

Public Document Pack

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



**Belfast
City Council**

6th November, 2025

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room, City Hall and remotely, via Microsoft Teams, on Tuesday, 11th November, 2025 at 5.45 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

7. Miscellaneous Items

- (b) Local Applications subject to Objections from NI Water (Pages 1 - 6)

8. Planning Applications previously considered

- (b) **LA04/2024/1576/F** - Demolition of existing buildings at no. 733 & no. 735 Antrim Road to facilitate proposed residential social housing development comprising of 2no. buildings containing 34no. units with associated in-curtilage parking and landscaping (Amended description) - 733-735 Antrim Road (Pages 7 - 36)



Subject:	Delegation of Local applications with NI Water objections
Date:	11 th November 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 13 th May 2025, 17 th June 2025, 12 th August 2025, and 14 th October 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 277 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

	<p>b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, and/ or</p> <p>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p>
3.9	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.
3.10	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.
3.11	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.
3.12	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.
3.13	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.
	<u>Habitats Regulations Assessment</u>
3.14	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.
3.15	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.

	<u>Local applications for which delegated authority is sought to determine</u>
3.16	The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at Appendix 1 .
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 (November 2025)

	DEA	REFERENCE	DATE RECEIVED	PROPOSAL	ADDRESS
1	Castle	LA04/2025/1164/F	09/07/2025	Proposed change of use with associated external alterations and extensions to provide a 52-bed hotel with bar and restaurant facilities. The development includes extensions and reconfiguration of upper floor levels to facilitate change of use from offices to hotel accommodation and new ground floor frontage to Donegall Street and Warehouse Lane, and all other associated works.	11-21 Donegall Street, Belfast, BT1 2FF
2	Oldpark	LA04/2023/4307/O	02/11/2023	Proposed 4 storey building for use as medical/dental surgery (Class D1) and associated site works	62 Clifton Street, Belfast, BT13 1AB
3	Black Mountain	LA04/2025/1065/F	13/06/2025	Single storey double modular unit to accommodate double classroom and associated facilities. Ancillary site works to include creation of hard play areas, fencing and creation of car parking area. (Amended description)	Coláiste Feirste 7 Páirc Radharc na bhFeá, An Cheathrú Ghaeltachta, Belfast, BT12 7PY
4	Court	LA04/2025/1144/F	19/08/2025	Change of use from 4 bed dwelling to 5 bed / 5 person HMO	53 Springfield Road, Belfast, BT12 7AD

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ADDENDUM REPORT	
Committee Date: 11 th November 2025	
Application ID: LA04/2024/1576/F	
Proposal: Demolition of existing buildings at no. 733 & no. 735 Antrim Road to facilitate proposed residential social housing development comprising of 2no. buildings containing 34no. units with associated in-curtilage parking and landscaping (Amended description)	Location: 733-735 Antrim Road, Belfast BT15 4EL
Referral Route: Scheme is for over 12 units and objections received which conflict with officer recommendation to approve	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Mr J Ogle S4S Developments Ltd 17A Cullenfad Road Dungannon	Agent Name and Address: Mr P Turley 15 Ravenhill Road Belfast
Date Valid: 18 th September 2024	
Target Date: 1 st January 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Background:</p> <p>This application was approved by the Committee at its 14th October 2025 meeting. The Committee granted planning permission, subject to conditions and a Section 76 planning agreement and delegated authority to the Director of Planning and Building Control to finalise the wording of conditions, and to deal with any other matters that might arise provided that they were not substantive.</p> <p>The decision has yet to issue because the Section 76 planning agreement is in the process of being executed. Moreover, further the October Committee meeting, NI Water has rejected the applicant's Waste Water Impact Assessment. The applicant states that they are therefore unable to accept condition 24 recommended in the original report to the October Committee meeting, appended, that requires submission and approval of details of foul and surface water drainage prior to commencement of development.</p> <p>The application is therefore brought back to the Committee so that it can consider the removal of or amendment to condition 24.</p> <p>This report should be read in conjunction with the original report to the October Committee, appended.</p>	

NI Water advice prior to the October Committee:

As set out in the report to the October Committee, NI Water objects to the application on grounds of insufficient network capacity to deal with waste-water.

NI Water provided further advice prior to the October Committee meeting. Officers reported that NI Water notes that there is currently no extant permission on the site; therefore its position remains. NI Water re-iterated that the waste-water treatment plant does have capacity, however, the issue is downstream waste-water network capacity. Notwithstanding, NI Water believes that subject to further engagement with the developer, there is a solution.

NI Water expects that the solution will result from the proposed development itself through storm-water off-setting. The site currently contains large houses with large hard-standings. It's probable that storm-water currently discharges to the combined sewer network. The developer proposes a dedicated storm-water outlet to separate and foul and surface water drainage. This approach is subject to the developer submitting a Waste Water Impact Assessment.

NI Water went on to say that it assumes that planning permission will be conditional on further engagement with the developer and a solution being agreed prior to the development progressing.

Officers advised that draft condition 24 requires details of foul and surface water drainage to be submitted to and approved by the Council prior to commencement of development.

NI Water rejection of Waste Water Impact Assessment:

Following the decision of the Committee to grant planning permission, the applicant submitted a Waste Water Impact Assessment (WWIA) on 17th October to NI Water. This had been informed by dye trace testing carried out by the applicant to prove that the storm run-off from the two existing houses on the site was going to the combined sewer as had been suggested by NI Water.

The applicant states that NI Water issued its response to the WWIA on 24th October, rejecting the proposal. The applicant reports in its response, NI Water confirmed that, due to the high polluting nature of assets with potential to pollute the environment, there were no tactical solutions available under the waste water impact assessment process than can be developer delivered in order to permit this site to achieve a connection. The applicant has subsequently been in discussion with NI Water, highlighting that its response to the WWIA contradicted the advice provided by NI Water to the Council prior to the Committee, which stated that it believed that a solution could be found.

The applicant reports that NI Water responded, confirming that following submission of the WWIA, it completed a more in-depth review of the sewer network and found that the matter was more complicated than initially thought. NI Water would now be looking at the matter in depth and require operational colleagues to input into the investigation to confirm connectivity. NI Water told the applicant that this investigation will take time; applicant has suggested to officers that this process could take several months.

Applicant's proposed removal of condition 24:

The applicant asks that this matter be brought before the Committee in order that consideration is given to the removal of this condition. Given that the applicant is no longer able to accept draft condition 24, officers advise that it is appropriate to report the application back to the Committee.

The applicant cites the following factors in justifying the removal of condition 24:

- The previous advice given to the Council by NI Water which indicated that it believed that a solution will occur as a result of the development;
- The planning history of the site (set out in the original report to the October Committee), where planning permission was previously granted for 34 apartments (no longer extant) and a live un-determined application to renew that original permission to which NI Water offered no objection. The applicant states that the only reason why this application has not progressed to a decision is because the Section 76 planning agreement could not be completed due to a land ownership issue;
- The proposal is for a 100% social housing scheme in the north of the city where there is significant unmet social housing need and a very short supply of new social housing. The scheme is on the Social Housing Development Programme for 2025/26 and delivery in conjunction with Radius Housing Association is within the current financial year. The applicant is concerned that imposition of condition 24 would threaten delivery;
- The applicant's own site investigation and report from its drainage consultant, Foyle Consulting, which demonstrates that by carrying out storm water off-setting inside the site as suggested by NI Water, there will be no negative impact on the capacity of the NI Water combined sewer network caused by the connection of the proposed 34 apartments.

The consultant's report states that dye tracing was undertaken in respect of No. 733 Antrim Road. This established that run-off from both the roof and large areas of impermeable surfacing all drained to a combined sewer. A significant volume of surface water run-off from the existing site is currently entering NI Water's combined sewer network. Investigations of surface water run-off in respect of the area around No. 735 Antrim Road have been postponed due to the plot being overgrown. However, drainage from its roof area have been considered by the consultant.

According to its calculations, the consultant considers that it is demonstrated that the proposed storm-water off-setting inside the site will have no negative impact on NI Water's combined sewer network. It advises that its calculations have been conservative, omitting areas of existing impermeable surfacing on the site not yet proven to drain to the combined system. The consultant says that the methodology has been carried out applying NI Water standard practice and based on worst-case scenario of the downstream combined sewer failing to pass the relevant test.

Officers have no reason to dispute the technical findings of the applicant's consultant.

The Planning Service has asked NI Water to provide its updated position, including its position on the WWIA, but has yet to respond. Given the previously stated position of NI Water, and for the reasons set out in the original Committee report, it is recommended that condition 24 remains.

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 matters that arise, provided that they are not substantive.

Development Management Report

Summary	
Committee Date: 14 th October 2025	
Application ID: LA04/2024/1576/F	
Proposal: Demolition of existing buildings at no. 733 & no. 735 Antrim Road to facilitate proposed residential social housing development comprising of 2no. buildings containing 34no. units with associated in-curtilage parking and landscaping (Amended description)	Location: 733-735 Antrim Road, Belfast BT15 4EL
Referral Route: Scheme is for over 12 units and objections received which conflict with officer recommendation to approve	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Mr J Ogle S4S Developments Ltd 17A Cullenfad Road Dungannon	Agent Name and Address: Mr P Turley 15 Ravenhill Road Belfast
Date Valid: 18 th September 2024	
Target Date: 1 st January 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: <p>The application proposes the construction of 34no. residential units, comprising 4no. 2p/1b wheelchair apartments & 30no. 3p/2b apartments. The proposal is for 100% social housing and intended to provide some Category 1 (over 55s) accommodation.</p> <p>The proposed development would comprise two detached blocks, ranging in height from 4 storeys along the Antrim Road elevation, stepping down to 3 storeys to the rear in one block at a lower level, and 4 storeys in the other, also at a lower level. The scheme also includes in-curtilage parking, communal amenity provision and landscaping. There are 34 car parking spaces (4 of which are for disabled user parking) within the site, including undercroft parking in Block B, cycle parking and associated works.</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 • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and Placemaking • Impact on amenity 	

- Flood risk and drainage
- Waste-water infrastructure
- Climate change
- Access and transport
- Health impacts
- Environmental protection
- Natural heritage
- Trees and landscaping
- Waste management
- Section 76 planning agreement

In the Belfast Urban Area Plan 2001 (BUAP 2001), the site is un-zoned “white land”.

In the draft Belfast Metropolitan Area Plan 2015 (dBMAP) (versions 2004 and 2014), the site is also located within un-zoned “white land”. The site is nearby to Inisfayle Area of Townscape Character and between two sections of the Castle/Fortwilliam Local Landscape Policy Area (LLPA) but not within either.

The site previously benefited from planning permission for apartments, although the permission has now lapsed. There is undetermined application for renewal of that previous permission.

The site is considered a suitable and sustainable location for housing; the proposal would make effective use of previously developed land for residential use in an accessible location.

The provision of 34 social housing units that respond to local housing need is welcomed.

Following negotiations and amendments, the design of the scheme is considered to be of good quality and appropriate to its context, with no negative impact on neighbouring residential amenity.

The proposed access and parking arrangements are acceptable.

NIHE is supportive of the on-site social housing proposals. NI Water objects to the proposal on grounds of insufficient network capacity; further information relating to the planning history of the site has been provided to NI Water and its further advice is awaited. No objections have been received from other statutory consultations, subject to conditions, informatives and Section 76 planning agreement.

There are no objections from non-statutory consultees.

Following advertisement in the local press as well as neighbour notification, 22 letters of objection have been received from local residents themselves or planning agents on their behalf, raising issues which are detailed in the main report.

The Section 76 planning agreement required to secure the development as 100% social housing, travel plan and green travel measures has been agreed in principle.

The Committee undertook a pre-emptive site visit on 23rd September 2025.

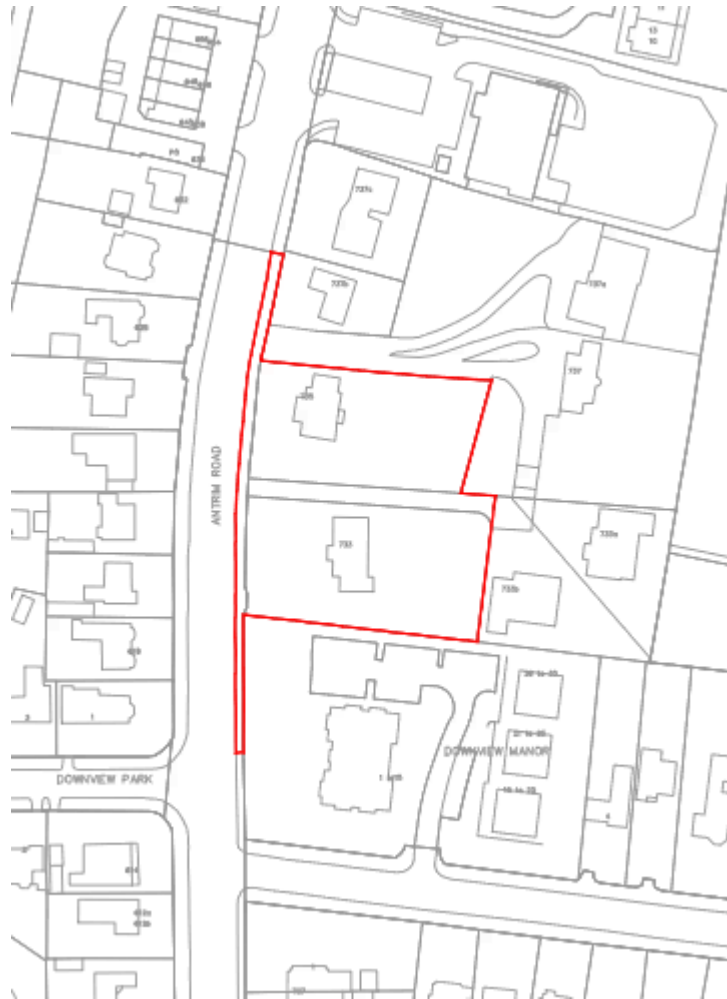
Recommendation

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 matters that arise including the further consultation response from NI Water, provided that they are not substantive.

DRAWINGS AND IMAGERY

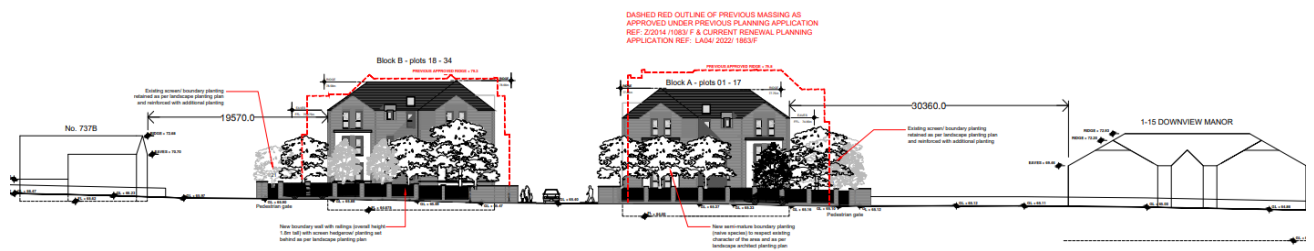
Site Location Plan:



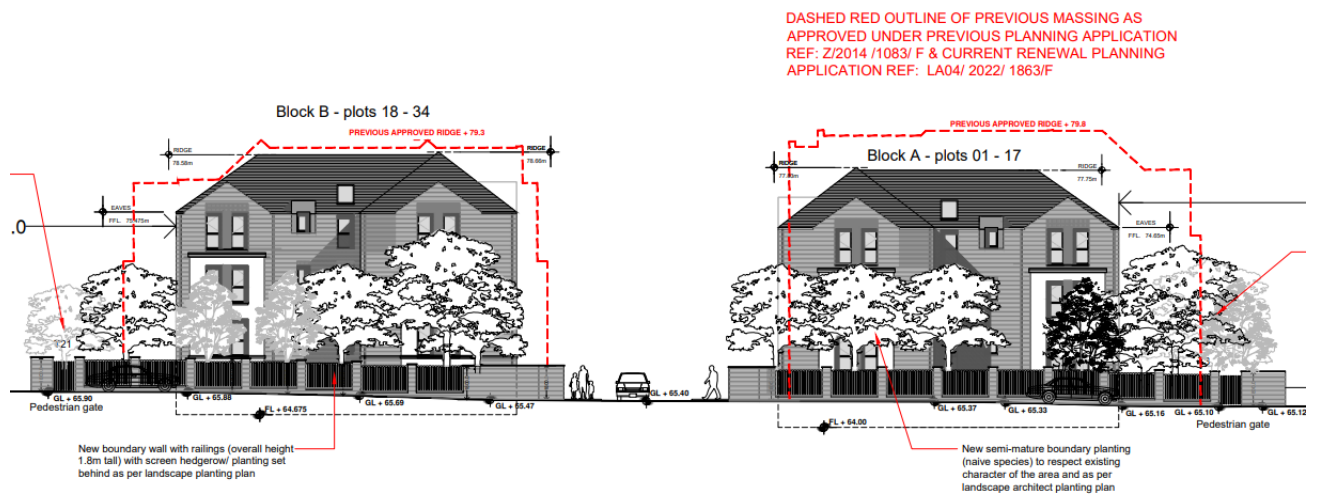
the
its and road
: of March, the
leaves damaged
fencing across
region



Contextual street-scene:



Street elevation:



Block A:



Block B:



Elevation 01



Elevation 02



Elevation 03



Elevation 04

1.0

Characteristics of the Site and Area

1.1

The site fronts onto Antrim Road and currently comprises two detached vacant dwellings, and measures approximately 0.45 hectares. An existing access to existing dwellings at 733a and 733b Antrim Road to the rear runs through the middle of the site. The site slopes downwards to the rear (east). The site is defined by a mix of walls, fencing, trees and mature vegetation.

1.2

The surrounding area comprises a mix of uses including residential, recreational and some commercial. Dwellings are a mix of large detached and semi-detached with some apartments nearby also.

Description of Proposed Development

1.3

The application seeks full planning permission for the demolition of existing buildings at no. 733 & no. 735 Antrim Road to facilitate proposed residential (social housing) development comprising of 2no. buildings containing 34no. units (4no. 2p/1b wheelchair apartments & 30no. 3p/2b apartments with associated in-curtilage parking and landscaping. The proposal is for 100% social housing and intended to provide some Category 1 (over 55s) accommodation.

1.4

The scheme also includes, communal amenity provision and landscaping, 34 car parking spaces (4 of which are for disabled user parking) within the site, including undercroft parking in Block B, cycle parking and associated works.

1.5

The Committee undertook a pre-emptive site visit on 23rd September 2025.

<p>2.0</p> <p>2.1</p> <p>2.2</p> <p>2.3</p>	<p>Relevant Planning History</p> <p>Z/2008/1469/F – Erection of 4No. semi detached houses and 34No. apartments (in 2 blocks), basement car parking, access road and associated site works. (Amended Scheme) - 733, 733a, 733b and 735 Antrim Road – Approved 07/09/09</p> <p>Z/2014/1083/F - 4 semi detached houses, 34 apartments, basement car park, access road and associated site works (additional plans) – 733, 733a, 733b and 735 Antrim Road – Approved 16/05/17 (the site is larger than the site of the current application, also including Nos. 733a and 733b at the rear).</p> <p>LA04/2022/1863/F - Renewal of previous approval Z/2014/1083/F for 4 semi detached houses, 34 apartments, basement car park, access road and associated site works (additional information) – under assessment.</p>
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – local development plan</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 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 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</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 HC1: Promoting healthy communities</p>

	<p>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 & Housing Mix Residential Design Placemaking & Urban Design Sustainable Urban Drainage Systems Transportation</p>
3.2	<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>
3.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.4	<p>Other Material Considerations Developer Contribution Framework (2020) Belfast Agenda (Community Plan)</p>
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p>Statutory Consultees</p> <p>DFI Roads – No objection subject to conditions NI Water – Objection on grounds of waste-water infrastructure capacity (further information has since been provided to NI Water and their further response is awaited) DfI Rivers – No objection DAERA NED – No objection subject to conditions DAERA WMU – No objection subject to conditions Northern Ireland Housing Executive – No objection</p>
4.2	<p>Non-Statutory Consultees</p> <p>Environmental Health – No objection subject to conditions. BCC Tree Officer - No objection subject to conditions. BCC Waste Management – No objection BCC Urban Design – No objection subject to conditions Shared Environmental Services – No objection subject to conditions</p> <p>Representations</p>
4.3	<p>The application has been advertised in the newspaper and neighbours notified.</p>

4.4	<p>22 letters of objection have been received from local residents themselves or planning agents on their behalf, raising the following issues (summarised):</p> <ul style="list-style-type: none"> • Applicant may not apply for social housing as it can only be NIHE • Demolition statement states 735 in poor condition • No 733 makes a material contribution • Existing houses should not be demolished • High density • Overdevelopment • Proposal forward of established building line • Out of keeping with the established area – density, height, scale and massing • Proposal should be red brick • Overlooking • Loss of light • Negative impact on air quality, noise, waste management and drainage • Lack of private open space • Proposal does not comply with Policy OS3 • Open space unusable • Proposal does not comply with Fields in Trust (FIT) Standards • Impact on infrastructure and services • Environmental impact • Potential loss of trees and impact on LLPA • Existing vegetation should be retained • Significant site works undertaken and trees removed • Badgers present • Flooding • Lack of parking making reference to <i>Creating Places</i> guidance • Increase in traffic • Traffic assessments carried out at inappropriate times • Travel Plan unrealistic • LA04/2014/1083/F has expired and pre LDP Plan Strategy • Supporting technical information submitted is out of date • Supporting statement does not refer to all current policies applicable • Drawings inaccurate • No public consultation carried out • Safety concerns • Community views not taken into account
4.5	<p>The relevant planning issues will be considered within the main assessment below. However, a number of the issues raised are not planning considerations and outside the remit of planning legislation and guidance such as whether the proposal is acceptable by FIT standards. Public consultation was undertaken in accordance with the statutory requirements. The proposal development does not fall under the category of Major development and therefore the applicant is not under statutory duty to consult with the public prior to making any application. Officers are satisfied that the submitted drawings are accurate.</p>

5.0	PLANNING ASSESSMENT
	Main Issues
5.1	<p>The main issues relevant to consideration of the application are summarised 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 • Impact on amenity • Flood risk and drainage • Waste-water infrastructure • Climate change • Access and transport • Health impacts • Environmental protection • Natural heritage • Trees and landscaping • Waste management • Section 76 planning agreement
	Development Plan Context
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>
	<u>Operational Policies</u>
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>

	<u>Proposals Maps</u>
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	In the Belfast Urban Area Plan 2001 (BUAP); and both version of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2024), the site is within the development limits of the city and is un-zoned "white land".
	<u>Principle of housing in this location</u>
5.8	The site is located within the development limit in the various relevant Development Plans. The current established use on the site is residential and the site is surrounded by residential properties.
5.9	The site is a sustainable location for new housing. Antrim Road provides access to relevant local services and facilities as well as being an arterial route and main route to the City Centre. Bus stops are located on the Antrim Road, which is one of the main metro routes into Belfast City Centre and which is served by a high frequency public transport services Monday to Sunday. The site is also located approximately 2.5 miles from Yorkgate Station where rail services may be accessed.
5.10	In respect of the above, the site is considered a suitable and sustainable location within the development limits and suitable in principle for housing. Suitable infrastructure is in place and no additional measures would be required.
5.11	The site has previously benefited from planning permission for apartments, albeit the planning permission is no longer extant. There is a live undetermined application to renew the previous planning permission.
5.12	The principle of residential development of the site is considered acceptable and in accordance with Policies HOU1 and HOU2 of the Plan Strategy, and SPPS.
	<u>Housing density</u>
5.13	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations. The application site is located along a City Corridor, with Policy HOU4 recommending an average density band of 100 - 175 dph in the inner city. The target density for the Outer City Area is 25 – 125 dph is recommended.
5.14	With a site area of approximately 0.45 hectares, the proposed density equates to 75.5 dwellings per hectare (dph). This is lower than the targeted density for a City Corridor but within the recommended density for the Outer City Area. The proposal is also consistent with densities in the areas with apartments located to the immediate south. Having regard to these considerations, the density is considered acceptable.

	<u>Affordable housing</u>
5.15	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. The proposed scheme is for 100% social housing with a partner Housing Association in place. NIHE has confirmed it is supportive of the mono tenure scheme in line with Policy HOU5, SPG and the SPPS. It considers that there are exceptional circumstances that support a single tenure scheme as set out below:
5.16	<ul style="list-style-type: none"> • There is acute housing need in this area of North Belfast. • The site is within an overwhelmingly owner occupied and private housing area. There is only one social housing unit within 500m of the site. The closest housing estate is almost 1km from the site and the nearest housing estate within this Housing need area is almost 2 km distance. • The proposed scheme has also been known to the Housing Executive for several years and a letter of support was first sent to Radius Housing Association in September 2021 which predates the current mixed tenure policy.
5.17	NIHE advises that while there is not currently as large demand from elderly applicants compared to other household groups, it is envisaged this scheme will attract elderly residents in existing social houses no longer suitable for their needs, such as family units. This will in turn free up family housing for families in housing stress.
5.18	The provision of affordable housing would be secured by way of a Section 76 Planning Agreement.
5.19	The proposal accords with Policy HOU5.
	<u>Housing mix</u>
5.20	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. The requirement for a mix of house types will not apply to single apartment developments such as this proposal, and in such cases, the housing mix will be considered acceptable through greater variety in the size of units.
5.21	The scheme proposes a range of apartments consisting of 4 x 2 person 1 bed; and 30 x 3 person 2 bed units. The 1 bedroom units are all wheelchair accessible. The proposed mix is considered to provide a satisfactory range of size and type and is targeted to meet social housing need. The proposed housing mix is considered acceptable having regard to Policy HOU6.
	<u>Adaptable & accessible accommodation</u>
5.22	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. With the scheme proposing 34no. units, 10% would equate to 4 accessible units (rounded up), which the proposal provides.

5.23	<p>'Lifetime homes' standards are a nationally recognised set of criteria to make new dwellings adaptable enough to accommodate a household's changing lifetime needs and enable them to be lived in and visited by a wide range of people. All units have been designed with flexibility in mind for various stages of life. Criteria (a) to (f) of Policy HOU7 has been met in that all parking spaces are on a firm hardstanding surface which is either level or gently sloping. All main entrances display overhead shelter and all living, dining and kitchen space, as well as a WC, are proposed at entrance level. There is clear outlook from the main living spaces and an accessible bathroom is proposed on the same floor as the principle bedroom for each unit. Each wheelchair accessible unit is then designed to comply with criteria (g) to (o) of Policy HOU7 also.</p> <p><u>Design & placemaking</u></p>
5.24	<p>The proposal has been assessed against Policies SP5, DES1, and RD1 of the Plan Strategy, the SPPS and Creating Places. 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 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.).</p>
5.25	<p>As proposed, the scheme consists of two individual blocks (A and B) fronting on to Antrim Road, each 4 storeys in height and stepping down to the rear. The blocks comprise 17 units in each. Main entrances are to the front and side on Block A and to both sides on Block B. Proposed parking is to the rear of Block A with undercroft parking included, and to the front of the Block B entrance. Plans show soft landscaping and open space throughout the site which is discussed in more detail in paragraphs 5.56 – 5.59. The existing access remains running through the middle of the site, which serves the proposed development and dwellings to the rear.</p>
5.26	<p>The proposed height of the buildings responds to the topography of the site, and contextually, the height of the blocks to the front are considered sympathetic to their wider context and would provide an appropriate addition to the streetscape.</p>
5.27	<p>Concern had been raised initially that the proposed blocks projected forward of the established building line, as well as that of the previously approved development. Amendments were submitted showing the blocks set back and respecting the established building line.</p>
5.28	<p>The orientation of fenestration and separation distances are acceptable and this is explored in more detail when assessing the impact on neighbouring amenity.</p>
5.29	<p>The proposed external materials include red brick and smooth render walls, man-made grey/black slates and black/grey rainwater goods which are acceptable for the site and surrounding area.</p>
5.30	<p>BCC Urban Design Officer raises no concerns in relation to the proposed façade articulation and materiality. The proposed elevations include a clear ordering of windows alongside details such as cills, window headers (soldier courses) and a general predominance of red brick accented with coloured render all of which are characteristics of this area. The initial consultation response recommended that clay facing brick is specified which is considered contextually appropriate to Belfast, as opposed to concrete brick which doesn't weather or age over time. The use of clay brick has been confirmed by the applicant and should be conditioned.</p>

5.31	<p>It is considered that the scale, massing and design of the building are appropriate to the site and surrounding buildings and the proposal accords with RD1 and DES1 of the Plan Strategy.</p> <p><u>Impact on amenity</u></p> <p><i>Open space and amenity space:</i></p>
5.32	<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>
5.33	<p>As noted by the Urban Design Officer, the amended site plans includes 360m² of open space in the communal landscaped garden area to the rear of Block A, serving 17 units (21.2 sqm per unit). The agent has confirmed that this calculation excludes those narrower areas of open space to the south side and front of the block, which is welcomed. The site plan also provides for 179 sqm of open space within a communal garden at the rear of Block B, also serving 17 units (10.5m² per apartment). Again, the agent has confirmed that this calculation excludes those narrower areas of open space to the north side and front of the block, which is welcomed. Setting Block B further back has also allowed for an increase in the size, amenity value and usability of the garden area to the front. This increases the total area of open space for Block B to 334 sqm and an average of 19.7 sqm per unit (similar to that of Block A). This amount of open space (694 sqm) exceeds the 10% open space of the total site area (0.45 hectare) and therefore the requirement of Policy OS3 are met.</p>
5.34	<p><i>Creating Places</i>, published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm. Therefore, the proposed amenity provision is considered generous. There are also small balconies on some apartments, and shared amenity space indoors in the form of a community day room and internal streets with street furniture.</p>
5.35	<p>It is considered the requirements of Policy OS3 are met.</p> <p><i>Impact on neighbouring amenity:</i></p>
5.36	<p>The Council's SPG 'Residential Design' states that suitable separation is required between properties to ensure all residents benefit from adequate daylight and sunlight, and to achieve sufficient outlook and privacy. It recommends that a minimum of 20m should be maintained between facing windows of habitable rooms and 10m between blank gable walls or non-habitable rooms.</p>
5.37	<p>In this instance, at its nearest point the elevation closest to the rear boundary will achieve a minimum separation distance of approximately 19.4m from the closest neighbouring property at No 733b (gable wall). The agent has stated that confirmation has been received from the resident of No. 733b that the GF windows in that gable serve a garage with upper floor windows being secondary windows. This distance is considered sufficient to prevent impact on neighbours and in line with the guidance.</p>

5.38	The proposed separation distance between Block A and No 733a is over 40m. Due to the orientation, separation distances and fenestration there will be no impact on residential amenity due to overlooking. The proposal would not cause an unacceptable degree of overshadowing to neighbouring dwellings, unacceptable loss of outlook, overbearing or other harmful impacts on amenity.
5.39	In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.
	<u>Flood risk and drainage</u>
5.40	DfI Rivers has reviewed the Drainage Assessment, Schedule 6 consent from the Area Office to divert a small section of the designated culvert, and Proposed Drainage Layout Plan, and accepting the applicant's logic and has no reason to disagree with the conclusions. Accordingly, it offers no objection to the proposal.
5.41	The proposal complies with Policy ENV4 and relevant provisions of the SPPS.
	<u>Waste-water infrastructure</u>
5.42	Policy SP1A requires that necessary infrastructure is in place to support new development. NI Water objects to the application on grounds of network drainage capacity concerns. It advises that 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. These are located at Fortwilliam Park Dunlambert CSO; Shore Road Fortwilliam CSO; and Shore Road York CSO. (1,2&3) Discharge to the Lagan. 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 on this issue.
5.43	Importantly, officers advise that 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.
5.44	Having regard to the above, it is considered unreasonable to refuse planning permission on grounds of insufficient network drainage capacity.
	<u>Climate change</u>
5.45	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.
5.46	High efficiency boilers will provide the heat source for space heating and water heating all of which will operate under zoned thermostatic controls to avoid unnecessary energy usage. All apartments will include a mix of the following features to comply with the Energy Efficiency standards:

	<ul style="list-style-type: none"> • Triple glazed windows • High levels of energy efficient fabric insulation. • PV panels (sized in accordance with Design SAP calculations) • Air Permeability of 3 or less (Designed q50) • Passive Ventilation (PIV) to comply with relevant section of Building Regulations
5.47	These measures should be secured by condition.
5.48	The proposed development would be resilient from flood risk.
5.49	The proposal is considered to accord with Policies ENV2 and ENV3.
	<i>Demolition:</i>
5.50	The proposal involves the demolition of the existing dwellings to facilitate the proposal. The existing buildings are not listed, nor within a Conservation Area and therefore not afforded protection.
5.51	Policy ENV2 also states that development proposals should where feasible avoid demolition and reuse existing buildings and structures. A Demolition Justification Statement has been submitted and states that the existing buildings are currently in a poor state of repair and have been subject to vandalism. It also states they are not feasible to be re-used or converted for the proposed new residential use on the site. The plan depth and internal configuration of units restrict daylighting to the depth of the plan and is not appropriate for reuse as apartment units.
5.52	Moreover, retention of the existing dwellings would not permit the high-density apartment development proposed by the applicant, which would provide high density social housing for which there is an identified need.
5.53	The proposed development will re-use (re-cycling) as much of the existing building waste material within the design as possible, for example crushed stone materials. These measures should be secured by condition.
5.54	The demolition of the existing dwellings is considered acceptable, having regard to Policy ENV2.
	<i>SuDS:</i>
5.55	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 application proposes SuDS features such as the provision of communal green spaces, as well as smart water butts, and some additional tree planting. These measures should be secured by condition. The proposals are considered to satisfy Policies ENV5.

	<p><u>Access and transport</u></p> <p><i>Accessibility and parking:</i></p>
5.56	<p>The proposal is in an accessible location just off an arterial route, near to a bus stop, with good access to public transport. Secure covered bike storage is proposed. The site is accessible and provides good opportunities for active travel, including walking and cycling, through excellent linkages with the City Centre and its shops, services and amenities. Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The proposal contains 34 parking spaces including 4 disabled spaces (i.e. 1 space per residential unit), which is acceptable).</p>
5.57	<p>Road safety and traffic are concerns raised by objectors. DfI Roads Service are the authoritative body to advise on road safety and traffic and they responded to consultation with no objection subject to conditions should approval be granted.</p>
5.58	<p>The access to public roads would not prejudice road safety or significantly inconvenience the flow of road users in accordance with Policy TRAN 6.</p>
5.59	<p>A Travel Plan has been submitted and found to be acceptable by DfI Roads; it will further promote alternatives to the private car.</p>
5.60	<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>
	<p><u>Health impacts</u></p>
5.61	<p>Policy SP3 requires new development to maximise opportunities to improve health and wellbeing. Policy HC1 seeks to ensure that all new development 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>
5.62	<p>The site is a sustainable location with good access to public transport. The proposed buildings are considered to be of a high quality design with good quality hard and soft landscaping. This will provide a pleasant and attractive environment for prospective occupants of the building and people in housing need. The proposal would promote green travel. It is considered compliant with Policy HC1 and SP3.</p>
	<p><u>Environmental protection</u></p>
5.63	<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, lighting, odour and noise.</p>

	<i>Contaminated land</i>
5.64	BCC EHO confirmed records do not indicate potential land contamination associated with past land-use on or in close proximity to this proposed development.
	<i>Air quality</i>
5.65	No information has been provided at this stage regarding hot water or heating systems for the proposal. EHO have advised that any combustion plant where the single or combined NOx emission rate is more than 5mg/sec could give rise to impacts. They have advised a condition that an Air Quality Assessment be submitted and agreed in writing prior to installation.
	<i>Noise</i>
5.66	A Noise Impact Assessment was submitted and BCC EHO have no concerns regarding the impact of noise, subject to the inclusion of a condition stating all noise mitigation measures outlined within the NIA will be installed prior to occupation.
5.67	Having regard to the advice from Environmental Health, the proposal is considered to accord with Policy ENV1, and relevant provisions of the SPPS.
	<u>Natural heritage</u>
5.68	DAERA Water Management Unit cited concerns over the potential impact on sewage loading to the Belfast waste-water treatment works. However, NI Water has confirmed that there is available capacity and as such there is no issue in this regard.
5.69	DAERA WMU also highlighted concerns with respect to infrastructure capacity and recommends a condition that requires details of drainage disposal to be agreed in writing with NI Water or a Consent to Discharge granted prior to commencement of development. Shared Environmental Services also responded suggesting the same condition should approval be granted to mitigate potential impacts on Belfast Lough.
5.70	The owner of the site has expressed concern that such a pre-commencement condition could adversely affect the implementation of the scheme. They state that the previous planning permission for residential redevelopment of the site (Z/2014/1083/F) did not have such a condition attached to it and that there is a current live application (LA04/2022/1863/F) to renew that permission. NI Water has been made aware of the planning history of the site and its further advice is awaited. Delegated authority is sought to deal with the further consultation advice from NI Water, provided that it is does not raise substantively new issues.
5.71	A Bat Roost Assessment, Preliminary Ecological Assessment and Bat Survey were submitted as part of the application. DAERA NED are content with the ecologist's recommendations that a licence for the Exclusion of Bats for Development Purposes is obtained from DAERA prior to any works commencing, and that a minimum of two bat boxes be placed on site to provide alternative roosting opportunities within the new development.
5.72	NED recommends that the site is surveyed prior to any demolition works to the building to ensure no new roosts have been established and suggested a condition to reflect this. A phasing plan has been submitted indicating a phased development to suit timescales to secure bat license from DAERA NED. The survey is only applicable for Phase 2 area.

5.73	<p>Two representations raise the issue of badgers present on the site. The PEA survey incorporated a Badger survey. Badger signs were searched for throughout the survey periods (11.30 am - 14.00 pm). No special equipment was used. The survey included a search for signs of usage by Badger, such as foraging tracks, snagged guard hairs, dung etc. In particular a search was conducted for potential sett entrances. The search area included a buffer of at least 25m beyond the site boundary where access was possible. The report stated that <i>“there were no signs of badger use any part of the site. 25 m buffers to the rear includes a hard surface car park, and to the front, the Antrim Road. To either side the buffers are in private gardens that were not accessed and largely could not be viewed from the site. Around open garden section of the site, the adjacent wooden fence could be easily viewed and no squeezed points were noted. The unmanaged scrub habitats of No 735 are too generally dense for use by badgers. The more open areas at the Cypress shaded edges had no signs of badger use. There is a negligible chance of there being badger setts on site or around the site periphery that have tunnels extending into the application site, and no evidence of habitual use.”</i> Whilst some representations raised the issue that reports were “outdated” DAERA did not request updated surveys and assessed the findings within.</p>
5.74	<p>DAERA offers no objection to the proposal subject conditions. The proposal is considered compliant with Policy NH1 and the relevant provisions of the SPPS.</p> <p><u>Trees and landscaping</u></p>
5.75	<p>Initially more mature trees were visible on the site, however, it was reported these had been removed. The applicant confirmed this was due to recent storm damage. Whilst retention of all mature trees is ideal, it was clearly not possible on the site. Furthermore, none of the trees are protected by a Tree Protection Order or afforded protection by being within a Conservation Area.</p>
5.76	<p>To help comply with Policy TRE1 and secure a net gain in tree cover within the site for future years, a proposed detailed landscaping has been submitted as part of the application. 6 x existing trees are to be retained and protected through tree protective fencing as part of the scheme, the trees range in height from 8m – 20m and surveyed as being in fair conditions.</p>
5.77	<p>Proposed landscaping as part of the application including front boundary hedging; front, rear and side boundary tree planting of 7 x tree species which should help future contribute to site amenity value, biodiversity and species resilience within the site should the trees establish in a natural manner; and species tree planting including acers, alder, serviceberry, birch, ornamental pear, oak, rowan and lime ‘greenspire’.</p>
5.78	<p>A landscape management and maintenance plan has also been submitted which sets out the landscape approach to show how existing and proposed landscaping features will be monitored to promote landscaping within the site which offers amenity value and promote opportunities for local biodiversity and wildlife to thrive within the site. The period of establishment maintenance will be a minimum of 12 months after the completion of the planting.</p>
5.79	<p>The Council’s Tree Officer was consulted and provided feedback throughout the assessment. They responded with no objections subject to conditions should approval be granted. The proposal is considered compliant with TRE1 of the Plan Strategy.</p>

	<u>Waste management</u>
5.80	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. Bin storage is shown to on the lower ground floors and then collection point to the front of the site, therefore accessible for bin collections etc. The bin storage allocation should be in line with the Local Government Waste Storage Guide for NI 2010 and BS 5905:(2005). The application is supported by a Waste Management Plan (WMP) which outlines the operational waste management measures, and the council has consulted with BCC's City & Neighbour Services Department, which has confirmed that on balance there are no objections.
5.81	<p>They have highlighted two points which the applicant has been asked to address:</p> <ol style="list-style-type: none"> 1. The plan includes the use of 4 x 240l wheeled bins at each block for general waste; we no longer provide 240s although in principle we will still collect them if the developer provides them themselves. Either 4 or 5 x 180s would be acceptable instead and we can provide these. I think there should be scope to accommodate 5 x 180s instead of 4 x 240s in the bin stores but the developer should satisfy themselves on this and the plan can be amended at the BC stage if necessary. 2. Building Control may test the gradients associated with Block B in more detail, so the developer should satisfy themselves re compliance with the guidance.
5.82	On balance therefore, it is considered that as proposed, the waste management plan and arrangements are acceptable, and in accordance with Policy RD1.
	<u>Section 76 Planning Agreement</u>
5.83	<p>If the application is approved, it should be subject to 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 rented housing – all 100% of the residential units constructed at the property shall be occupied as Social Housing Units; • Green travel measure – secure implementation of Travel Plan and green travel measures (car club and travel cards).
5.84	The Section 76 planning agreement has been agreed in principle.
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 matters that arise including the further consultation response from NI Water, provided that they are not substantive.

7.0	<p>DRAFT CONDITIONS</p> <p>Time:</p> <ol style="list-style-type: none"> 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>External materials:</p> <ol style="list-style-type: none"> 2. No external 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. The bricks shall be constructed from clay. <p>Reason: In the interests of the character and appearance of the area.</p> <p>Climate change:</p> <ol style="list-style-type: none"> 3. The development hereby approved shall not be occupied unless the [climate change measures described in the application] have been implemented. The climate change measures shall be retained in accordance with the approved details at all times. <p>Reason: To mitigate and/or adapt to climate change.</p> <ol style="list-style-type: none"> 4. No demolition shall commence until details of how materials in the existing dwellings to be demolished shall be re-used and recycled have been submitted to and approved in writing. The development shall not be carried out unless in accordance with the approved details. <p>Reason: In the interests of minimising impact on climate change.</p> <ol style="list-style-type: none"> 5. The development hereby permitted shall not be occupied unless the SuDS measures [described in the application] have been implemented. The SuDS measures shall thereafter be retained and maintained. <p>Reason: In the interests of minimising impact on climate change.</p> <p>Waste management:</p> <ol style="list-style-type: none"> 6. The development shall not be occupied until the refuse and recycling storage area have been provided in accordance with the approved plans and shall be retained as such at all times. <p>Reason: To ensure adequate provision of refuse and recycling storage in the interests of the amenities of the area.</p>
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Trees and landscaping:

7. All landscaping works shall be carried out in accordance with approved details. The works shall be carried out prior to the completion 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.

8. 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.

9. Prior to any work commencing, protective barriers (fencing) and ground protection shall be erected and 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. The 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.

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

Reason: To safeguard trees of amenity and biodiversity value.

Noise:

11. Prior to occupation of the development, the noise mitigation measures (including the alternative means of ventilation) specified within Section 6 and illustrated in Figure 6.1 of the submitted Alive Environmental Ltd report entitled, 'Noise Impact Assessment, 733-735 Antrim Road, UPDATED SCHEME DESIGN FROM PREVIOUS PLANNING APPLICATION (LA04/2022/1863/F) SUBMITTED IN 2023', dated June 2024 shall be installed within habitable rooms of the development and retained at all times.

Reason: To safeguard the amenity of occupants of the buildings hereby approved.

Air quality:

12. In the event that any centralised combustion sources (boilers, CHP or biomass) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment shall be submitted to and approved in writing by the Council. Where the Air Quality Impact Assessment indicates exceedances of air quality objectives, appropriate mitigation measures shall be presented and these mitigation measures shall be installed and retained thereafter. The development shall not be carried out unless in accordance with the approved conditions.

Reason: The protection of human health.

Contamination

13. In the event that unexpected contamination is encountered during the carrying out of the development, all related works shall cease and the Council shall be notified immediately in writing. Investigation of the contamination, risk assessment and, if necessary, remediation work, shall be undertaken and verified in writing by the Council prior to occupation.

Reason: The protection of human health

Natural heritage:

14. Within twenty-four hours prior to demolition, the existing buildings on the site shall be checked for bat presence by a competent ecologist and all demolition works shall be monitored by a competent ecologist, details of which shall be submitted to the Council in writing in advance. A report of the demolition shall be submitted to the Council within 2 weeks.

Reason: To ensure protection to bats and their roosts.

Phasing:

17. The development shall not be carried out or sequenced unless in accordance with the approved phasing plan with Drawing No 21 uploaded to the Public Portal on 07/10/25

Reason: To enable the ecological surveys to be dealt with in a phased manner.

Transport:

18. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 02B uploaded to the Public Portal on 02/04/25, 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.

19. 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 before the development hereby permitted is commenced and such splays shall be retained and kept clear thereafter.

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

20. 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.

21. No apartment block shall be occupied until its respective vehicular parking has been provided in accordance with the approved plans. The parking areas shall be retained at all times for that use.

Reason: To provide adequate parking for the development.

22. No apartment block shall occupied until its respective weather protected cycle parking has been fully provided in accordance with the approved plans. The protected weather proof parking shall be retained at all times.

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

23. The development shall not operate unless in accordance with the Service Management Plan.

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

Drainage:

24. 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, in the interests of safeguarding the environment integrity of Belfast Lough. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

25. A clearly defined buffer of at least 10 m must be maintained between the location of all refuelling, storage of oil/fuels, concrete mixing and washing areas, storage of machinery/materials/spoil etc. and any open surface water drains connecting to the culverted watercourse.

Reason: In the interests of safeguarding the environment integrity of Belfast Lough.

DRAFT INFORMATIVES

Section 76 planning agreement

This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011, which secures the development as social housing, the travel plan and green travel measures. This decision should be read in conjunction with the planning agreement.

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.

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.

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.