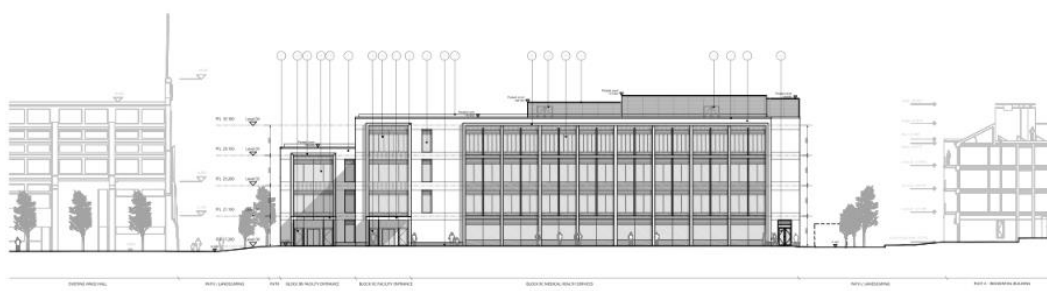
Development Management Report	
Application Ref: LA04/2024/1761/RM	Committee Meeting Date: 17 th June 2025
Proposal: Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details.	Location: Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O.
Referral Route: The Committee previously agreed that Reserved Matters applications pursuant to outline permission LA04/2020/0845/O would be considered by the Committee.	
Recommendation:	Approve subject to conditions
Applicant Name and Address: KH (Balmoral) Developments Ltd Crobane Enterprise Park 25 Hilltown Road Newry BT34 2LJ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
Date valid:	
Target Date:	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>Outline planning permission was granted in December 2021 for a mixed-use regeneration of lands at the Kings Hall (Ref: LA04/2020/0845/O). This included, amongst other wider ranging development, medical or health services at Plot 9. This application seeks approval of the following reserved matters for Plot 9:</p> <ul style="list-style-type: none"> • siting, • design: including height, scale, massing, form of buildings and floor plans; • external appearance; • means of access; and • landscaping. <p>The principle of development is established by the outline planning permission and only the above issues are to be considered in the assessment of this application.</p> <p>The design of the building complies with the approved Design Code. It would be in keeping with the character and appearance of the area. The setting of the listed Kings Hall would be safeguarded. There is no objection from DfC HED.</p> <p>There are no objections from statutory and non-statutory consultees.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the reserved matters application is granted permission subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and deal with any issues arising from the outstanding consultee from the DFI Roads response on so d=far as they are not substantive.</p>	

Officer Report	
1.0	Drawings
1.1	<div>Site Location Plan</div> <div>A detailed site location plan showing the project area outlined in red. The plan includes surrounding streets such as Park Court, The Avenue, and Western Old Park. It also shows existing buildings, parking areas, and landscaping features.</div> <div>Site Masterplan</div> <div>A detailed site masterplan showing the layout of the development. The plan includes numbered areas (1, 2, 3, 6, 7, 8) and a central Plaza. A red line outlines the project boundary. A compass rose is located in the bottom right corner of the plan.</div>

Elevations



Phase B Elevation 02 - North West
1:200



Phase B Elevation 01 - South West
1 : 200



Phase B Elevation 03 - South East



Phase B Elevation 04 - North East

Landscape Plan



CGI's





2.0	Characteristics of the Site and Area
2.1	The site is located within the King's Hall Complex and is currently a temporary car park to the rear of the listed King's Hall. Buildings previously located on the site have been demolished to facilitate the ongoing redevelopment of the site for a mix of uses including medical/health uses, residential and nursery uses.
2.2	Some of the adjacent plots forming part of the wider regeneration of the lands have either been constructed (Plot 1 extension to the Kings Hall; and Plot 5 - 16 Independent Living Units, Plot 7 - relocation of children's nursery, Plot 3 apartments and ground floor commercial unit), or are currently under construction (Plot 4 residential units and ground floor commercial units).
3.0	Description of Proposal
3.1	Outline planning permission was granted in December 2021 for a mixed-use regeneration of lands at the Kings Hall (Ref: LA04/2020/0845/O). This included, amongst other wider ranging development, medical or health services at Plot 9. The outline approval included a Section 76 Planning Agreement.

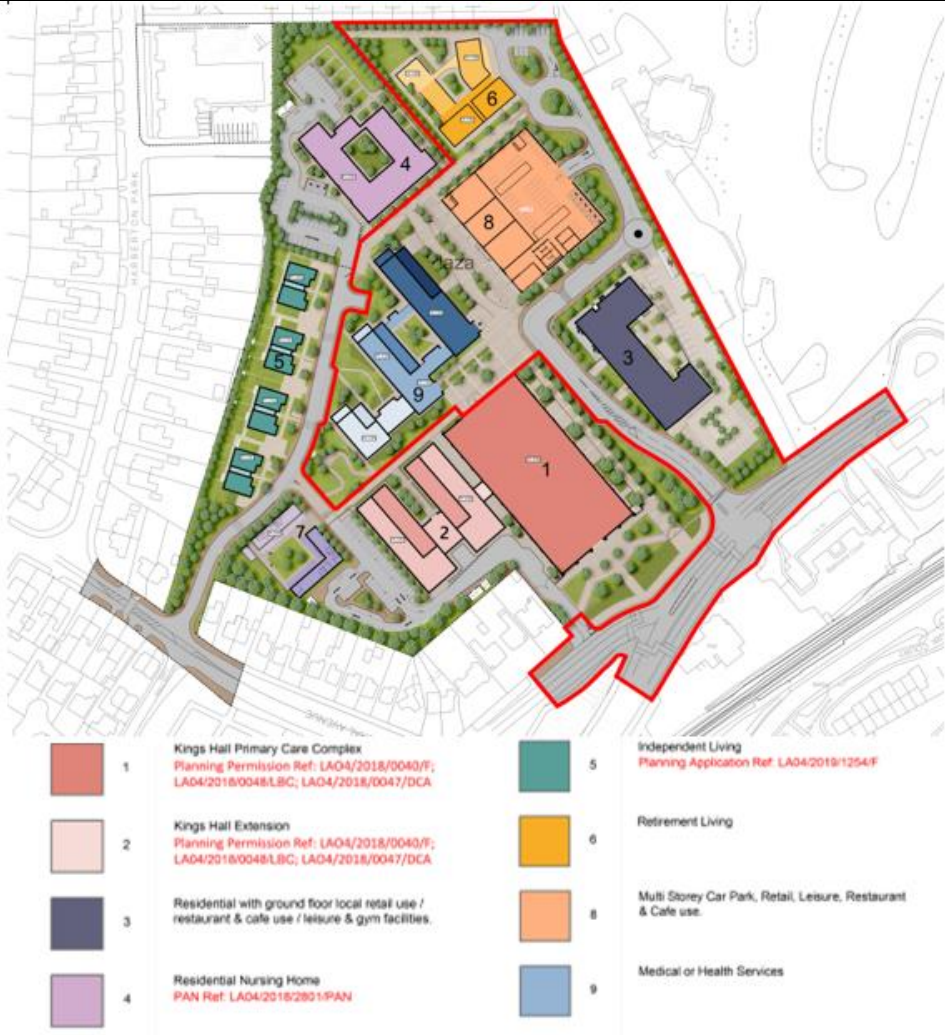
3.2	A reserved matters application was also approved on plot 9 under reference LA04/2023/2430/RM for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further plant to the roof of the 3 blocks has been added which has increased in footprint and height.
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP4 – community cohesion and good relations Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development</p> <p>Policy BH1 – Listed Buildings Policy HC1 – Promoting healthy communities Policy CI1 – Community infrastructure</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space</p> <p>Policy TRE1 – Trees</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) Belfast City Council Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (Belfast City Council) Strategic Planning Policy Statement for Northern Ireland (Belfast City Council)</p>
4.4	<p>Other Policies Developer Contribution Framework (Belfast City Council) Creating Places (DfI)</p>

<p>4.5</p> <p>4.6</p>	<p>Other Material Considerations Belfast Agenda (Community Plan)</p> <p>Relevant Planning History</p> <p><i>Application Site:</i></p> <p>LA04/2023/2430/RM - for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further plant to the roof of the 3 blocks has been added which has increased in footprint and height. Permission granted 08.09.23.</p> <p>LA04/2020/0845/O – Outline planning permission for a mixed use regeneration proposal with all matters reserved for retirement living at plot 6, medical or health services at plot 9, multi storey car park, local retail uses, restaurant and cafe uses, leisure and gym facilities at plot 8, associated internal access roads, associated new public realm and amenity open space including central plaza and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F); and no matters reserved for residential development (81 apartments) at plot 3 with ground floor local retail use/restaurant and cafe uses/leisure and gym facilities, associated landscaping, car parking and access from Upper Lisburn Road (as per planning approval reference LA04/2018/0040/F) and reconfiguration of temporary car park to the rear of King's Hall (approved under LA04/2018/0040/F). Further information and amended drawings received including addendum to Environmental Statement. Amendments include temporary parking arrangements adjacent to the southern boundary with Harberton Crescent and part of the south western boundary with Balmoral Golf Club, Land at Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park and North East of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 02.12.21</p> <p><i>Adjacent Land (within the King's Hall complex):</i></p> <p>LA04/2024/0007/F – Application for the reconfiguration of ground floor to facilitate a maxillofacial surgery (Use Class D1), reduction in local retail/restaurant/leisure unit floorspace, replacement of residential plant and store rooms with local retail/restaurant/leisure floorspace with associated roof plant and ground floor fenestration changes. Permission granted 09/07/24.</p> <p>LA04/2023/2401/F – Full planning application for temporary approval of decked car park on lands forming Plot 6 of outline planning approval LA04/2020/0845/O for the provision of 210 parking spaces at ground and first floor level, including means of access and boundary treatment, for provision of parking until car parking on Plot 8 is operational, The Kings Hall, 488-516 Lisburn Road, Malone Upper, Belfast, Antrim, BT9 6 GW. Under Consideration.</p> <p>LA04/2022/0311/F – Erection of 40 no. residential units and 2 no. commercial units with associated car parking, cycle storage servicing, landscaping with access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north-east of Balmoral Golf Club, Belfast, BT9 6GW. Permission Granted 28.04.23</p>
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	<p>LA04/2019/2989/F – Erection of a care home with associated car parking, servicing, landscape and access off Balmoral Avenue, The King's Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue west of Harberton Park and north east of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 20.1.21.</p> <p>LA04/2019/1254/F – Erection of independent living complex 16No. units with associated landscaping, parking and access off Balmoral Avenue, Land at former Kings Hall and RUAS Complex, located to the east of the King's Hall and to the rear of Nos. 7-23 Harberton Park, Belfast, BT9 6GW. Permission granted 18.09.20</p> <p>LA04/2019/2848/F – Construction of day nursery/playschool facility to replace existing temporary day care nursery and reconfiguration of car park approved under LA04/2018/0040/F with associated landscaping and access works, Lands at Kings Hall Complex, Lisburn Road, Balmoral Belfast, BT9 6GW. Permission granted 29.06.20.</p> <p>LA04/2020/0747/F – Application under section 54 of the Planning Act (Belfast City Council) 2011 in respect of planning approval LA04/2018/0040/F seeking to vary condition No. 39 to amend the approved layout Drawing No.38 Road layout geometry and levels Phase 1 to reflect the amended layout, The Kings Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, west of Harberton Park and north-east of Balmoral Golf Club, Belfast, BT9 6GW. Permission granted 29.06.20.</p> <p>LA0420211753F – Retrospective application for minimal change of elevational treatment and position from original planning approval of Family Room, Kings Hall Complex, Belfast, BT9 6GW. Permission Granted 02.02.22.</p> <p>LA04/2018/0040/F – Demolition of 29 Balmoral Avenue, demolition of existing non-listed building on site (including conference facility, showgrounds and stables). Refurbishment, creation of new floorspace and change of use from King's Hall venue to primary health care centre (including ancillary retailing and cafe). Erection of 2 storey side extension, repositioned access to Upper Lisburn Road, alterations to existing Balmoral Avenue access, internal access roads, public realm and landscaping, surface level car parks and associated site works including boundary treatments, The Kings Hall and RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North-east Of Balmoral Golf Club, Belfast BT9 6GW. Permission granted 16.04.2019</p> <p>LA04/2018/0047/DCA – Demolition of 29 Balmoral Avenue, 29 Balmoral Avenue, Belfast. Consent granted 16.04.2019.</p> <p>LA04/2018/0048/Belfast City Council – Conversion of, alterations to and side extension to King's Hall to accommodate Primary Health Care Centre, demolition of existing extensions to King's Hall and relocation and restoration of existing railings and pillars to the front of King's Hall, The King's Hall And RUAS Site, South Of Upper Lisburn Road/Balmoral Avenue, West of Harberton Park And North East Of Balmoral Golf Club, Belfast, BT9 6GW. Consent granted 16.04.2019.</p>
5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DfI Roads – Outstanding</p> <p>DfC Historic Environment Division (Belfast City Council) – No objection</p> <p>NIW – No objection</p> <p>NIEA – Further information requested</p>

5.2	<p>Non-Statutory Consultations Belfast City Council Environmental Health – No objections Belfast City Council Senior Urban Design Officer – No objections. Belfast City Council Tree Officer – No objection subject to conditions</p>
5.3	<p>Representations</p>
5.3.1	<p>The application has been advertised and neighbours notified. The Council has received nine objections raising the following issues:</p>
5.3.2	<ul style="list-style-type: none"> Access Road on Kings Hall Lane and traffic increase. <p><u>Officer's Response:-</u> The main access for traffic is via Lisburn Road. Servicing is proposed via Balmoral Avenue and onto Kings Hall Lane. DfI Roads has no objection to the proposed access arrangements, which are considered adequate and compliant with Policy TRAN6 of the Plan Strategy. The servicing access on Kings Hall Lane was approved at outline stage (LA04/2020/0845/O) and also approved in the most recent reserved matters application LA04/2023/2430/RM for servicing and emergency use. Therefore, the principle of development is already established and this application is for minor amendments to the previous approval.</p>
5.3.3	<ul style="list-style-type: none"> Height of the building <p><u>Officer's Response:-</u> The buildings all remain at the 2/3/4 storeys of which were set out within the Scale Parameters Plan (approved Drawing No.33a) shown in this report in para 6.7.3</p> <p>However, the previous reserved matters application approved plant enclosures to the roof to each 3 blocks 9a, 9b and 9c. Block 9a (2 storeys) was approved at +11.05m AOD (including plant) and is now proposed at +12.1m AOD.</p> <p>The highest element of plot 9c (4 storeys) was approved at +18.95m AOD (including plant) and is now proposed at +19.85.</p> <p>Whilst it is acknowledged the height of the plant has increased from the previous application and is more than the parameters plan, it is not considered that this minimal increase would be detrimental to the character and appearance of the area or that of the amenity of surrounding residents.</p>
5.4.4	<ul style="list-style-type: none"> Overlooking <p><u>Officer's Response:-</u> The positioning of each unit 9a,9b and 9c remains unchanged from the previous Planning Approved Application (LA04/2023/2430/RM), and the distances from the closest point to the nearest corner of the Plot 5 residences are shown to be all in excess of 30m. The fenestration of those elevations facing onto the existing plot 5 (apartments at Kings Hall Lane) are the same as the approved application. It is considered that overlooking concerns would be no greater than what was previously approved.</p>
5.4.5	<ul style="list-style-type: none"> Lighting from the development <p><u>Officer's Response:-</u></p>

	Environmental health have been consulted on all environmental matters including lighting and have no objections to the proposal.
6.0	PLANNING ASSESSMENT
	Development Plan Context
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	Background
6.6.1	This reserved matters application relates to the redevelopment of the wider King's Hall complex for which an indicative masterplan was submitted under the associated outline planning application LA04/2020/0845/O (see below). This masterplan forms the basis of the outline permission. Plot 09 which is the subject of this reserved matters application is located centrally within the wider King's Hall site and is coloured blue on the masterplan below.



6.7 Principle of development

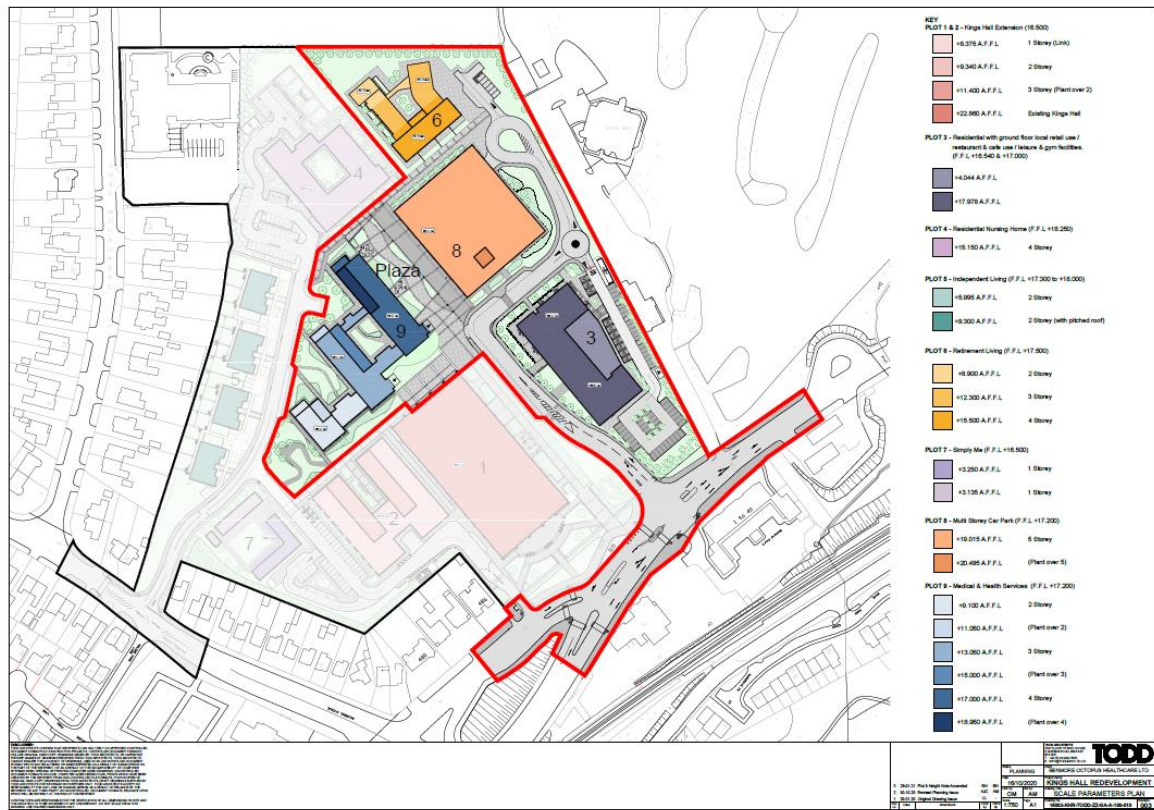
6.7.1 The application is a reserved matters application for a medical facility previously granted outline approval under planning application reference LA04/2020/0845/O. A reserved matters application was also approved on plot 9 under reference LA04/2023/2430/RM for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further plant to the roof of the 3 blocks has been added which has increased in footprint and height.

6.7.2 The principle of development for the proposed use is established. This application seeks approval of the following reserved matters and the assessment is confined to only those matters:-

- siting;
- design: including height, scale, massing, form of the building and floor plans;
- external appearance;
- means of access; and
- landscaping.

6.7.3 The outline approval includes a condition that states that all reserved matters shall be in general conformity with the approved design code and scale parameters plan (Drawing No. 33a of planning approval LA04/2020/0845/O – see below). The approved Design

Code set out parameters for the following matters in relation to Plot 09 - use, layout, scale, open space, plant & servicing, elevations and materials. The approved scale parameter plan identified maximum building heights for each of the plots including Plot 09. The issues pertaining to the reserved matters are assessed below.




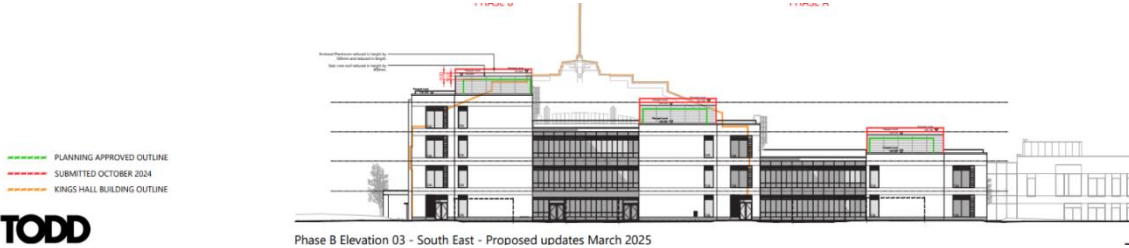
Drawing No. 33a – Scale Parameters Plan

6.8 **Siting/Layout**

6.8.1 The proposed medical building will sit to the rear of the listed King's Hall and its two storey extension which has now been constructed and is operational.

6.8.2 The building is arranged in a series of three linked blocks ranging from 2 storeys to 3 storeys and then to 4 storeys as illustrated in the image below. The 4 storey block will be situated immediately to the rear of the listed King's Hall and has been designed to step back from the King's Hall to respect the listed building and provide space to enable its appreciation. An area of public realm/open space will be formed between the rear of the King's Hall and the proposed building which will connect with the public realm across the site including the larger central plaza throughout the site providing permeability and ease of movement along with an appropriate treatment to the setting of the buildings.

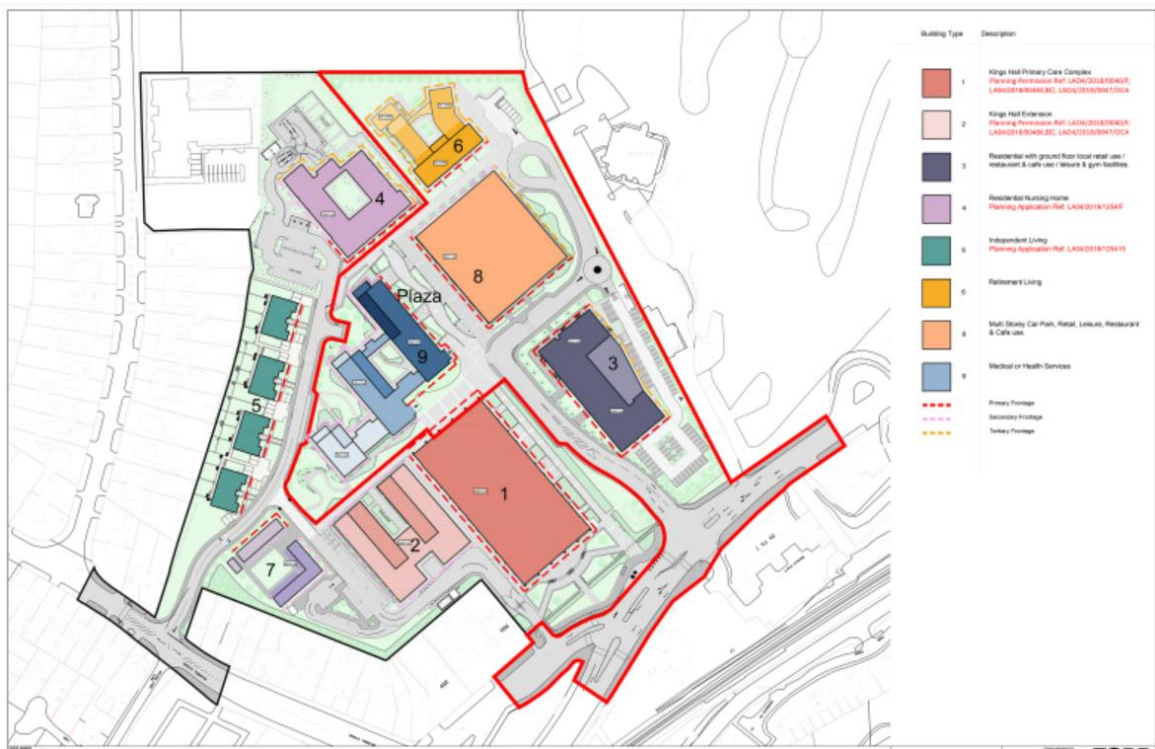
6.8.3 The siting and layout of Plot 09 is compliant with the design code and parameters plan and is considered acceptable. The height and massing are considered further below.

	 <p>Phase B Elevation 03 - South East</p>
6.9	<p>Design and External Appearance</p>
6.9.1	<p>The reserved matters application includes details of the height, scale, massing, form and floor plans. As set out in the approved Drawing No. 33a – Scale Parameters Plan above, parameters were agreed at outline stage regarding the height, scale and massing of the proposed building on Plot 09.</p>
6.9.2	<p>The buildings linked blocks (9a,9b,9c) remain at the 2/3/4 storeys of which were set out win the Scale Parameters Plan (approved Drawing No.33a) shown in this report in para 6.7.3. However, the previous reserved matters application approved plant to the roof to each 3 blocks 9a, 9b and 9c in line with the outline application perimeters plan.</p>
6.9.3	<p>Block 9a (2 storeys) was approved at +11.05m AOD (including plant) and is now proposed at +12.1m AOD.</p>
6.9.4	<p>The highest element of plot 9c (4 storeys) was approved at +18.95m AOD (including plant) and is now proposed at +19.85m.</p>
	 <p>Phase B Elevation 03 - South East - Proposed updates March 2025</p>
6.9.5	<p>The reserved matters details indicates that the height of the building is in general accordance with the approved parameters plan with a minimal increase in height of no more than 900mm at the highest point on plot 9c. The height, scale and massing of the building is therefore considered compliant with the outline approval.</p>
6.9.6	<p>The approved Design Code included the following key design principles in relation to the proposed external appearance of the building:-</p> <ul style="list-style-type: none">• <i>High quality material finish</i>

- *The footprint of the building has been positioned to ensure it does not sit beyond the plane of the Kings Hall.*
- *Larger elevations broken down into constituent parts / blocks to achieve a more human scale and proportion to the building.*
- *Lightweight elevations used to form connections and enclosing courtyards.*

6.9.7

The approved Design Code set out a hierarchy of elevations reflecting the visual prominence of the elevations within the site (as shown on the plan below). The primary elevation of the proposed building on Plot 09 is that of the 4 storey block which will front onto the central plaza area of public realm and the 4 storey block and 3 storey link block to the rear of the listed King's Hall. These primary elevations will be perceptible from the Lisburn Road access and whilst travelling through the site and will be viewed with the adjacent listed Kings' Hall. All other elevations are categorised as secondary elevations which have less prominent and limited views from main pedestrian and vehicular routes.



6.9.8

The treatment of the primary elevation fronting onto the plaza includes a white render base with an aluminium frame which is the same as those materials approved under the most recent reserved matters application. As per the previous application the degree of articulation proposed which includes grey aluminium framing along the primary elevation, will provide a sufficient contrast when viewed against the white render of the Kings Hall building. The render finish is also consistent with the residential block at Plot 3. The more muted composition of secondary elevations includes render and a rhythm of aluminium frames replicating the materials on the primary frame and reflecting these less prominent elevations. Elevations facing the independent living units on Plot 05 incorporate obscure glazing to provide privacy.

6.9.9

The 'Compliance with Design Code' document states that these '*Feature elevations are located facing onto the proposed Plaza to enhance the buildings contribution to the main pedestrian route across the wider masterplan*'.

6.9.10	Servicing is proposed from King's Hall Lane and an access secured by a sliding gate will provide entry from King's Hall Lane into the site for servicing and emergency use. Bin and bike stores are proposed between the 2 and 3 storey elements and between the 3 and 4 storey elements. Both are proposed to have green roofs and will provide ancillary accommodation. DfI Roads final response is awaited to confirm they are satisfied with the level of cycle parking proposed and are likely to recommend a condition to secure its delivery.
6.9.11	DfC HED has considered the proposed design and the impacts on the setting of the listed King's Hall and advises that it considers the proposal complies with the SPPS and Policy BH1 (Listed Buildings) of the Plan Strategy 2035.
6.9.12	The Urban Design officer has responded to the most recent amendments as follows. 'The revised proposal addresses many of the concerns raised by reducing the height and footprint of the plant rooms, particularly on block 9C. While some visual impact remains, especially from Balmoral Avenue approach, on balance, the changes lessen the overall effect from the key view points and maintain the setting of the listed Kings Hall.'
6.9.13	Officers consider that the design and external appearance are in compliance with the outline approval granted under application LA04/2020/0845/O and associated Design Code, and that the development would be in keeping with the character and appearance of the area. The setting of the listed Kings Hall would not be harmed and would be safeguarded.
6.10	Access
6.10.1	Although reserved, the principle of the access from Lisburn Road was established through the masterplan for the wider site which forms part of the approved Design Code at the outline stage. DfI Roads has no objection to the proposed access arrangements, which are considered satisfactory and compliant with Policy TRAN6 of the Plan Strategy.
6.11	Landscaping
6.11.1	The proposed development includes hard and soft landscaped areas in the form of public realm. The public realm proposed will connect with the wider public realm scheme throughout the site providing connectivity ease of pedestrian movements throughout the site and is in accordance with the outline approval and Design Code. The Tree Officer has considered the proposed landscaping plans and has no objection subject to conditions. The proposed landscaping will contribute to appropriate SuDS measures satisfying policy ENV5.
6.11.2	In summary the matters reserved as set out above comply with the outline planning approval LA04/2020/0845/O and associated Design Code and Scale Parameters Plan. The landscaping proposals are considered acceptable.
6.12	Noise/Odour/Lighting
6.12.1	A Noise impact assessment was submitted in support of the proposal in accordance with condition 22 of the outline planning approval. Since noise impacts are related to the design of the building, this information can be considered as part of the assessment of this Reserved Matters application. Environmental Health (EHO) have considered the details submitted and have no objections with regard to noise, odour and lighting subject to conditions.

6.13	Other issues
6.13.1	NIEA have requested further information in the form of a Preliminary Ecological Appraisal. However, planning is of the view that the site and previous buildings have been cleared for a number of years and the plot is currently in use as a temporary car park and therefore it would be unreasonable to ask for further information on this matter. NIEA were consulted as part of the Outline planning application and raised no objections.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the reserved matters are approved subject to conditions as set out below.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with DFI Roads outstanding consultation, and any other matters which may arise in so far as they are not substantive.

DRAFT CONDITIONS:

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No external finishes shall be applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.

The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.

The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external finishes.

Reason: In the interests of the character and appearance of the area.

3. The parapet levels do not exceed the levels noted on this application, drawing reference

Phase B Elevations 03 & 04 (P03): –

Phase C - 34.20m /36.15m /36.65m /37.05m

Phase B – 30.25m/ 32.20m / 32.7m / 33.10m

Phase A – 26.30m / 28.25m / 28.75m / 29.15m

Reason: to protect the character and appearance of the setting of the listed building.

4. Prior to installation of any plant and equipment associated with phase A (plots 9a and 9b) and phase B (plot 9c), details of all final plant, including final drawings showing the layout of the mechanical plant/services and their location accompanied by a final noise assessment report, shall be submitted to and approved in writing by the Council. The final noise assessment shall include a review of the manufacturers' noise data (including 1/3 octave band data) or measurements where data is unavailable. The final noise assessment shall include updated computer noise modelling to confirm predicted specific noise levels at

identified sensitive residential receptors and shall be assessed in line with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'. Noise mitigation measures shall be clearly identified and designed to ensure no adverse noise impact during the day or at night at nearby residential receptors.

Reason: Protection of residential amenity against adverse noise impact.

5. Prior to commencement of operation of phase A and phase B all plant and equipment and associated noise mitigation/abatement technology and enclosures installed within the hereby permitted development shall be in accordance with the details presented in the approved final noise assessment and be retained and maintained thereafter.

Reason: Protection of residential amenity against adverse noise impact.

6. Service collections from or deliveries to the hereby approved development are only permitted between the hours of 07:00hrs-23:00hrs Monday to Friday and between 09:00hrs- 23:00hrs on Saturdays and Sundays.

Reason: Protection of residential amenity against adverse noise impact.

7. Prior to commencement of development on site, including site clearance or site preparation, a Construction Environmental Management Plan (CEMP) produced by the appointed contractor with assessment input from an environmental consultant shall be submitted to the planning authority for review and approval in writing. The CEMP shall include measures to control noise, dust and vibration throughout the site preparation and development, demonstrating the use of site-specific 'best practicable means'. The CEMP shall demonstrate through technical assessment that the methods of construction works proposed that noise, dust and vibration will not have an adverse impact on nearby premises (including commercial premises).

The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites, parts 1 and 2: Noise and Vibration and to the IAQM (Institute of Air Quality Management) document 'Guidance on the assessment of dust from demolition and construction' version 2.1, and dated August 2023 and to the IAQM 'Guidance on Monitoring in the Vicinity of Demolition and Construction Sites', dated October 2018, version 1.1 .

Reason: Protection against adverse construction impacts.

8. The design of any proposed lighting scheme for the proposal shall be in accordance with guidance contained within the Institute of Lighting Professionals (ILP) 'Guidance for the Reduction of Obtrusive Light' Guidance Note GN01/21 (2021) available online at: <https://www.theilp.org.uk/resources/freeresources/ilp-guidance-notes>.

Reason: Protection of residential amenity from adverse light impact.

9. No development shall commence on Plots 6, 8 and 9, until a plot and development specific Remediation Strategy for each plot has been submitted to and agreed in writing by the Council. This Remediation Strategy should be in line with Environment Agency guidance, and must demonstrate how the pollutant linkages identified in the Ashfield Solutions Ltd report entitled 'Contaminated Land Risk Assessment, Kings Hall Primary Care Complex, Upper Lisburn Road, Belfast, Benmore Octopus Healthcare Developments (KH) Ltd' (dated 17/11/2017 and referenced 59716-S12),

are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

In particular, the Remediation Strategy must clearly detail:

- The remedial measures to be adopted in all gardens and/or soft landscaping areas of the site.
- The gas protection measures to be incorporated in all proposed buildings, commensurate with the Characteristic Situation 2 classification of the site (as defined by BS 8485:2015+A1:2019).

All construction thereafter must be in accordance with the approved Remediation Strategy.

Reason: Protection of human health

10. Prior to the occupation/operation of Plots 6, 8 or 9, in order to demonstrate that the required remedial measures have been incorporated within the plot, a Verification Report shall be submitted to and agreed in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

11. No development of a particular phase shall commence until details of any combustion plant to be installed in that phase has been submitted to and agreed in writing by the Council. Combustion plant in the hereby permitted phased developments shall meet the technical specification as provided in ES Addendum Appendix 12.8 (published on the planning portal on 19 October 2020). Moreover, the flues to all proposed combustion plant must terminate above the roof level of the building for which that combustion plant serves and as per location as presented in Figure 12.6 in ES Addendum Appendix 12.6 (published on the planning portal on 19 October 2020). The development shall not be carried out unless in accordance with the approved details.

Reason: To protect against adverse impacts on air quality

12. No development shall commence on either Plots 06, 08 or 09 until specification details of the kitchen extraction and odour abatement systems proposed to be installed within any cafe/restaurant units for that plot have been submitted to and agreed in writing by the Council. The applicant is directed to the following guidance document for advice in determining a suitable fit-for-purpose system: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by the Department for Environment, Food and Rural Affairs (Defra); updated by EMAQ+ on 5/9/18. Each plot shall not be occupied until the approved kitchen extraction and odour abatement systems are in place in accordance with the approved details.

Reason: Protection of residential amenity.

13. The interim landscaping shall be carried out in accordance with the approved drawing No. 18 (received 15/10/24) – Interim Landscape Proposal Plot 9A prior to the occupation of Phase 9A and shall be retained until such times as work commences on the development of Phase 9B.

Reason: In the interests of the character and appearance of the area.

14. Notwithstanding the interim landscaping details, all permanent landscaping works shall be carried out in accordance with the approved details on drawing No. 05 (received 15/10/24) – Landscape Layout Plan. The works shall be carried out prior to the occupation of Phase 9B of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

15. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

16. Prior to commencement of development, all protective barriers (fencing) and ground protection shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

17. If roots are accidentally damaged the Council must be immediately notified in writing and given the opportunity to inspect the damage before it is covered over. The roots must be wrapped in wet hessian wrap until the arrival of an arborist or Council tree officers. Remedial works to roots/trees shall be submitted to and agreed in writing by the Council. The development shall not proceed unless in accordance with the approved details.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.

18. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires shall take place within the Root Protection Areas of the trees within the site and adjacent lands during the construction period.

Reason: To safeguard existing trees.

19. Each phase of the development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved details. The covered bicycle storage shall be retained in accordance with the approved details at all times.

Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

20. Each of phase of the development shall not be occupied unless in accordance with the Service Management Plan Rev A.

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

Roads conditions to be added on receipt of consultation response.

DRAFT INFORMATIVES:

1. This decision notice should be read in conjunction with the decision notice for associated outline approval LA04/2020/0845/O dated 2nd December 2021 and its associated Section 76 planning agreement.
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	15.10.24
Date First Advertised	18.11.24
Date Last Advertised	N/A

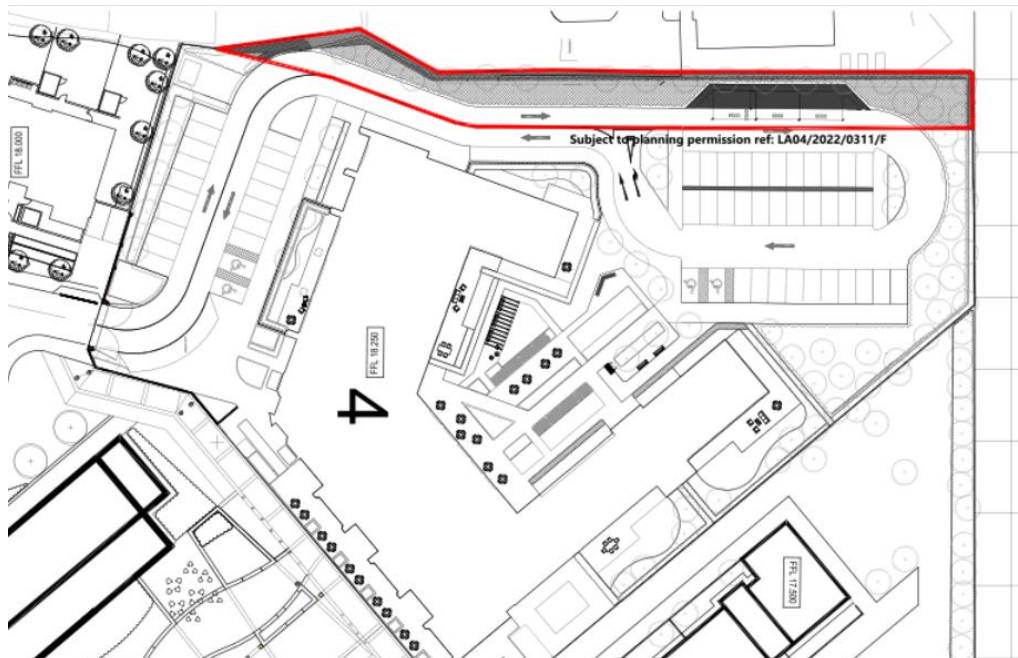
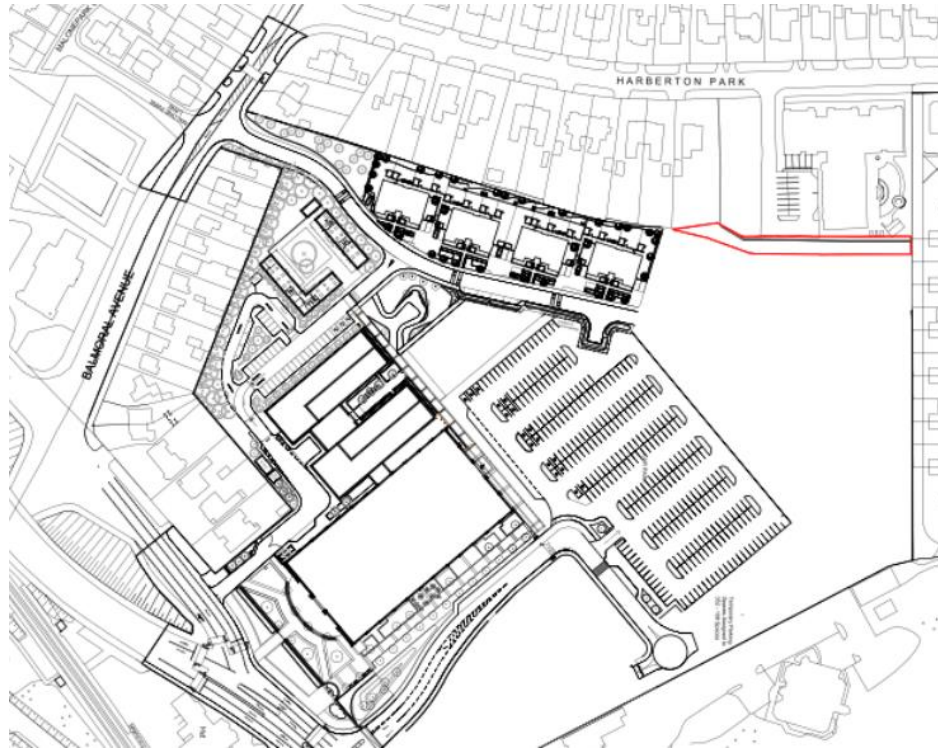
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Committee Report


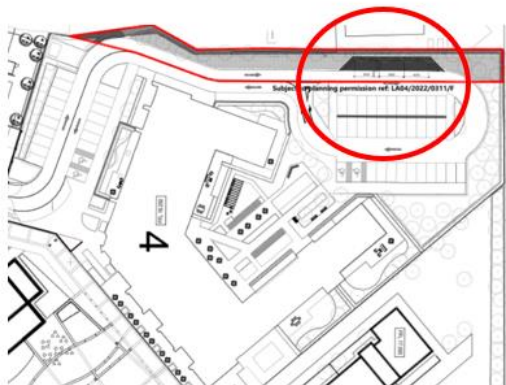
Development Management Report	
Application ID: LA04/2025/0399/F	Date of Committee: 17 th June 2025
Proposal: Additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development (planning permission ref: LA04/2022/0311/F)	Location: Lands at Plot 4 of Kings Hall Healthcare Village, west of 25 Harberton Park and north of 27 Harberton Crescent
Referral Route: The Committee previously agreed that any applications regarding the Kings Hall site would be considered by the Committee.	
Recommendation:	Approval
Applicant Name and Address: KH (Balmoral) Developments Ltd Crobane Enterprise Park 25 Hilltown Road Newry BT34 2LJ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
Date Valid: 3 rd April 2025	
Target Date: 17th July 2025	
Contact officer: Ciara Reville, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>Planning permission was granted in April 2023 for the erection of 40 no. residential units and 2 no. commercial units with associated car parking, cycle storage servicing, landscaping with access off Balmoral Avenue. (Ref: LA04/2022/0311/F).</p> <p>This application seeks approval for an additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development.</p> <p>The principle of development is established by the previous planning permission and only the proposal for the additional car parking spaces is considered in the assessment of this application.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the application is granted permission.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise conditions.</p>	

Case Officer Report

Site Location Plan and Proposed Site Layout



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks planning permission for an additional 3 car parking spaces and additional landscaping to serve Plot 4 of Kings Hall development (planning permission ref: LA04/2022/0311/F)
2.0	Description of Site
2.1	The site is part of the King's Hall complex and sits in the southern corner of the lands. Works are ongoing on the site in relation to a number of recent approvals. Plot 4 is currently under construction following approval ref LA04/2022/0311/F
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2022/0311/F - Erection of 40 no. residential units and 2 no. commercial units with associated car parking, cycle storage servicing, landscaping with access off Balmoral Avenue. Approved 28/04/2023.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and v2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Policy Tran 8 – Car parking and servicing arrangements. Policy TRE 1 – Trees
5.0	Statutory Consultees Responses DFI Roads – No objection
6.0	Non Statutory Consultees Responses None

7.0	Representations
7.1	The application was advertised on the 18th April 2025 and neighbour notified on the 8 th April 2025.
7.2	No objections were received.
9.0	Assessment
9.1	It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
9.2	Principle of development The principle of development has already been established through the previous approved application LA04/2022/0311/F. Therefore, Policy Tran 8 has already been complied with.
9.3	The additional 3 car parking spaces have been added to an area that was previously approved as landscaping. Further landscaping in the form of a deeper landscaping band has been proposed as shown on the proposed site plan when compared with the previous approval. Therefore, there has been no loss of landscaping in the form of open space, a condition is proposed to ensure this is complied with. The proposal complies with TRE1.
9.4	DFI Roads have considered the proposal and have offered no objections and no further conditions. The proposal complies with TRAN8
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Proposed site plan LA04/2022/0311/F</p>  </div> <div style="text-align: center;"> <p>Proposed site plan LA04/2025/0399/F</p>  </div> </div>
9.5	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that the application is granted permission.
10.1	Delegated authority is sought for the Director of Planning and Building Control to finalise conditions.
11.0	Draft Conditions 1. The development hereby permitted must be begun within five years from the date of this permission.

	<p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. All hard and/or soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>DRAFT INFORMATIVES:</p> <p>1. This decision notice should be read in conjunction with the decision notice for associated approval LA04/2022/0311/F.</p> <p>2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p>
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ANNEX	
Date Valid	3 rd April 2025
Date First Advertised	18 th April 2025
Date Last Advertised	8 th April 2025
Date of Last Neighbour Notification	NA

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Committee Report

Development Management Report	
Application ID: LA04/2024/1036/F	Committee Date: 17 th June 2025
Proposal: Lagan Gateway Phase 2 – Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works	Location: Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA
Referral Route: Section 3.8.5 (c) of the Scheme of Delegation. Application made by the Council	
Recommendation: Approval subject to conditions and a satisfactory response from NIEA	
Applicant Name and Address: Ryan Riddell Belfast City Council 9 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Tony Sloan AECOM The Clarence West Building 2 Clarence Street West Belfast BT2 7GP
Date Valid: 10 th May 2024	
Target Date: 23 rd August 2024	
Contact Officer: Ciara Reville, Principal Planning Officer (Development Management)	
Executive Summary: <p>The application relates to the Lagan Gateway Project which aims to enhance connectivity along the River Lagan. The Project has been broken down into two phases with phase 1 completed in 2022 approved under reference LA04/2016/0041/F. Phase 1 included a Link Bridge connecting Annadale Embankment and Lagan Meadows as well as a new boat lock at Stranmillis and a path linking Annadale embankment with Stranmillis.</p> <p>The site for phase 2 comprises of a section of land to the South of Phase 1 and will connect Lagan Meadows to Belvoir Forest Park. An associated certificate of Lawfulness application (LA04/2025/0083/CLOPUD) has been submitted to cover a section of the development to be completed under Permitted Development. The overall length of the proposed new Greenway will be approx. 1km. The greenway will consist of gravel paths, a timber boardwalk and associated landscaping and tree planting.</p> <p>The application follows Pre-Application Discussions with officers.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside • Layout, Scale, Massing and Design and Impact on the character and appearance of the area • Open Space • Impact on Natural Heritage 	

- Impact on the Archaeological Assets
- Flood Risk
- Climate change
- Proposed Access and Car Parking
- Community Infrastructure, and Health and Wellbeing

The site is located outside the development limits and within Lagan Valley Regional Park as designated within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004).

The proposal is considered to enhance the area by improving connectivity to the existing greenway, and increasing the length of the greenway by approx. 1km. The proposal will include gravel paths, and elevated timber boardwalk and also provide additional landscaping and additional cycle stands.

The proposal is sympathetic to the rural character of the surrounding area and the proposed greenway will improve connectivity in the area and will contribute to enhancing the character of the area. The proposal is not considered to have significant impacts on the Lagan Valley Regional Park.

There is one outstanding consultation from NIEA. NIEA's Natural Environment Division requested further information which has been submitted and have been reconsulted. There was a significant delay in NIEA's initial response with the consultation issued on the 5th July 2024 and response not received until the 11th March 2025 despite a previous PAD. Given the time funding pressures associated with the application and the delays in the initial response from DAERA, delegated authority is requested to deal with the outstanding consultation provided it raises no substantive issues.

The application was neighbour notified and advertised in the local press, 3 letters of support and 3 letters of objection have been received. The matters raised in the letters of objection have been addressed in the main section of the report.

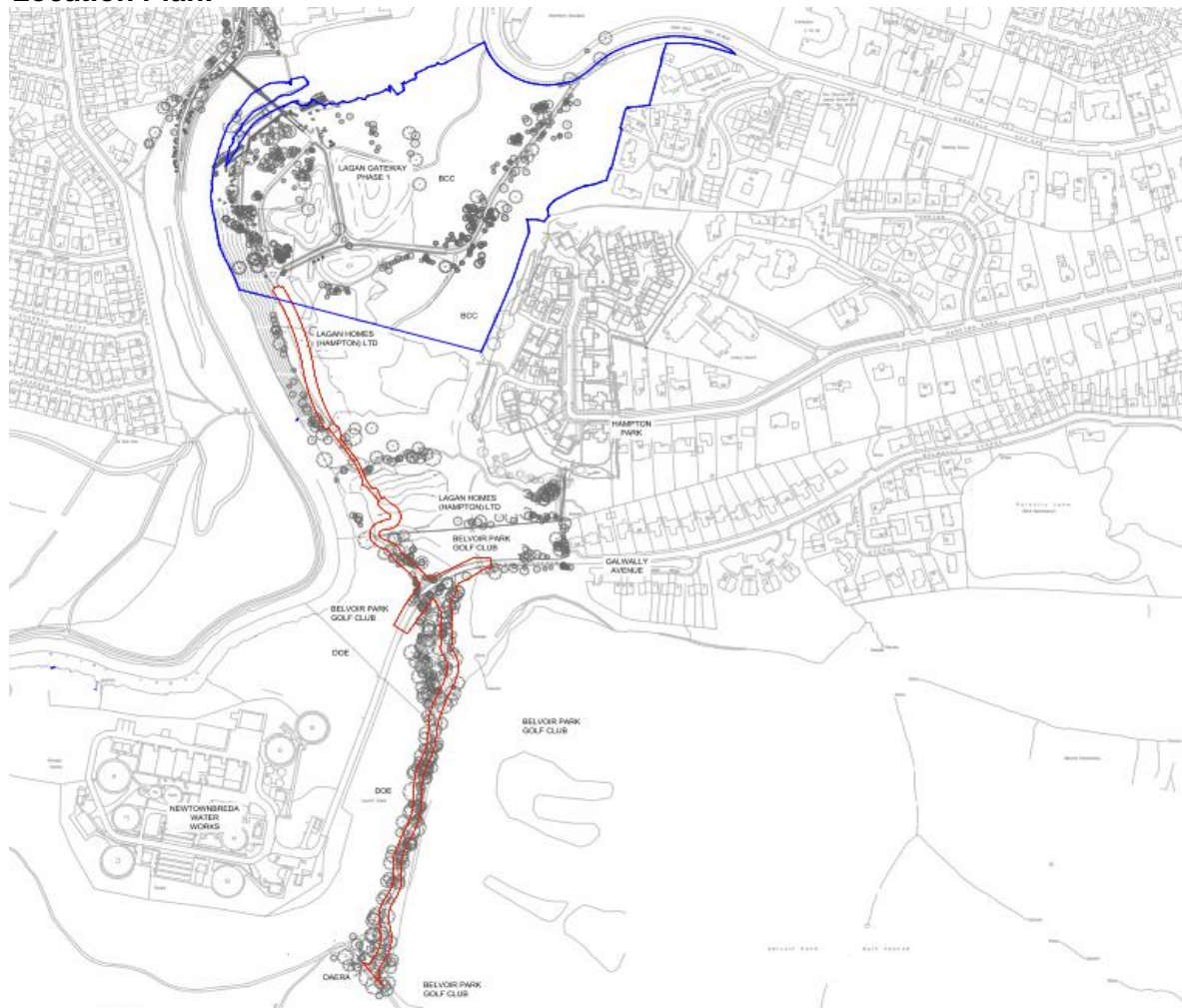
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

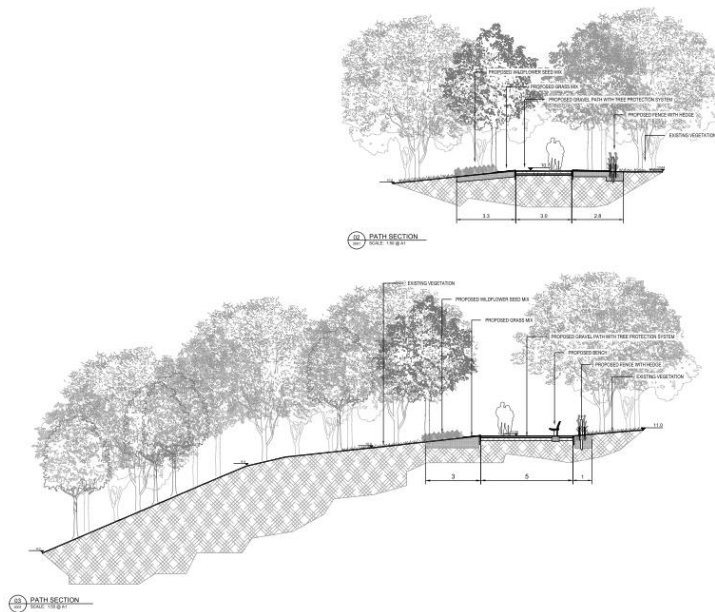
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding NIEA consultation response provided that no substantive matters are raised.

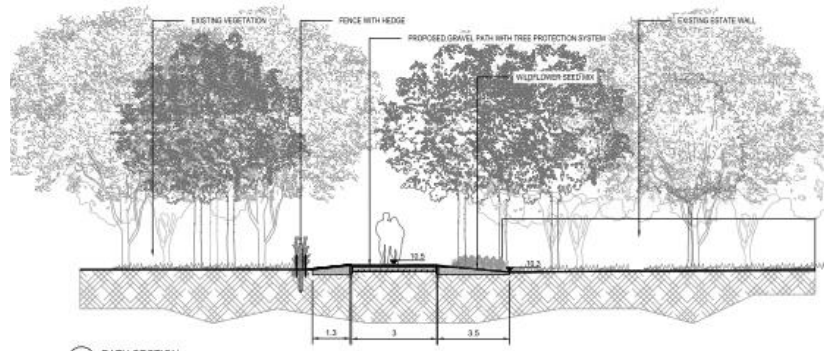
DRAWINGS AND IMAGERY

Site Location Plan:

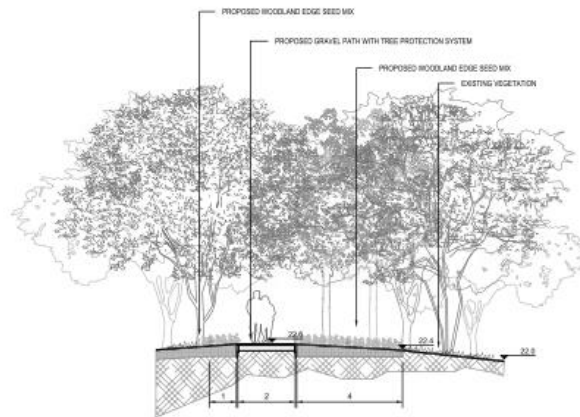


Path Sections:



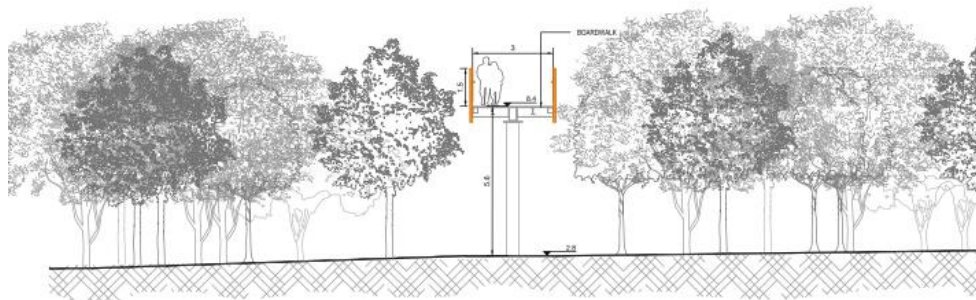


01 PATH SECTION
SCALE: 1:50 @ A1

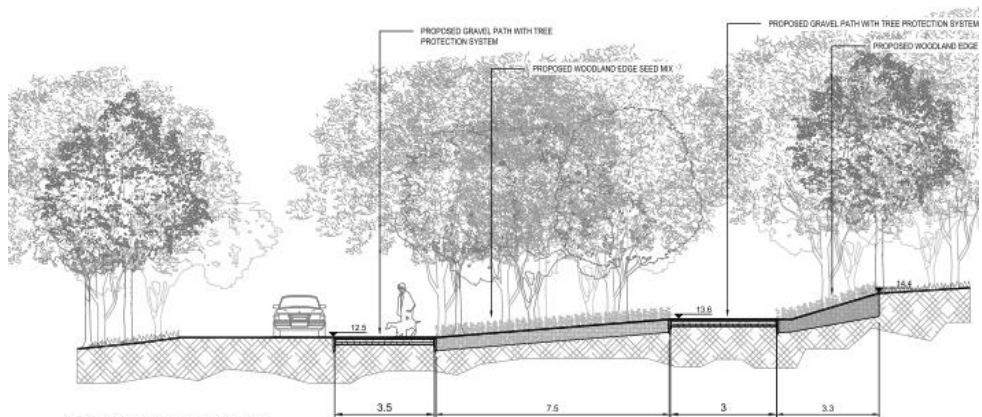


02 PATH SECTION
SCALE: 1:50 @ A1


Boardwalk Elevations:



01 BOARDWALK
SCALE: 1:50 @ A1



02 GRAVELLY AVENUE JUNCTION
SCALE: 1:50 @ A1

	
1.0	Characteristics of the Site and Area
1.1	<p>The site is located along River Lagan on the Eastern side of the river. The site is primarily open space within an expanse of land between the Lagan Gateway Phase 1 project beginning at Annadale Embankment and Belvoir Forest Park. The side extends beyond the West of Galwally Avenue with the southern portion of the site running to the West of Belvoir Golf Club and East of Newtownbreda Water Works.</p> <p>The proposed development is located within a number of designated sites as per the most recent version of draft BMAP. These include the Lagan Valley Regional park, the Lagan Valley AONB and a Site of Local Nature Conservation Importance.</p>
1.2	Description of Proposed Development
1.3	<p>The application seeks full planning permission for a Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works</p>
1.4	<p>The application follows Pre-Application Discussions with officers.</p>

<p>2.0</p> <p>2.1</p> <p>2.2</p>	<p>RELEVANT PLANNING HISTORY</p> <ul style="list-style-type: none"> LA04/2016/0041/F - Site located at the weir at Stranmillis near Belfast Boat Club BT9 5FJ. Lagan gateway project includes: the provision of a new boat lock at Stranmillis to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis and paths to Belvoir Park. Works involve working in the river Lagan near an existing weir and fish pass and constructing a footbridge near a scheduled monument area. PERMISSION GRANTED LA04/2025/0083/CLOPUD - Lands to the east of the River Lagan and to the south of Lagan Gateway Phase 1, located approximately 150 m south west of 7 Mornington and 250m north west of 109 Galwally Ave, Belfast BT8 7AJ. Proposed 2 metre wide compacted gravel path with associated drainage and landscaping enhancements, to include planting of 37no. new trees along with grass, wildflower, and woodland seed planting UNDER CONSIDERATION
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy <u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SP8 – Green and Blue Infrastructure Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy BH5 – Archaeology Policy HC1 – Promoting Healthy Communities Policy CI1 – Community Infrastructure Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN 5 – New Transport Schemes Policy TRAN 6 – Access to Public Roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy OS1 – Protection of Open Space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources Policy DC1- All Countryside Proposals- General Policy Principles Policy DC13 – Other Development in the Countryside Policy LC1- Landscape</p>

<p>3.2</p> <p>3.3</p> <p>3.4</p>	<p>Policy LC1A – AONB's Policy LC2 – Lagan Valley Regional Park</p> <p><u>Supplementary Planning Guidance</u> Placemaking and Urban Design Sustainable Urban Drainage Systems Planning and Flood Risk</p> <p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>Historic Environment Division – No objection subject to conditions DfI Roads – No objections NIEA – Initial response requested further information for Natural Environment Division. This information has been submitted and NIEA have been reconsulted. DFI Rivers- No objections subject to conditions</p> <p><u>Non-Statutory Consultees</u></p> <p>BCC Tree Officer- No objections Environmental Health – No objections subject to conditions Shared Environmental Services (SES) – No objections NI Water - No objections</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified. A total of 3 letters of support and 3 letters of objection have been received. The letters of support referenced better connectivity in the area for cyclists and a safer environment for cycling.</p> <p>The objections raise concerns regarding; DfI Roads concerns relating to visibility splays, and surface finishes, land ownership issues, liability issues, health and safety concerns, anti-social behaviour, increase in vehicular traffic, administrative fairness.</p> <p>Following the receipt of amended drawings, showing the visibility splay at the junction with Galwally Avenue, DfI Roads are now content with the proposal in terms of road safety and surface finishes.</p> <p>Land ownership this is a civil matter that falls outside the remit of Planning. The applicant has completed Certificate C on the application form to serve notice on Belvoir Park Golf Club regarding the application. Further to this any potential liability issues fall outside the planning process remit.</p>

	<p>With regard to health and safety, DFI Roads are content with the proposal. The proposal is considered to provide a safe and accessible environment. Concern has been raised regarding health and safety in the surrounding area. This relates to health and safety issues that fall outside the red line of the application and again falls outside the remit of planning.</p> <p>Concerns regarding potential anti-social behaviour would be a matter for the PSNI. The design and layout of the proposal will provide a safe and accessible environment that is not considered to encourage anti-social behaviour in the area.</p> <p>Concerns regarding an increase in vehicular traffic to the area have been considered. DFI Roads are content with the proposal. It is not considered that the development will result in a significant increase in vehicular traffic to Galwally Avenue. Due to the nature of the proposal it is considered most users of the greenway will arrive as a pedestrian or bicycle.</p> <p>Another concern raised in the objection refers to the proposal not complying with Policy CI1 (Community Infrastructure) in that it is not suitable for all in terms of those with mobility impairment. Policy CI1 states that;</p> <p><i>Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of any proposals. All proposals shall ensure that there is no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements are provided for access for all, including for pedestrians, cyclists and public transport.</i></p> <p>The proposal is considered to meet this policy in that provides new community infrastructure whilst also linking to phase 1 of the Lagan gateway project and therefore improving the existing offering. The proposal is suitable for both pedestrians of all mobility, and cyclists. The proposal links to phase 1 which can be accessed via Annadale Embankment and therefore accessible by public transport.</p> <p>The objection references LTN1/20 in terms of gradients and how the proposal is not suitable for all. LTN 1/20 is a 'Local Transport Note' produced by DFI relating to cycle infrastructure. This is not planning policy or legislation therefore not a material consideration.</p> <p>Another issue raised was administrative fairness with regard to the proposed surface not being in accordance with LTN 1/20 whilst DFI Roads have insisted other cycle infrastructure complies with this guidance. DFI Roads are a statutory consultee and are content with the proposal regarding design and road safety.</p>
5.0	PLANNING ASSESSMENT
5.1	<p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of development in the Countryside/ Lagan Valley Regional Park • Layout, Scale and Design and Impact on the character and appearance of the area • Open Space • Impact on Natural Heritage

	<ul style="list-style-type: none"> • Impact on the Archaeological Assets • Flood Risk • Climate change • Proposed Access and Car Parking • Community Infrastructure, and Health and Wellbeing
5.2	Development Plan Context
5.3	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.4	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.5	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
5.6	<u>Operational Policies</u>
5.7	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.
5.8	<u>Proposals Maps</u>
5.9	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.10	Belfast Urban Area Plan 2001 – the site is located within Lagan Valley Regional Park.
5.11	Belfast Metropolitan Area Plan 2015 (2004) – the site is located outside the development limits and within Lagan Valley Regional Park
5.12	Belfast Metropolitan Area Plan 2015 (v2014) – the site is located outside the development limits and within Lagan Valley Regional Park
5.13	<p><u>Principle of Development in the Countryside/ Lagan Valley Regional Park</u></p> <p>Policy DC1 provides general policy principles for all countryside development and states that all proposals should be supported by a justification of rural locational need</p>

	and site-specific need and must demonstrate that there is no significant detrimental impact on rural amenity and environmental quality.
5.14	<p>The submitted Planning Statement provides the aims of the proposal which are below:</p> <ul style="list-style-type: none"> • Aims to release pressure from the existing Lagan Towpath, creating a new greenway connection from the foot and cycle bridge at Stranmillis into Belvoir Forest Park. • Users will be able to join back onto the towpath from Belvoir Park, resulting in a new circular route. • This new connection also helps close the existing gap for cyclists commuting along the route from Cairnshill Park and Ride, Beechill Road and Belvoir Road.
5.15	<p>Policy LC2 (Lagan Valley Regional Park) states Planning permission will only be granted for development proposals outside the settlement boundaries in the Lagan Valley Regional Park which meet each of the following criteria and all other policy requirements of the LDP</p> <ul style="list-style-type: none"> • They are for a use appropriate to the character of the park and to the locality. • They conserve or enhance the landscape quality and features of the LVRP • They are of a scale & design that integrates with the sensitive landscape of the Park.
5.16	<p>The proposals are to enhance the existing offering on the site by connecting with Belvoir Forest Park with Phase one of the Lagan Gateway project approved under LA04/2016/0041/F. Given the proposals are to enhance and lengthen the existing greenway and overall connectivity in the area, it is considered development within the countryside and LVRP in this instance is acceptable in principle provided there is no significant detrimental impact on rural amenity, environmental quality or loss or erosion of rural character. Each of these issues are assessed further in this report.</p>
5.17	<p><u>Layout, Scale and Design and Impact on the character and appearance of the area</u></p>
5.18	<p>The site is located within Lagan Valley Regional Park and Lagan Valley Area of Outstanding Natural Beauty, and is currently an area of woodland and a grassland field. The proposal is sensitively designed with a mixture of compacted gravel paths, an elevated timber board walk, additional landscaping and street furniture in the form of cycle stands, benches, and bollards. Due to the topography of the site the raised boardwalk is required to maintain the route and link two high points of the site and will be sited within a wooded area. A mixture of the existing and proposed landscaping ensures the development is located sensitively within the rural character of LVRP and will not have a significant adverse effect on the character of the park. It is of appropriate scale and high quality design with appropriate use of materials, the area of open space is enhanced and it will make a positive contribution to the parks recreational function thus complying with Policy LC2 (LVRP) and Policy OS1 (Protection of Open Space).</p>
5.19	<p>Policy LC2 refers to the need for all proposals to conserve or enhance the landscape quality and features of LVRP; and are of a scale & design that integrates with the sensitive landscape of the Park</p>
5.20	<p>The development will conserve and enhance the landscape quality due to improving connectivity, usability and recreational enjoyment of this section of LVRP. The proposal is sensitively sited and will increase connectivity and active travel in the surrounding area.</p>

	The proposed site layout integrates with the surrounding landscape within the wider site and utilises the natural features of the area to provide a safe and well-connected greenway that will not harm the rural character of the area.
5.21	The proposed signage, furniture, bollards and tactile paving will enhance the visitor experience and accessibility without harming the character of the rural area.
5.22	The proposal is compliant with Policy CI1 in that will improve the existing offering of community infrastructure by connecting Belvoir Forest Park and Phase 1 of the Lagan Gateway Project. The proposal is in an accessible location, whilst having no impact on neighbouring amenity or built heritage. Suitable arrangements are provided for access for all, including for pedestrians, cyclists and public transport.
5.23	The proposed site is located within an AONB. Policies LC1 (Landscape) and LC1A (AONB's), provide criteria to be met to ensure that proposals will not have a significant adverse impact on the landscape character. For the reasons previously stated it is considered that the proposal will protect and enhance the landscape and visual character by enhancing the connectivity and recreational value of the area and integrating the proposed board walk, gravel paths and associated street furniture sensitively within the site.
5.24	The proposals are considered to enhance the existing landscape and surrounding area, improving accessibility and improving the visitor experience.
5.25	<u>Impact on Natural Heritage</u>
5.26	The proposed site is in a highly sensitive location designated as Lagan Valley Regional Park. Policy NH1 states the Council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international heritage resources, including designated sites, protected species and other important interests of biodiversity and geodiversity.
5.27	The applicant has submitted a number of documents in order to support that the application will protect heritage resources including Tree Surveys/Protection Plans, a Habitats Regulation Assessment, Geo-technical and geo- environmental interpretive report, an Ecological appraisal, Habitat Regulations Assessment, Invasive Species Management Plan, Outline Construction Environmental Management Plan and an EIA Screening.
5.28	NIEA were consulted on the 5 th July 2024 on the submitted information and responded on the 11 th March 2025 requesting additional information including; <ul style="list-style-type: none"> • Details of the appointment of an Ecological Clerk of Works • A bat roost survey for all mature trees • An updated badger survey and otter survey • Updated tree constraints plan • Clarification on Tree Protection Order trees • An amended Construction Environmental Management Plan • An amended Invasive Species Management Plan. • A light plan if lighting is proposed.
5.29	The additional information has been submitted and is now under consideration by NIEA. Due to funding pressures a decision is required prior to the next Committee meeting that will be held in August 2025. Given the delay in NIEA's response the application is

	being presented to committee members and delegated authority is sought to deal with the further outstanding NIEA response. Given the information requested has been provided officers are satisfied that Policy NH1 can be adhered to and that the proposal will protect on site habitats, species, ecosystems and networks. However delegated authority is requested to deal with any matters arising from the final NIEA response so long as they are not substantive.
5.30	A Habitats Regulations Assessment has been carried out by the applicant that concludes that the possibility of likely significant water quality and habitat deterioration effects can be discounted for Belfast Lough SPA, Belfast Lough Ramsar Site, East Coast Marine Proposed SPA and the Maidens SAC without further evaluation and analysis. HRA report identifies and recommends mitigation measures including an Outline Construction Environmental Management Plan (oCEMP) and an Invasive Species Management Plan (ISMP), both of which have been submitted with the application. Shared Environmental Services were consulted on the proposal, and specifically the Habitats Regulations Assessment and offered no objection.
5.31	In regards to trees on the site overall there will be a net gain as required by Policy TRE1. Trees felled as a result of the proposed development will be mitigated through the provision of a significant net gain for tree planting, native hedging, woodland seed, and wildflower planting across the application site. This is considered to greatly improve the biodiversity and amenity quality on the site. BCC Tree Officer was consulted and offered no objections with conditions. The proposal is considered compliant with Policy TRE1.
5.32	<u>Impact on the Archaeological Assets</u>
5.33	Policy BH5 states that the Council will seek to conserve and protect and where possible enhance archaeological assets.
5.34	An Archaeological Impact Assessment was submitted with the application. DfC Historic Environment Division were consulted and had no objections to the proposal subject to a number of conditions including the submission of a programme of works to ensure that any archaeological remains within the application site are properly identified, and protected or appropriately recorded.
5.35	The proposal therefore satisfies Policy BH5.
5.36	<u>Flood Risk and Proposed Drainage</u>
5.37	The proposal includes a Flood Risk Assessment and DFI Rivers were consulted. The Flood Maps (NI) indicates that a portion of the site lies within the 1 in 100 year climate change fluvial flood plain.
5.38	Within the Planning and Flood Risk Supplementary Planning Guidance Table1 details a list of exceptions as to when development within an undefended flood plain may acceptable. Exception 'U4' refers to the use of land for sport and outdoor recreation, amenity open space or for nature conservation purposes. The proposed development is considered to provide an amenity for open space therefore meets the above criteria.
5.39	DFI Rivers acknowledge the submitted Flood Risk Assessment and have no reason to disagree with its findings.
5.40	Water Management Unit within NIEA have been consulted and offer no objection to the proposal.

5.41	<u>Transport, Access and Road Safety</u>
5.42	The proposal meets the criteria of TRAN1 (Active Travel) and TRAN2 (Creating an accessible Environment) in that it provides a safe and convenient walking and cycle route with cycle parking whilst also providing a safe, accessible and convenient walking and cycle links. The proposal also provides tactile paving and prioritises pedestrians in its design. The proposal is in accordance with HC1 in that it is supporting active travel options, improving accessibility, reducing the use of private car travel, provides adequate provision of public open space, leisure and recreation facilities.
5.43	The proposal involves a crossing at Galwally Avenue. DFI Roads were consulted and raised concerns regarding visibility splays from this crossing. Following amended drawings and additional information DFI Roads are now content with the proposal subject to conditions relating to visibility splays, hard surfacing and cycle provision on the site.
5.44	The proposal by way of design, siting and layout as well as the proposed access in terms of road safety is considered to comply with Policies TRAN1, TRAN 2, TRAN5, TRAN 6, TRAN8.
5.45	<u>Climate change</u>
5.46	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.47	The proposal complies with policy ENV 2 in that the development will encourage active modes of transport, therefore reducing Greenhouse Gas emissions. The development seeks to improve connectivity in the area and provide a safe an accessible environment to encourage more active travel and less reliance on the private car. Associated landscaping, including wild meadows, hedging and additional trees provided within the overall development will maximise the use of sustainable design features.
5.48	The proposal enhances the green and blue infrastructure network within the city, whilst also enhancing the biodiversity offering and SUD's in the surrounding area through additional planting of wildflowers and woodland seed. This ensures the proposal is compliant with Policy ENV 3.
5.49	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The site is located within an existing wooded area and grassland field therefore there is considered to be significant SUD's in the surrounding area. Additional SUD's will be provided in the form additional tree planting and wildflower planting. The slatted timber boardwalk will ensure there will be no significant surface water runoff from the development. Any small potential runoff will aid the biodiversity and nature conservation in the surrounding area.
5.50	The proposal therefore complies with Policies ENV2, ENV3 and ENV5.

5.51	<p><u>Community Infrastructure and Health and Wellbeing</u></p> <p>Policy CI1 states planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations subject to consideration of nature and location of the proposal.</p>
5.52	<p>The proposal is compliant with Policy CI1 in that it will improve the existing offering of community infrastructure by connecting Belvoir Forest Park and Phase 1 of the Lagan Gateway Project. The proposal is in an accessible location in that it is located within Lagan Valley Regional Park, whilst having no impact on neighbouring amenity or built heritage. Suitable arrangements are provided for access for all, including for pedestrians, cyclists and public transport.</p>
5.53	<p>The improved community infrastructure in the form of a community greenway will improve the health and wellbeing of the local residents and those in the surrounding areas, therefore complying with the following policies.</p>
5.54	<p>The improved community infrastructure will encourage active travel in line with policy TRAN1. The development makes an overall positive contribution and enhances the area of open space and ensures it is a more usable connected space. This complies with both policy GB1 and OS1.</p>
5.55	<p>The net gain of trees and additional landscaping on the site will improve the visual amenity offering of the site and in turn improves the biodiversity quality of the area. This in turn improves the health and wellbeing of surrounding residents and complies with Policy HC1</p>
5.56	<p><u>Environmental Impact Assessment</u></p> <p>The proposed development falls within Category 10(b) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2017 and therefore the Council is required under Regulation 12(1) to make a determination as to whether the proposal is EIA development. The Planning Service has determined that the proposal is unlikely to have any significant environmental effects in the context of the regulations and is not EIA development. Therefore, the application does not require to be accompanied by an Environmental Statement.</p>
6.0	<p>Recommendation</p>
6.1	<p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p>
6.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and resolve the outstanding NIEA consultation response provided that no substantive matters are raised.</p>
7.0	<p>DRAFT CONDITIONS</p>
7.1	<p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
7.2	<p>2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast</p>

	<p>City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <p>The identification and evaluation of archaeological remains within the site; Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and Preparation of the digital, documentary and material archive for deposition.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
7.3	<p>3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 2.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
7.4	<p>4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 2. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>
7.5	<p>5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.</p> <p>In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>

7.6	<p>6. Prior to commencement of the hereby approved development, including site clearance or site preparation, a Final Construction Environmental Management Plan (FCEMP) shall be produced by the appointed contractor and be submitted to the planning authority for review and approval in writing. The CEMP shall include measures to control noise, dust and vibration during the construction phase, demonstrating the use of 'best practicable means' (BPM). The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for construction hours of work, noise and vibration control measures on construction and open sites, and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 12.1', dated August 2023. The Final CEMP shall include arrangements for communication and liaison with nearby sensitive receptors throughout the construction phase.</p> <p>Reason: Protection against adverse impact on amenity during construction.</p>
7.7	<p>7. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan.</p> <p>Reason: To ensure that adequate provision has been made for pedestrian circulation within the site.</p>
7.8	<p>8. The pedestrian access, including visibility splays, shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users</p>
7.9	<p>9. The development shall not be occupied until secure cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
7.10	<p>10. All soft landscaping works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
7.11	<p>11. Details specified within the submitted Tree Survey Report – Andy Boe – date 4th May 2023 and proposed site plan submitted in support of the application shall be adhered to in full, subject to site supervision as specified within the report, by a suitably qualified tree specialist.</p>

7.12	<p>Reason: Required to safeguard and enhance the character and amenity of the streetscape and to avoid any irreversible damage to retained trees.</p> <p>12. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.</p>
7.13	<p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p>
7.14	<p>Reason: To avoid compaction within the RPA.</p> <p>NIEA Conditions to be included.</p>
7.15	<p>INFORMATIVES</p> <p>Compliance with planning permission Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.</p> <p>Discharge of condition(s) This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.</p> <p>Non-planning requirements The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.</p> <p>Protected Species The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:</p> <ul style="list-style-type: none"> a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;

	<ul style="list-style-type: none"> b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; c) Deliberately disturb such an animal in such a way as to be likely to: <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) Impair its ability to hibernate or migrate; d) Deliberately obstruct access to a breeding site or resting place of such an animal; or e) To damage or destroy a breeding site or resting place of such an animal. <p>If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.</p>
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By virtue of paragraph(s) 6 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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