

Public Document Pack

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



**Belfast
City Council**

4th March, 2026

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, 10th March, 2026 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

8. Planning Applications previously considered

- (a) **LA04/2024/0483/F** and **LA04/2024/0480/DCA** - 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. 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. - 34-44 Bedford Street and 6 Clarence Street (Pages 1 - 32)
- (b) **LA04/2024/0015/F** - Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works (revised information). - Lands at Cabin Hill, Upper Newtownards Road (Pages 33 - 82)

- (c) **WITHDRAWN:** ~~LA04/2025/0288/F - Retrospective change of use from ground floor taxi passenger terminal, cafe, office and newsagent to a Homeless Centre, Category D1(B).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~~

9. **Planning Applications**

- (b) **LA04/2024/0570/F** - Change of use of an existing 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 (amended plans and description to remove reference to demotion of number 39 Summerhill Park). - Stormont Hotel, 587 Upper Newtownards Road (Pages 83 - 106)
- (i) **LA04/2025/1002/F** - Change of use from 4 bed residential dwelling (C1) to 5 bedroom HMO (suis generis) with occupancy for 5 people - 24 Rutherglen Street (Pages 107 - 120)
- (l) **LA04/2025/0951/F** - Proposed 25m monopole with 6no. antennas, 4no. transmission dishes, 2no. equipment cabinets and ancillary development thereto. - Loughside playing fields, Shore Road (Pages 121 - 132)

ADDENDUM REPORT	
Committee Date: 10 th March 2026	
Application ID: LA04/2024/0483/F and LA04/2024/0480/DCA	
<p>Proposal: 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.</p> <p>Part demolition of existing building, comprising stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.</p>	<p>Location: 34-44 Bedford Street and 6 Clarence Street, Belfast</p>
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
<p>Applicant Name and Address: Bedford Way Ltd 2-4 Clarence Street Belfast BT2 7GH</p>	<p>Agent Name and Address: Mr Ross Duncan TSA Planning Ltd 20 May Street Belfast BT1 4NL</p>
Date Valid: 19 th March 2024	
Target Date: 15 th October 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Background:</p> <ol style="list-style-type: none"> 1. This application was originally approved by the Planning Committee at its 15th October 2024 meeting. The Committee granted planning permission and Conservation Area Consent, subject to conditions and a Section 76 planning agreement. The Committee delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and to deal with any other issues that might arise, provided that they were not substantive. 2. This report should be read in conjunction with the original report to the 15th October 2024 Committee meeting, appended. <p>Section 76 planning agreement:</p> <ol style="list-style-type: none"> 3. The purpose of the Section 76 planning agreement was to require the submission and implementation of a Construction Employability and Skills Plan, following advice from the Council's Economic Development Unit. 4. However, despite repeated requests over an extremely long period, the applicant has still to complete and sign the planning agreement. It is necessary for the applicant to sign the planning agreement as they are an interested party. Unless the planning agreement is completed, the decision notice cannot be issued. The application is therefore reported back to the Committee for reconsideration. 	

5. The proposal is an important regeneration scheme that would see the renovation of the existing rundown buildings in the Conservation Area with a new vibrant hotel use. As set out in the original Committee report, it is considered that the proposal would enhance the character and appearance of the Conservation Area, having regard to Policy BH2 of the Plan Strategy and Section 104(11) of the Act.
6. It is considered in the public interest for the Council to issue the planning permission to increase the chances of the scheme being implemented so that its benefits can be realised. For this reason, it is recommended that the Construction Employability and Skills Plan is secured by condition rather than Section 76 planning agreement as originally intended.
7. It is considered that this is a proportionate approach and consistent with previous approvals of the Committee where a condition was used to secure an Employability and Skills Plan, including planning permissions LA04/2024/0714/F (private hospital at 38 Boucher Road, approved by the Committee in January 2025); and LA04/2025/1716/F (transitional care unit at Santander House, 1 Mays Meadow, approved by the Committee in February 2026). Moving forward, it is recommended that Employability and Skills Plans are secured by condition for other schemes of similar scale.
8. The issuing of the decision will also ensure that there is no further adverse impact on the Council's statutory performance indicators, which measure average processing time of applications for Major development, particularly in respect of the new performance year 2026/27.

Internal Conservation advice:

9. Officers verbally reported the following internal conservation advice as a late item to the 15th October 2024 Committee meeting:
 - Objection to losing 'Harlem' shopfront remains.
 - New shopfront with sub fascia transom would be preferable.
 - Any mullions on Deanes frontage that have original capital detailing retained / re-used
10. However, officers considered that the proposal is on balance acceptable, with the scheme providing an overall enhancement of the character and appearance of the Conservation Area. The proposal avoids symmetry of the frontage of the building, reflective of the existing eclectic character of the ground floor. The existing shopfront recessed entrance to the right-hand side of the main doorway is retained, along with the tiled floor on the recess. It is proposed to introduce another recess on the same side to reinforce the existing ground floor character. Gates will be required to secure these recessed entrance features, which the conservation advisor offers no objection to in principle. These details were provided on 11th October 2024, four days before the Committee meeting, and are set out below.

Ground Floor Elevation (frontage):



Ground Floor Plan (frontage):



11. The Committee went onto approve the application at its 15th October 2024 meeting.

Recommendation:

12. Having regard to the Development Plan and material considerations, it is recommended that planning permission and Conservation Area Consent are granted subject to conditions.
13. 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.

DRAFT CONDITIONS:

14. The conditions are as recommended in the original report to the 15th October 2024 Committee meeting, with the addition of the following condition:

'No development shall commence on site (including demolition, site clearance and site preparation) unless a Construction Employability and Skills Plan has been submitted to and approved in writing by the Council. The Construction Employability and Skills Plan must be specific to the development, address the employability and skills requirements of the development during its construction and provide for:

- a) employment opportunities through the construction and operation of the development;
- b) employability and skills interventions to include:
 - description of interventions;
 - how the intervention will address employability and skills needs;
 - delivery mechanism; and
 - key performance indicators.
- c) resource plan, identifying how the activity incorporated within the plan will be resourced;
- d) the governance and management of delivery of the plan, incorporating performance, quality, risk management and mechanism for review by the Council.

The construction shall not be carried out unless in accordance with the approved Construction Employability and Skills Plan.

Reason: To promote inclusive growth in accordance with the objectives of the Belfast LDP Plan Strategy 2035 and the Council' Developer Contribution Framework.'

Planning Committee

Development Management Report

Summary	
Committee Date: 15 th October 2024	
Application ID: LA04/2024/0483/F and LA04/2024/0480/DCA	
Proposal: 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. Part demolition of existing building, comprising stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.	Location: 34-44 Bedford Street and 6 Clarence Street, Belfast
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
Applicant Name and Address: Bedford Way Ltd 2-4 Clarence Street Belfast BT2 7GH	Agent Name and Address: Mr Ross Duncan TSA Planning Ltd 20 May Street Belfast BT1 4NL
Date Valid: 19 th March 2024	
Target Date: 15 th October 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: These applications relates to land at 34-44 Bedford Street and 6 Clarence Street, the site of the current restaurant Deane's. The applications seek Conservation Area Consent for part demolition of existing buildings (stripping back of roof and shopfront) and planning permission for a change of use from office and restaurant to a Hotel which will comprise of 88 no. bedrooms, restaurant/ bar and gym. Structurally the proposal includes a two storey rooftop extension, new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works. The key issues for consideration of the application are set out below. <ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance of the Linen Conservation Area • Impact on Built Heritage and Archaeology • Design and placemaking • Climate change 	

- 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

The site is within un-zoned “white land” within the Belfast Urban Area Plan 2001 and draft Belfast Metropolitan Area Plan 2015 (dBMAP). It is within the City Centre in dBMAP.

The principle of the proposed change of use to a hotel is acceptable given the accessible city centre location and creation of a tourist facility providing overnight accommodation to support the city centre economy.

The height, scale, form and design of the proposed rooftop extension are considered to be in keeping with the building and the Conservation Area. The more traditional shopfront elements of the ground floor frontage are being retained, including a recessed doorway, whilst those elements considered to be less traditional and of less architectural merit are being replaced with a traditional shop front style façade, respecting the character of the building.

The setting of nearby Listed Buildings, notably the Ulster Hall, are safeguarded; DfC Historic Environment Division (HED) has offered no objection to the proposal. Overall, it is considered that the character and appearance of the Conservation Area would be enhanced.

The proposal would provide no additional dedicated parking; however, this is considered acceptable given the long-standing existing uses, limited intensification and highly sustainable city centre location. A Travel Plan has also been provided in support of the application, which promotes alternatives to the private car.

DfI Roads, DfC HED, Environmental Health, DAERA NIEA, SES and BCC Urban Design Officer have offered no objection. NI Water has objected on grounds of network capacity and this is addressed in the main report. Some concerns are raised by BCC internal conservation advice, and these issues are also addressed in the main report.

No third-party representations were received.

Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission and Conservation Area Consent are granted subject to conditions and a Section 76 Planning Agreement.

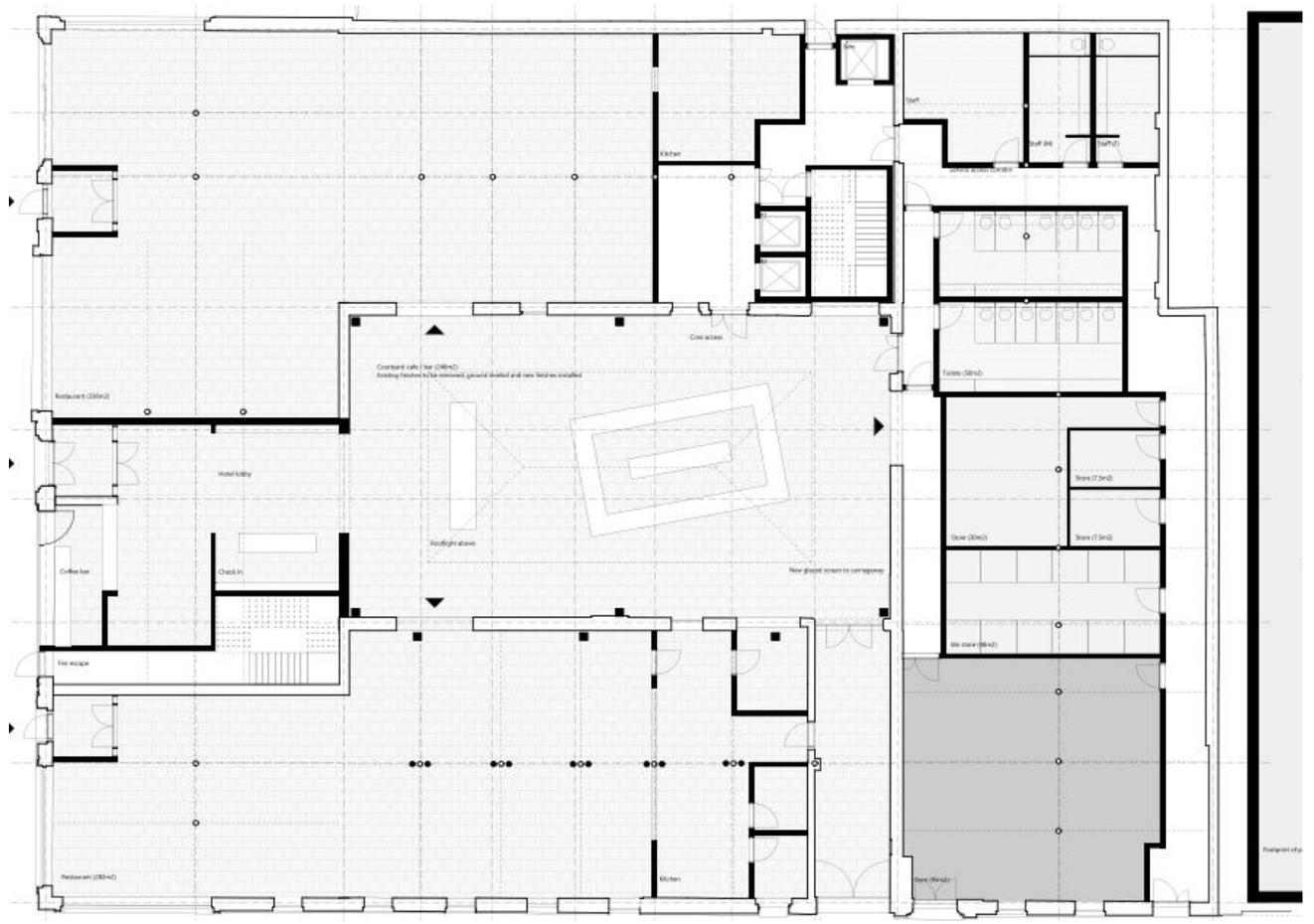
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, provided that they are not substantive, subject to the receipt of satisfactory amendments to the design of the ground floor elevation onto Bedford Street.

DRAWINGS AND IMAGERY

Site Location Plan:



Site Layout:



Demolition Plans:



CGIs (subject to further amendments to the ground floor shopfronts on Bedford Street):



1.0	Characteristics of the Site and Area
1.1	The site is located in Belfast City Centre, and within the Linen Conservation Area.
1.2	The site relates to properties comprising Nos. 34-44 Bedford Street and Nos. 4-6 Clarence Street which form an urban block. 34-36 Bedford Street is the site of the proposal positioned at the corner of Bedford Street and Clarence Street. It is an unlisted Victorian brick structure. It is a 3 storey warehouse style building in cream brick with channelled stone ground floor. The building wraps around a central courtyard. The existing building dates from 1865 and comprises a 3 storey warehouse building faced in cream brick; rendered to the front elevation with 3 doorcases to the front elevation. Originally containing a rusticated / lined base, the shops have been inserted into the ground floor – one Art Nouveau inspired (to the left hand side of the elevation).
1.3	The building is rectilinear in form and includes a sizeable, open, internal courtyard enclosed on all four sides and comprises what appears to be sandstone ashlar across the ground floor elevations with red brick to upper floors and is typical of many across the Linen Quarter.
1.4	At ground floor level, the building is currently occupied by a cafe and a restaurant which appears to be under refurbishment. There is also a small shop and a physiotherapy clinic operating from the premises. The upper stories are currently vacant.
1.5	The site is located at the junction of Bedford Street and Clarence Street within the grid iron street layout of the Linen Quarter and is surrounded by a range of heritage buildings the most notable of which includes the Listed Ulster Hall immediately north.
Description of Proposal	
1.6	The Committee is considering two applications as set out below.
1.7	LA04/2024/0483/F – seeking full planning permission for a 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. Externally the proposal comprises removal of the existing sloped roof to the courtyard and its replacement with a new squared-off roof form with new dormer windows inserted to those sloped roofs along the street facing elevations of Bedford Street and Clarence Street, as well as the northern elevation facing The Ulster Hall. A new two storey rooftop extension is also proposed towards the rear of the block along Clarence Street with terraces and an external pool at upper level.
1.8	LA04/2024/0480/DCA – seeking Conservation Area Consent for part demolition of existing building, comprising stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.
1.9	The proposed demolition consists of the following detailed elements: <ul style="list-style-type: none"> • Removal of ‘lean-to’ brick elements to the courtyard • Removal of existing staircases / stair cores / Lift • Roof elements, including roof trusses • ‘Trimming down’ of brick walls on internal courtyard • Removal of internal cross walls • Removal of bricked up windows and lower of window levels in courtyard

	<ul style="list-style-type: none"> • Removal of 1 shopfront (Harlem Café) • Rainwater goods, extract ducts and air-con units within courtyard
2.0	PLANNING HISTORY (ON ADJACENT SITE)
2.1	LA04/2020/2200/F - Demolition of Nos. 27 to 37 Linenhall Street and Nos. 8-10 Clarence Street and erection of seven storey office building. 8-10 Clarence Street, 27-37 Linenhall Street. Allowed at Appeal 28 th April 2023.
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 DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH4 – Works to grounds affecting built heritage assets Policy BH5 – Archaeology Policy CI1 – Community Infrastructure Policy EC1 – Delivering Inclusive Economic Growth Policy TLC3 – Overnight visitor accommodation Policy TLC4 – Evening and night-time economy Policy HC1 – Promoting healthy communities 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 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 OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p>

<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Evening and Nighttime Economy</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) Linen Conservation Area Design Guide Linen Quarter Vision and Guidance</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> DfI Roads – No objection. DfC HED – No objection. DAERA – No objection. NI Water – Objection. DfI Rivers – No objection.</p> <p><u>Non-Statutory Consultees</u> Planning Service Urban Design Officer – refer to main assessment. Planning Service Conservation Advice – refer to main assessment. BCC Environmental Health – No objection subject to conditions. BCC Economic Development Unit – recommends that an Employability and Skills Developer Contribution is required. Shared Environmental Services (SES) – No objection subject to condition.</p> <p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified. No third-party representations were received.</p>

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 development • Impact on the character and appearance of the Linen Conservation Area • Impact on Built Heritage and Archaeology • Design and placemaking • Climate change • 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><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 Polices</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</p>

	<p>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 un-zoned “white land” within the City Centre.</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the City Centre.</p>
	<p><u>Background</u></p>
5.10	<p>The proposal was subject to a detailed Pre-Application Discussion (PAD).</p>
	<p><u>Principle of development</u></p>
5.11	<p>Full planning permission is sought for a change of use from Office (B1) and restaurant (Sui Generis) to a Hotel, two storey rooftop extension and other alterations.</p>
5.12	<p>The proposal has been assessed against Policies TLC3 and TLC4 of the Plan Strategy.</p>
5.13	<p>The proposal accords with Policy TLC3, which states that planning permission will be granted for new overnight accommodation in the City Centre.</p>
5.14	<p>The proposal also accords with Policy TLC4 in that the proposal, which would include a restaurant and bar, would strengthen and enhance the evening and nighttime economy with the City Centre.</p>
5.15	<p>The principle of the proposed hotel use acceptable and the acceptability of the proposal should depend upon the other planning considerations discussed below.</p>
	<p><u>Impact on the character and appearance of the Linen Conservation Area</u></p>
5.16	<p>The site is located within the Linen Conservation Area.</p>
5.17	<p>Section 104(11) of the Act states: <i>‘Where any area is for the time being designated as a conservation area, special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of–</i> <i>(a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</i> <i>(b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.</i></p>
5.18	<p>Policy BH2 relates to development proposals within a Conservation Area.</p>
	<p><u>Demolition</u></p>
5.19	<p>Policy BH2 states that there will be a presumption in favour of retaining listed buildings and non-listed buildings in conservation areas. Total or partial demolition of a building will only be permitted where:</p>

	<p>j. It makes either a negative or no material contribution to the character and appearance of the area; and</p> <p>k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.</p>
5.20	<p>Internal conservation advice is as follows:</p> <ul style="list-style-type: none"> • new shopfront installation should be restricted to restoration of that to the unit to the left of the main entrance; • loss of historic shopfronts including in-antis entrance with terrazzo / tiled flooring. The internal conservation advice is that the shopfront and sign at number 42, with Art Nouveau elements, should remain as an alteration that contributes to the narrative of the building and area. Conservation also recommends retention of historic doors to Clarence Street; • There may be a detrimental lack of historic internal fabric to the front / western block – addressing Bedford Street; to cross / load bearing walls with fireplaces, the stairwell etc. These support the firewalls. It is not clear the extent to which the cross walls are retained; • The third floor extension will result in loss of historic fabric in terms of roofing timbers. The narrow roof width may reflect the technology / timber spans available at the time of construction; this narrative quality is of historic interest – • The extension at fourth floor / roof level should not impact the roof-slope onto Clarence Street; the latter should be retained.
5.21	<p>There is no doubt that the buildings on the site, although not listed, make a positive contribution to the Conservation Area. However, the concerns raised above in relation to demolition of elements of the building must be assessed in the round and considered in the context of the material contribution that those elements make, together with the suitability of the proposed redevelopment and whether it will enhance the character of the Conservation Area, as discussed below.</p>
5.22	<p>In response to the concerns raised by the internal conservation advice, the more traditional shopfronts to the right-hand side of the central entrance doorway are to be retained, including the doorway recess. It has been acknowledged by the conservation advisor that the modern shopfront to the left-hand side is generally not worthy of retention, although they advise that the 'Harlem' café frontage should be retained. This shop front and its unique design features are not original and the granite surrounds are probably the oldest feature of this particular part of the frontage, dating back to the 1930s. The legislative test in Conservation Areas is to enhance where the opportunity arises. It is considered that the retention of the two more traditional shopfronts to the right-hand side, combined with the more sympathetic replacement shopfronts to the left of the entrance, reflects the existing more eclectic character of the ground floor of the building. Overall, it is considered that these changes would represent an enhancement of the character of the frontage of the building and broader Conservation Area, thereby complying with the statutory and policy tests.</p>
5.23	<p>The applicant has also agreed that the existing shopfront recessed entrance to the right-hand side of the main doorway will be retained, along with the tiled floor on the recess. It is proposed to introduce another recess on the same side to further reinforce and respect the existing ground floor character. Gates will be required to secure these recessed entrance features, which the conservation advisor offers no objection to in principle. Details of the gates should be controlled by condition. Amended plans are awaited to show these updated design changes, including confirmation of shop front</p>

	retention. Delegated authority is sought to ensure that these appropriate design changes are submitted.
5.24	It is considered that the internal fabric does not make a material contribution to the character and appearance of the Conservation Area and that its removal would not be detrimental. The building is not listed.
5.25	Similarly, the roofing timbers and fourth floor roof level proposed to be demolished do not materially contribute to the character and appearance of the Conservation Area.
5.26	When considered in the context of the proposed alterations (discussed below), it is considered that the character and appearance of the Conservation Area would be enhanced.
	<u>New build</u>
5.27	Policy BH2 states that new build and alterations will only be granted where the following criteria are met: <ul style="list-style-type: none"> a. The character and appearance of the area is preserved or enhanced; b. The development respects the built form of the area by way of height, scale, form, legibility, materials and detailing; c. Key views within, into or out of the area are not negatively impacted; d. Trees, archaeological or other landscape features contributing to the character or appearance of the area are protected and / or integrated in an appropriate manner; e. Regard is given to relevant supplementary planning guidance; f. Extensions shall be subservient to the existing building with regard to height, scale, massing, form and alignment; g. The proposal involves retention of and where possible reinstatement of traditional features; h. The proposal will not result in the detrimental loss of visual gaps between existing buildings and boundaries; and i. The proposal makes use of traditional and where appropriate reclaimed, recycled/or sympathetic building materials and techniques which match or are in keeping with those found on the building and surrounding area.
5.28	The internal conservation advice expresses concern about the proposed attic extension, advising that it would have a detrimental impact on the west-east vista along Clarence Street terminated by St Malachys, caused by the contrast effect due to its alien form, materials and horizontal emphasis: <i>'The proposed attic would represent the only overtly contemporary intrusion on one of the last remaining vistas visually framed by historic elements or buildings strongly following the precedent of these in terms of material / solid to void'</i> .
5.29	However, an important material consideration is the planning permission for a large 7-storey office building granted at appeal on the land to the immediate east of the site at the junction of Linenhall Street and Clarence Street. This would not only introduces a substantial built form on Clarence Street but forms a backdrop to the proposed attic extension when viewed from the western approach from Bedford Street as shown in the CGI overleaf.



- 5.30 Internal conservation advice also raises concern about the Miesian form of attic and advises that the historic roofslope should be retained in its entirety to Clarence Street.
- 5.31 However, officers advise that the location of the ‘attic extension’ is such that it would be discrete and as such will ensure that the established roof form will retain its primacy when viewing the two main streetscape elevations (as shown in the CGI above).
- 5.32 Elaborating on its concerns, the internal conservation advice states that:
‘The proposal would, through contrast set up visual competition with St Malachys drawing the eye disproportionately / negatively, especially as it is in the eyeline of the octagonal bell towers, with open / non louvred upper stage with crenellated parapet (complemented by that to the gable of the nave). It would detract from the role of St Malachys as a landmark buildings – its status in legibility terms, diminishing its perceptual significance and the historicity of the area in general. The view along Clarence Street from Bedford Street is a key vista within the Conservation currently without discordant, contrasting, intrusive elements’.
- 5.33 However, reference is again made to the transitional role of the 7 storey approval (LA04/2020/2200/F) directly abutting the site to the east, and the subsequent impact this built intervention will have on any future views west-east towards St. Malachys Church. It is also worth noting that there are other recent approvals that will affect this view, most notably the approval on the Clarence Gallery site, diagonally opposite the above approval at the junction of Linenhall Street and Clarence Street. Importantly, it should be noted that HED has raises no fundamental concerns with regard to the impact of the proposal on listed buildings in the vicinity, including the setting of St. Malachys Church. This vista, and indeed most of the main vistas within the Conservation Area displays a variety in built form, both traditional and modern interventions, and as such for reasons stated above, officers are of the opinion that the views west-east towards St. Malachys would not be harmed and in this regard the character and appearance of the Conservation Area would be preserved.
- 5.34 Overall, it is considered that the proposals would visually improve the existing building and enhance the character and appearance of the Conservation Area, compliant with the Act, Policy BH2 and relevant provisions of the SPPS.

<u>Impact on Built Heritage and Archaeology</u>	
5.35	<p>Section 91(2) of the Act states that: <i>'In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council... must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'</i></p> <p><u>Setting of Listed Buildings</u></p>
5.36	<p>Policy BH1 sets out criteria for considering proposals that affect the setting of a Listed Building.</p>
5.37	<p>There are a number of Listed Buildings within the vicinity of the site. DfC HED advises that the proposal has the potential to affect the setting of the following Listed Buildings in particular:</p> <ul style="list-style-type: none"> • HB26 30 023A St Malachy's Church, 24 Alfred Steet Grade A • HB26 30 025 Alfred House, 19-21 Alfred Street Grade B+ • HB26 30 055 17 Bedford Street, Belfast Grade B+ • HB26 30 057 Ulster Hall, 1-7 Bedford Street Grade A • HB26 30 058 Bryson House, 28 Bedford Street Grade B1
5.38	<p>HED advises that it is generally content with the proposal, however, suggests that the dormer windows along the Bedford Street frontage, including the corner of Bedford Street/Clarence Street, are not in keeping with the historic character (grain) and that the design should be reconsidered so as not to introduce a design feature which is not prominent in the area. It is important to note that HED has raised no objections in terms of the impact on the setting of any Listed Buildings in the area and for the reasons set out, it is not considered that the dormer windows would be of detriment to the character of the building. Instead, it is considered that these design features would add to the vertical emphasis on the fenestration, something which is apparent on the more traditional/ established buildings within the city centre.</p>
5.39	<p>The internal conservation advice acknowledges the historically busy / lively roofscape to the building and accepts the installation of dormers, advising that they are of a reasonable scale, albeit that they should be of a pitched form and with framed glazing.</p>
5.40	<p>The Urban Design Officer has also specifically addressed the design of the dormers in his response and raises no concerns in relation to their insertion within the two street facing elevations and northern elevation facing The Ulster Hall. The Urban Design Officers refers to the Design and Access Statement which states that their design is intended to be 'quietly modern', so that they are read as new elements but proportioned and detailed to ensure their contextual appropriateness, which is welcomed. It is noted that whilst they do not align with the vertical ordering of windows across first and second floor levels, a degree of symmetry has been applied to the siting of the dormers within their own groupings between the projecting fire partition walls. It is noted that an additional dormer has also been introduced along Clarence Street, however the Urban Design Officer acknowledges that it <i>'...does not disrupt the rhythm of dormers along this elevation.'</i></p>
5.41	<p>Ultimately, it is considered that preferences about the form of the dormer windows is somewhat subjective and that their design is appropriate.</p>

5.42	<p>Having regard to this assessment and the advice provided by HED, it is considered that the setting of nearby Listed Buildings would be preserved.</p> <p><u>Archaeology</u></p>
5.43	<p>The planning application was accompanied by an Archaeological Impact Assessment (AIA) which recommends that due to the limited amount of invasive ground works, development led archaeological monitoring should be carried out within those areas of the site to undergo ground works such as the within cobbled service yard. This will confirm whether any un-identified sub-surface archaeological remains survive within the boundaries of the proposed development.</p>
5.44	<p>HED has reviewed the submitted AIA and concurs with its conclusions regarding the negligible impact of the development on below-ground remains. Therefore, due to the scale and nature of the development, HED is content that the proposal accords with the SPPS and Belfast Local Development Plan Strategy (2023) Policy BH5.</p>
5.45	<p>In summary, the proposal is considered to comply with Policies BH1 and BH5 and relevant provisions of the SPPS.</p> <p><u>Design and placemaking</u></p>
5.46	<p>The proposal has been assessed against the Policies DES1 and DES2 of the Plan Strategy and SPPS. 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.</p> <p><i>Design, Scale, height and massing:</i></p>
5.47	<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 onto list 11 criteria, a. to k.</p>
5.48	<p>In terms of the proposed form, the Urban Design Officer has stated the squared-off courtyard facing roof form will provide the necessary headroom at 2nd Floor level to allow for a series of courtyard facing bedrooms. They go on to point out that this will not be visible from surrounding streets and will not impact the traditional sloped roof profiles along any of the three visible street facing elevations.</p>
5.49	<p>The larger floor of the new rooftop extension (3rd Floor) spans most of the block to the rear. Its frontage occupies that section of the block immediately north of the fire partition wall, spanning around one third of the Clarence Street frontage. This element of the scheme would accommodate a Restaurant and open kitchen area amounting to around 400m².</p>
5.50	<p>Representing the most visually prominent element of the scheme, the proposed 3rd Floor extension to the rear would result in a new section of vertical massing to Clarence Street. While breaking the more traditional sloped roof form, attention has been given to the articulation of this elevation with consideration given to the depth, form and tone of its glass and aluminium construction and its restricted application.</p>

5.51	The Urban Design Officer has stated that, on balance, given the attention applied to the articulation/detailing of this new element, its restricted application, and the important role this component plays in the adaptive use of the building, no concerns are raised. It is also noted that this element will be largely screened by the taller, 7 storey building approved on the adjacent site, thereby softening views of these upper elements west along Clarence Street.
5.52	An additional smaller floor is proposed above at 4 th Floor level and setback off all three elevations to accommodate the 175m ² Bar with external access to a wraparound southern terrace (part covered), a pool/pool terrace and smaller terrace to the north.
5.53	A deep setback of around 6.0m has been applied to the upper 4 th Floor extension along Clarence Street (line of the covered terrace) with a further setback of around 5.0m to the bar itself, which assists greatly in helping this floor sit comfortably within its context, ensuring a smooth architectural transition between the higher approved building on the adjacent site and the main block on the application site.
5.54	The composition results in minimal visual impact with the massing reading as a background layer behind the profile of the new dormers, which can be clearly seen on the CGI above when viewed from Bedford Street. The setback areas will also provide valuable external terrace spaces, which together with the external pool and pool terrace, will provide a unique offer at rooftop level that complements the hotel use. It is noted that in addition to stair access, two guest lifts and a service lift also serve this upper floor, however, massing shown in sections, elevations and model extracts does not appear to account for any lift overruns which would generally extend above.
5.55	With regards to building form and façade articulation, the existing rhythm and proportions of the building are retained. The introduction of dormers enhances the overall vertical emphasis of the building and adds a contemporary slant on the roofscape whilst not being of a scale that dominant the appearance of the building. The retention of the existing shopfronts will also ensure that the existing rhythm of the ground floor frontage is respected.
5.56	The Urban Design Officer has suggested that conditions are included that require the Planning Service's prior approval of external materials including any replacement windows, replacement sloped roof, new dormers, infill sections to Ground Floor windows, new Ground Floor openings and glazed/aluminium profiled extension.
5.57	Criterion f. of Policy DES1 requires the provision of active frontages to ensure vibrancy throughout the day. This will also create a vibrant frontage onto the new public space within the internal courtyard, creating an attractive, enclosed space.
5.58	Active uses are proposed along the Bedford Street ground floor elevation either side of the hotel entrance and lobby comprising restaurant and coffee bar. Active uses are also proposed along Clarence Street, in the form of a restaurant and gym either side of the new access gate. The inclusion of a bike store (3 no. Sheffield type stands) and the installation of two bike stands to the pavement fronting the Bedford Street elevation, which are welcomed.
5.59	Servicing is provided to the rear north east corner of the building and accessed from Clarence Street via a new discreet service access. This service access serves bin stores, storage areas and staff facilities located deep within the planform. This arrangement maximises the potential for Ground Floor activity and animation along both elevations which is welcomed. It is noted that the internal bike store will also avail of this service access onto Clarence Street.

	<i>Siting and Alignment:</i>
5.60	Policy DES2 (masterplanning) states that planning permission will be granted for Major development where it accords with the principles a. to j.
5.61	It is considered that the proposal adopts a holistic approach to site assembly, layout and design that is mindful of adjacent sites whilst promoting an opportunity for urban repair on an important city centre streetscape. The proposal will provide a high-quality redevelopment scheme on an important landmark junction within the City Centre and reinvigorate aging built form within the Linen Conservation Area.
	<u>Climate change</u>
5.62	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. There is a presumption in retaining existing buildings. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.63	Through the reuse of existing buildings, the development contributes towards a sustainable form of development. The application is accompanied by a Climate Change Statement which identifies in detail, the measures that have been implemented to reduce the energy demand associated with the proposed development. These measures should be required to be implemented by condition. The proposal is considered acceptable having regard to Policy ENV2 and ENV3.
5.64	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.
5.65	The alterations and extensions allow for the incorporation of green roofs, a form of SUDs, which will help slow the rate of surface water run-off from the site aiding in reducing flood risk and improving water quality. The proposal is considered acceptable having regard to Policy ENV5.
	<u>Access and transport</u>
5.66	The site is located within an Area of Parking Restraint. No dedicated in-curtilage parking is proposed. Cycle parking is proposed on site. Pedestrian access to the proposed development site will be via Bedford Street. Cycle access to the proposed development site will be via Bedford Street.
5.67	The site is a highly accessible location within the City Centre. It is within short walking and cycling distance of the city centre and its shops, services and leisure. It has very good public transport links through access to buses and rail, and is in close proximity to the new Grand Central Station.
5.68	The inclusion of a bike store (3 no. Sheffield type stands) and is welcomed.
5.69	A Travel Plan has been submitted to support the proposal, which will be required to be implemented by condition.
5.70	Having regard to the highly sustainable location of the site and proximity to city centre car parks, the proposed access arrangements are considered acceptable.

5.71	<p>The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.</p> <p><u>Health impacts</u></p>
5.72	<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>
5.73	<p>The city centre site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city centre and beyond. The scheme is a car free development and is supported by a Travel Plan. The proposed building would provide an attractive environment for people to work and stay in. The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><u>Environmental protection</u></p>
5.74	<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>Contamination</i></p>
5.75	<p>A Preliminary Risk Assessment (PRA) has been provided by RPS Group Plc. (RPS) in which potential risks to human health and the water environment have been identified. A Conceptual Site Model (CSM) identified onsite potential sources as; asbestos from the construction of the current building, reduced quality made ground and the historical use of the site as a Spinning Mill.</p>
5.76	<p>RPS recommend a Generic Quantitative Risk Assessment (GQRA) which has not been presented. Both NIEA Regulation Unit (Land and Ground water Team) and BCC Environmental Health Unit have requested that a GQRA is submitted at application stage. However, as the existing building on site is currently in use, this places obvious restrictions on the possibility of carrying out further intrusive investigatory works on site. Given this, and in the interests of ensuring the appropriate investigations take place and satisfactory mitigation is implemented, it is advised that Grampian negatively worded conditions are attached to the approval requiring the submission of Detailed Quantitative Risk Assessment prior to commencement of works. If necessary a remediation strategy will be required by condition to ensure the appropriate mitigation is implemented on site to protect end users and the sub level environment. These conditions are recommended.</p> <p><i>Noise</i></p>
5.77	<p>Environmental Health recommended in their initial response that a noise impact assessment be submitted in support of the proposal. It also advised that '<i>...the neighbouring Ulster Hall building regularly operates as an entertainment venue whereby noise from amplified sound, stage loading/unloading operations and patrons may be noticeable in the vicinity of the venue; and as the agent of change, the applicant is</i></p>

	<p><i>mindful to ensure that an appropriate level of façade insulation and alternative means of acoustically attenuated ventilation to hotel bedrooms is provided to ensure that current operations at the Ulster Hall are not negatively impacted when the proposed development becomes operational. It is, therefore, advised that further ‘attended’ noise monitoring is conducted at an elevated location close to the northern elevation adjacent to the Ulster Hall during a forthcoming music event.’</i></p>
5.78	<p>The applicant states that they have actively engaged with Ulster Hall who have agreed to forward on future events that are planned to operate after 11pm and are supportive of additional noise monitoring. Environmental Health has stated that the Planning Service may wish to secure this additional noise monitoring and subsequent submission of an updated Noise Impact Assessment in order to protect existing evening and night-time uses in line with the Local Development Plan and associated Supplementary Planning Guidance – Evening and Night-time Economy. This condition is recommended.</p>
5.79	<p>It is considered that a condition is necessary that requires the applicant to submit further information in relation to attended noise monitoring undertaken at a future event at Ulster Hall, and proposed façade insulation and alternative means of ventilation.</p> <p><i>Odour</i></p>
5.80	<p>Environmental Health advises that if the developer wishes to avoid complaint from future guests and ensure a high end /luxury hotel offering then they should consider appropriateness of installing extraction and odour abatement measures to a very high level of odour control. Nevertheless a ‘high’ level’ of odour control has been proposed and it is deemed suitable to protect off-site receptors. The elevation drawings have been updated to show the location and termination point of the proposed kitchen. The kitchen extraction point is discharging 1m above eaves level.</p>
5.81	<p>Environmental Health advises a condition to ensure the installation and retention of an appropriate odour abatement system. The condition is recommended.</p> <p><i>Air Quality</i></p>
5.82	<p>Environmental Health commented that no information was provided regarding the likely means of hot water and heating to serve the development.</p>
5.83	<p>It has subsequently been confirmed that the proposed heating system and water heating system to be installed will be electric. An external plant area has been shown on the Level 04 floor plan.</p>
5.84	<p>A condition is recommended that requires an updated air quality impact assessment for plant shall be submitted to and approved in writing by the Council. The proposal is considered compliant with Policy ENV1.</p> <p><u>Flood risk and drainage</u></p>
5.85	<p>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.</p>

5.86	Flood Maps (NI) indicate that the site does not lie within the 1 in 100 year climate change fluvial, 1 in 200 year climate change coastal flood plain or in an area of predicted pluvial flooding. There are no watercourses within this site. The site may be affected by watercourses of which DFI Rivers has no record.
5.87	DFI Rivers has reviewed the Drainage Assessment submitted in support of the application and accepts its logic and has no reason to disagree with its conclusions.
5.88	Having regard to the advice of DFI Rivers, the proposal is considered acceptable with regard to flood risk and drainage, and compliant with Policy ENV4.
	<u>Waste-water infrastructure</u>
5.89	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has indicated there is available capacity at the receiving Waste Water Treatment Works.
5.90	However, an assessment has indicated network capacity issues. This establishes significant risks of detrimental effect to the environment and detrimental impact on existing properties. The downstream catchment is constrained by overloaded sewage infrastructure. For this reason, NI Water is recommending connections to the public sewerage system are curtailed.
5.91	NIEA Water Management Unit is also concerned that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to the Waste Water Treatment Works (WWTW). Given this concern NIEA have asked that a condition is attached requiring the method of sewage disposal to be agreed in writing with the Council prior to commencement of development. Shared Environmental Services has not raised any objection to the proposal and has requested the same condition is attached to any forthcoming approval.
5.92	Discussions are under way between the developer and NI Water with regard to a potential solution. It is also worth noting that there is an established mixed use building on the site, including restaurant and office space.
5.93	Regard is had to the significant level of unimplemented and extant permissions across the city which will not all come forward at once.
5.94	In order to ensure there will be no significant impact on the receiving infrastructure and to safeguard the environment a condition is recommended that requires the method of sewage disposal to be approved by the Council prior to the commencement of any development on site.
5.95	The proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy, subject to the condition detailed below.
	<u>Waste Management</u>
5.96	A Waste Management Plan accompanied the planning application. It shows a bin storage area of 48 sqm within the rear of the site away from any of the public facing elevations with access from an alleyway along the northern boundary of the site.
5.97	The proposed waste management arrangements are considered acceptable. A condition will be attached ensuring adherence to the waste management plan.

	<u>Natural heritage</u>
5.98	Policy NH1 relates to the protection of natural heritage resources.
5.99	DAERA Natural Environment Division (NED) acknowledges receipt of a Preliminary Ecological Appraisal and notes that the Ecologist has assessed the building within the site to have bat roosting potential and advised that further surveys were required.
5.100	A bat survey was submitted in response to NIEA comments which demonstrated the following: <ul style="list-style-type: none"> • No evidence indicating the presence of roosting bats within the adjoining structures was recorded during the emergence survey. • No bats were observed or heard over the course of the emergence survey, which would suggest a that there are likely no roosts within proximity of the site. • No significant loss of foraging habitat is predicted due to the nature of the site with a lack of vegetation present.
5.101	This survey was sent to NIA for consideration. NED is content that the proposed development is unlikely to significantly impact protected or priority species or habitats. NED notes that the Bat Survey has indicated that no bats were recorded emerging or re-entering the building, therefore NED is content that the building is unlikely to currently support roosting bats.
	<u>Impact on Protected Sites</u>
5.102	Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises 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.
5.103	In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to the method of sewage disposal being agreed via planning condition prior to commencement of development; this condition is recommended.
5.104	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>
5.105	The Developer Contribution Framework requires proposals for Major development to make a contribution towards Employability and Skills where necessary.
5.106	The Economic Development Unit recommends that Section 76 Developer Contribution clauses should be applied for the construction phase of the development.
	<u>Section 76 planning agreement</u>
5.107	It is considered necessary that the applicant enter into a Section 76 planning agreement to secure a Construction Employability and Skills Plan.

	<u>Pre-application Community Consultation</u>
5.108	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. The statutory Proposal of Application Notice (PAN) (LA04/2023/4099/PAN) was submitted to the Council on 6 th February 2023.
5.109	The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the pre-application consultation undertaken by the applicant.
5.110	A Press Notice inviting the public to engage in the online pre-application community consultation information event was placed in the Belfast Telegraph on Monday 14 th March. A press statement was also prepared and issued, which detailed the proposal for the new hotel, and the significant investment this would bring to this area of Belfast.
5.111	Notice was served to a number of elected representatives on 6 th March 2023, and a number were issued with copies of the PAN.
5.112	During the week commencing 13 th March 2023, around 330 packs containing information leaflets, comment cards and self-addressed envelopes were delivered to residents and businesses identified within a 200m radius of the edge of the proposed development site.
5.113	An in-person Pre-Application Community Consultation Event was held in 44 Bedford Street, Belfast, BT2 7FF on Thursday 23 rd March 2023 from 1:00pm – 7:00pm. This event attracted 12 visitors who came to view the plans and discuss with the design team was present.
5.114	Additionally, a virtual consultation website was hosted at www.TheDeanBelfast.com which allowed visitors to submit feedback via a submission form and to browse and download the boards containing the proposed plans. The webpage was open for submission from Thursday 23 rd March to Thursday 20 th April 2023.
5.115	During the course of the consultation there were 392 unique visits to the website for a period of time greater than 30 seconds. There were six responses to this Pre-Application Community Consultation; four received by comment card through the post; one comment card submitted at the in-person consultation event at 44 Bedford Street and one response via the virtual consultation website. Of the four sample comments within the PACC report, three were positive highlighting good design, increased footfall and pointing to another hotel/ bar in a good location. The one negative comment said there were 'enough buildings going on'.
5.116	The feedback was reviewed, and the matters were considered within the PACC report.
5.117	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.
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission and Conservation Area Consent are 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, provided that they are not substantive, subject to the receipt of satisfactory amendments to the design of the ground floor elevation onto Bedford Street.
6.3	In view of the concerns from internal conservation advice, the Conservation Area Consent application will need to be notified to the Department before the decision can be issued.
7.0	<p>DRAFT CONDITIONS</p> <p>LA04/2024/0483/F –planning permission:</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 materials shall 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 Conservation Area and to safeguard the setting of the Listed Building. 3. No external brickwork or render 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 brick materials. Reason: In the interests of the character and appearance of the Conservation Area and to safeguard the setting of Listed Buildings. 4. Notwithstanding the submitted details, the following external features shall not be installed, implemented or carried out unless in accordance with further details and a physical sample which shall have been submitted to and approved in writing by the Council. <ul style="list-style-type: none"> • replacement windows, • replacement sloped roof, • new dormers, • infill sections to Ground Floor windows, • new Ground Floor openings and, • glazed/aluminium profiled extension The works 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 building.

5. 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.

6. 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. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. 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.

Reason: In the interests of public health and environmental protection.

8. 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 RPS report entitled: 'The Dean – Bedford Street – Preliminary Risk Assessment (Desk Study) Report DRAFT' (report reference: 794-NI-HCT-00903, dated 25th January 2024, version status: Final). The Quantitative Risk Assessment shall follow current Environment Agency and CIRIA guidance and British Standards and include:

- A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.

- A satisfactory assessment of the risks (including an updated

Conceptual Site Model), conducted in line with current Environment Agency guidance. Risks associated with ground gases shall be assessed under the methodology outlined in BS 8485:2015+A1:2019. Should the Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then a Remediation Strategy shall be submitted to and approved in writing by the Council. 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.

9. 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.

10. 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.

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.

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

11. After completing the remediation works under Conditions 8, 9 and 10; and prior to occupation 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/landcontamination-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.

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

12. Prior to construction of the development, the applicant must submit to and have agreed in writing by the Council, a Noise Impact Assessment detailing the noise mitigation measures to be installed within the development to address noise impact on the development. The Noise Impact Assessment, to be produced by a competent acoustic consultant, must be based on a representative noise survey and demonstrate that the proposed sound reduction specifications of the façade/structural elements are sufficient to achieve the internal noise levels specified in Annex H of BS8233:2014 – ‘Guidance on sound insulation and noise reduction for buildings’, if required with the windows closed and alternative means of acoustic ventilation provided.

Reason: In the interests of amenity.

13. Prior to occupation of the development, the noise mitigation measures and alternative means of acoustic ventilation, if required, as approved under condition 12 shall be installed as agreed in writing with the Council and maintained thereafter.

Reason: To ensure adequate levels of mitigation have been implemented to protect the amenity of hotel patrons.

14. The rating level (dBL_{A,r,T}) from the operation of all combined plant and equipment must not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 ‘Methods for rating and assessing industrial and commercial sound’.

Reason: Protection of nearby amenity.

15. Prior to the commencement of cooking of foods within the hereby permitted development a kitchen extraction and odour abatement system shall be installed to suppress and disperse odours created from operations on the premises which achieves a ‘high’ level of odour control in accordance with the current EMAQ+ ‘Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems’ (updated in May 2022). The outlet from any extract ventilation ducting shall be located as per drawing from TODD Architects titled ‘Proposed elevations 02’, referenced drawing no: 012, Rev P02 and dated 24/11/2023, and shall terminate at a height not less than 1m above the main eaves.

Reason: Protection of nearby amenity.

16. The installed kitchen extraction and odour abatement system, as detailed above, must be retained and maintained thereafter unless otherwise agreed in writing by the Council.

Reason: Protection of nearby amenity.

17. 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.

18. The development hereby permitted shall not be occupied until the secure cycle storage area has been provided in accordance with the approved plans and shall be permanently retained as such at all times.

Reason: To promote active travel and to mitigate the absence of dedicated parking within the development.

19. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan.

Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.

20. The development hereby approved shall not be occupied unless the proposed 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.

LA/04/2024/0480/DCA – Conservation Area Consent:

1. The demolition hereby granted must be begun within five years from the date of this consent.

Reason: As required by Section 105 of the Planning Act (Northern Ireland) 2011.

2. This consent only relates to the walls / structures highlighted in red on drawing nos. 11-19 received on 19/03/24 (published on planning portal 29/03/24) and to no other part of the building/s or structure/s within the site.

Reason: For the avoidance of doubt as to the extent of this consent, to preserve or enhance the character or appearance of the Conservation Area.

3. No demolition shall commence on site unless a contract has been executed for the construction of the site in accordance with planning permission **LA04/2024/0483/F** and evidence of that contract has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with planning permission LA04/2024/0483/F.

Reason: As required by Sections 91(6) and 105 of the Planning Act (Northern Ireland) 2011, to preserve or enhance the character or appearance of the Conservation Area. Approval is required upfront because if redevelopment of the site does not take place it could leave the vacant site unsightly and harmful to the Conservation Area.

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ADDENDUM REPORT	
Committee Date: 10 th March 2026	
Application ID: LA04/2024/0015/F	
Proposal: Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works.	Location: Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Fermac Properties and Tealstone Developments Limited 33 Ferryquay Street Derry / Londonderry BT18 9JQ	Agent Name and Address: Gravis Planning 1 Pavilions Office Park Kinnegar Drive Holywood BT18 9JQ
Date Valid: 05/12/2025	
Target Date: 03/07/2026	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Background: <ol style="list-style-type: none"> 1. This application was deferred by the Planning Committee at its 17th February 2026 meeting so that it can review additional information following a fire at the application site, understood to have taken place on Sunday 15th February. 2. This report should be read in conjunction with the original report to the February 2026 meeting, appended. <p>Fire damage:</p> <ol style="list-style-type: none"> 3. The applicant confirms that the “Auditorium” on the northern part of the application site was the subject of the fire. The location of the Auditorium is shown below (red arrow) with the Listed Building also shown (yellow arrow). 	
	

4. The applicant has provided external and internal photographs of the building following the fire (see **Appendix 1**). Officers visited the site on 27th February 2026; photographs from the site visit are provided at **Appendix 2**.

5. The applicant describes the extent of the fire damage as follows:

'Damage was limited to a small area to the rear of the auditorium approximately 7M x 7M square within the building – I have attached photographs of the damage caused to this area. The Fire was contained to the small area within the photograph and did not spread to the rest of the auditorium as shown. It resulted in the plasterboard ceiling sheeting coming down from the joists within this area. The fire vented through the broken windows within this area and the building suffered no other significant damage. The fire did not burn any roof timbers or steelwork and the roof itself is a metal deck roof which was not damaged. There was no damage to the external of the building and I have also enclosed an external photograph of the building.'

6. It would seem that the fire did not result in any structural damage to the building.

7. The applicant confirms that the Listed Building was unaffected by the fire.

8. Officers have since visited the site to view the fire damage. Photographs from the site visit are provided at **Appendix 2**.

9. Regarding whether the fire damage has impacted on viability of the scheme, the applicant comments as follows:

'As you will be aware, this building is due to be demolished to accommodate our scheme and does not physically impact on our plans. Other than indirectly increasing our costs in financing the site by delaying the consideration of the planning application by a further 3 weeks, the fire damage has not affected the financial viability of the scheme as previously submitted and the demolition and clearance costs remain unchanged.'

10. It is understood that in attending to the fire, NIFRS advised local residents to shut their doors and windows as a precautionary measure because of concerns about asbestos pollution. The applicant subsequently commissioned an environmental consultant to undertake an asbestos assessment. The applicant states that the reports confirmed no presence of asbestos, either airborne or on the ground. The asbestos assessment is in two parts and has been uploaded to the NI Planning Portal as background information.

11. Environmental Health has been invited to make any relevant comments.

Demolition of the fire damaged and other buildings:

12. The Committee is advised that other than the Listed Building, the buildings are not protected (the site is not located in a Conservation Area nor Area of Townscape Character). Therefore, demolition of the buildings is permitted development (i.e. an application for planning permission is not required to remove them).

13. Moreover, as set out in the Planning History section of the original Planning Committee report, there is extant planning permission for redevelopment of the site, including demolition of the same buildings.

14. This means that the buildings can be demolished at any time outside this planning application process.

Recommendation

15. The Committee is advised that the fire incident has had no material impact on the assessment of the application. There appears to be no structural damage to the fire damaged building, which is proposed to be demolished anyway. Its demolition is permitted development and there is an extant permission for redevelopment of the site and demolition of the buildings; the buildings can be demolished at any time outside this planning application process.

16. According to the consultant's report, there is no evidence of asbestos. In any event, this would be an issue regulated by other environmental regulations.

17. There is no evidence that the fire has impacted on the viability of the scheme.

18. Having regard to the Development Plan and material considerations, and the assessment of the proposal in the original Committee report, on balance, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

19. 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 the issues are not substantive.

Appendix 1 – photographs of the Auditorium damaged by the fire





Appendix 2 – photographs from officer site visit on 27.2.26





Development Management Report	
Committee Date: 17 th February 2026	
Application ID: LA04/2024/0015/F	
Proposal: Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works.	Location: Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Fermac Properties and Tealstone Developments Limited 33 Ferryquay Street Derry / Londonderry BT18 9JQ	Agent Name and Address: Gravis Planning 1 Pavilions Office Park Kinnegar Drive Holywood BT18 9JQ
Date Valid: 05/12/2025	
Target Date: 03/07/2026	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Executive Summary:</p> <p>This application seeks full planning permission for the erection of 53 residential units (including 43no dwellings and 10no apartments), including ancillary works for the creation of an access from Upper Newtownards Road, internal roads, landscaping 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, placemaking and landscape impact • New open space • Impact on heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access parking, and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Section 76 planning agreement • Pre-application Community Consultation 	

The site is located within the development limits of Belfast. In the Belfast Urban Area Plan 2001, the site is un-zoned “white land”. The site is within a Local Landscape Policy Area (LLPA) in both the draft Belfast Metropolitan Area Plan 2015 (v2004) and (v2014), with the exception of the south east corner which is “white land”. The site also encroaches into the edge of a Site of Local Nature Conservation Importance (SLNCI) in the draft BMAP 2015 (v2014). The north east corner of the site is identified as open space.

There is a listed building within the application site boundary (red line), but which is excluded from this proposal.

The proposal is within the development limits of the city and is a sustainable location for new housing. The proposal would result in a loss of a small area of open space, but additional open space is to be provided as part of the scheme. As such, the principle of housing at this location is acceptable.

The density of the proposal is less than the guidance band but taking account the low density of the surrounding area and the previous permission for conversion of the Listed Building to apartments this is on balance acceptable.

The overall design, height, scale, massing, layout, and road configuration is considered to be acceptable and complainant with planning policy.

There is a Tree Preservation Order (TPO) on the site, but adequate mitigation measures would be in place to ensure no trees are lost or damaged from during the construction phase if planning permission is granted.

No affordable housing is proposed on the grounds of viability. The applicant’s viability assessment has been appraised by an independent Quantity Surveyor who concurs with the with the assessment.

There are no objections to the proposal from statutory or non-statutory consultees. A list and summary of consultees is contained within the main body of the report.

Two third-party representations have been received in opposition to the proposal. These are both from the same household and the issues are addressed in the main report.

Recommendation

Having regard to the Development Plan and material considerations, on balance, 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, provided the issues are not substantive.

Sample Proposed Elevations (House Type A):



HOUSE TYPE A 5 BED DETACHED

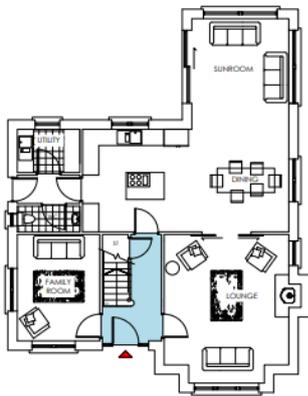
PLANNING
SEVIN CARM ARCHITECTS LTD. 1609 PL.A.04
FERMAC PROPERTIES LTD
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST
HOUSE TYPE A HANDED - DETACHED PRINCIPAL ELEVATION
1609 PL.A.04



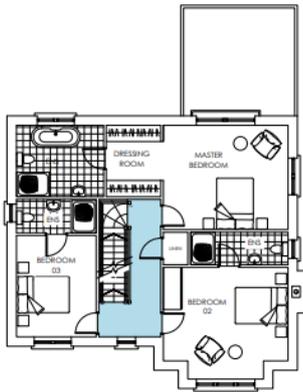
HOUSE TYPE A 5 BED DETACHED

PLANNING
SEVIN CARM ARCHITECTS LTD. 1609 PL.A.05
FERMAC PROPERTIES LTD
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST
HOUSE TYPE A - DETACHED - SUNROOM REAR & FLANK ELEVATIONS
1609 PL.A.05

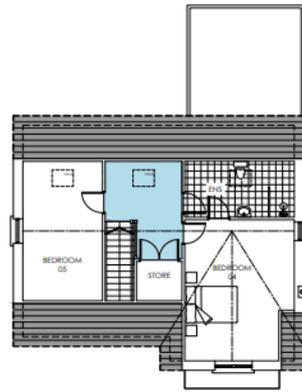
Sample Proposed Floor Plans (House Type A):



GROUND FLOOR PLAN
2610 SQ FT



FIRST FLOOR PLAN



SECOND FLOOR PLAN

PLANNING

KEVIN CARM ARCHITECTS LTD.
1609 UPPER NEWTOWNARDS ROAD, BELFAST

FERMAC PROPERTIES LTD.

CARM HILL
UPPER NEWTOWNARDS ROAD, BELFAST

HOUSE TYPE A - DETACHED - SUNROOM
FLOOR PLANS

1609 FL.A.01

HOUSE TYPE A 5 BED DETACHED

Sample Proposed Elevations (House Type B):



PRINCIPAL ELEVATION

PLANNING

KEVIN CARM ARCHITECTS LTD.
1609 UPPER NEWTOWNARDS ROAD, BELFAST

FERMAC PROPERTIES LTD.

CARM HILL
UPPER NEWTOWNARDS ROAD, BELFAST

HOUSE TYPE B - DETACHED
PRINCIPAL ELEVATION

1609 FL.B.04

HOUSE TYPE B 5 BED DETACHED



FLANK ELEVATION



REAR ELEVATION

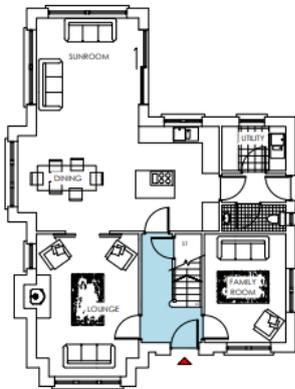


FLANK ELEVATION

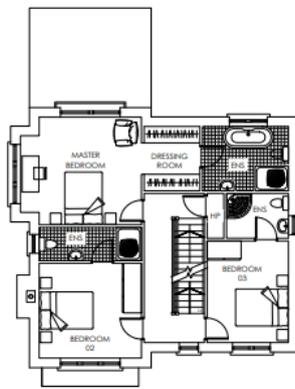
HOUSE TYPE B 5 BED DETACHED

PLANNING
KEVIN CARMAN ARCHITECTS LTD. 100, BELMONT ROAD, BELFAST, BT10 5AA
FERRAC PROPERTIES LTD
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST
HOUSE TYPE B - DETACHED REAR & FLANK ELEVATIONS
1609 FLB.05

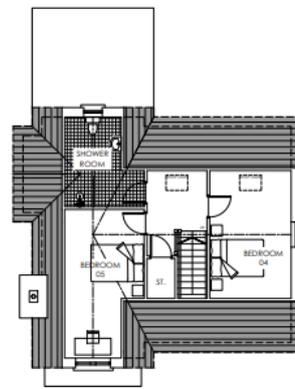
Sample Proposed Floor Plans (House Type B):



GROUND FLOOR PLAN
2284 SQ FT



FIRST FLOOR PLAN



SECOND FLOOR PLAN

HOUSE TYPE B 5 BED DETACHED

PLANNING
KEVIN CARMAN ARCHITECTS LTD. 100, BELMONT ROAD, BELFAST, BT10 5AA
FERRAC PROPERTIES LTD
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST
HOUSE TYPE B - DETACHED - SUNROOM FLOOR PLANS
1609 FLB.01

Sample Proposed elevations (House Type D):



PLANNING
KEVIN CARM ARCHITECTS LTD. 1609 PLD.04
FERRAC PROPERTIES LTD CABIN HILL UPPER NEWTONWARDS ROAD, BELFAST
HOUSE TYPE D - DETACHED PRINCIPAL ELEVATION
1609 PLD.04

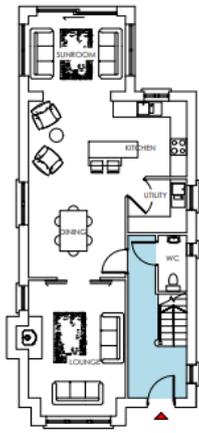
HOUSE TYPE D 4 BED DETACHED



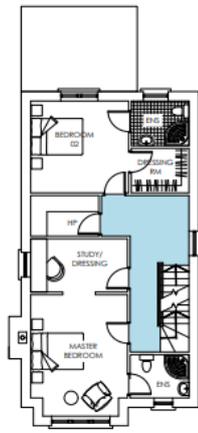
PLANNING
KEVIN CARM ARCHITECTS LTD. 1609 PLD.03
FERRAC PROPERTIES LTD CABIN HILL UPPER NEWTONWARDS ROAD, BELFAST
HOUSE TYPE D - DETACHED ELEVATIONS
1609 PLD.03 A

HOUSE TYPE D 4 BED DETACHED

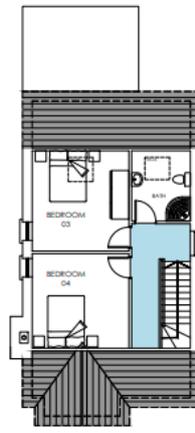
Sample Proposed Floor Plans (House Type D):



GROUND FLOOR PLAN
1990 SQ FT APPROX.



FIRST FLOOR PLAN



SECOND FLOOR PLAN

PLANNING

BRIN CARM ARCHITECTS LTD.
100 NEWTON ROAD, NEWTON, LEICESTERSHIRE, LE12 2LW
01530 810000
www.brincarm.co.uk

PERMAC PROPERTIES LTD

CABIN HILL
OFFER NEWTONARDS ROAD, BOSTON

HOUSE TYPE D - DETACHED
FLOOR PLANS

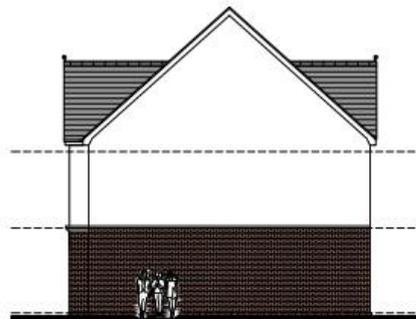
1609 PLD.01

HOUSE TYPE D 4 BED DETACHED

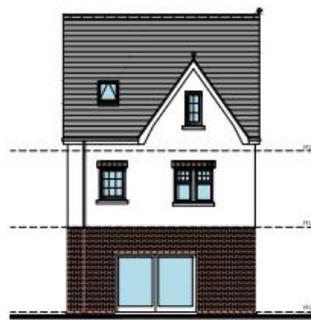
Sample Proposed Elevations (House Type E):



PRINCIPAL ELEVATION



FLANK ELEVATION



REAR ELEVATION



FLANK ELEVATION

PLANNING

BRIN CARM ARCHITECTS LTD.
100 NEWTON ROAD, NEWTON, LEICESTERSHIRE, LE12 2LW
01530 810000
www.brincarm.co.uk

PERMAC PROPERTIES LTD

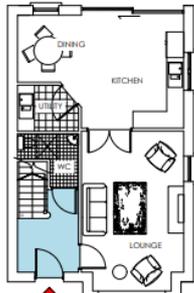
CABIN HILL
OFFER NEWTONARDS ROAD, BOSTON

HOUSE TYPE E - 4 BED DETACHED
ELEVATIONS

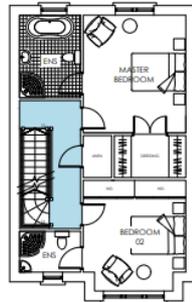
1609 PLE.02

HOUSE TYPE E 4 BED DETACHED

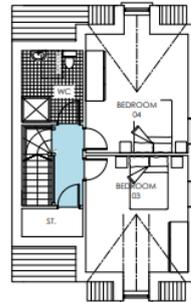
Sample Proposed Floor Plans (House Type E):



GROUND FLOOR PLAN
1710 SQ.FT



FIRST FLOOR PLAN



SECOND FLOOR PLAN

HOUSE TYPE E 4 BED DETACHED

PLANNING	
	KEVIN CABIN ARCHITECTS LTD. 100, NEWCASTLE ROAD, BELFAST, BT18 7JG 028 2633 1111
FERMAC PROPERTIES LTD	
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST	
HOUSE TYPE E - DETACHED FLOOR PLANS	
1609 PLE.01	

Sample Proposed Elevations (House Type F-G):



HOUSE TYPE F-G 4 BED TOWNHOUSE - PLOTS 46-49

PLANNING	
	KEVIN CABIN ARCHITECTS LTD. 100, NEWCASTLE ROAD, BELFAST, BT18 7JG 028 2633 1111
FERMAC PROPERTIES LTD	
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST	
HOUSE TYPE F-G - 4 BED TOWNHOUSE PRINCIPAL ELEVATION	
1609 PLF-G.04	



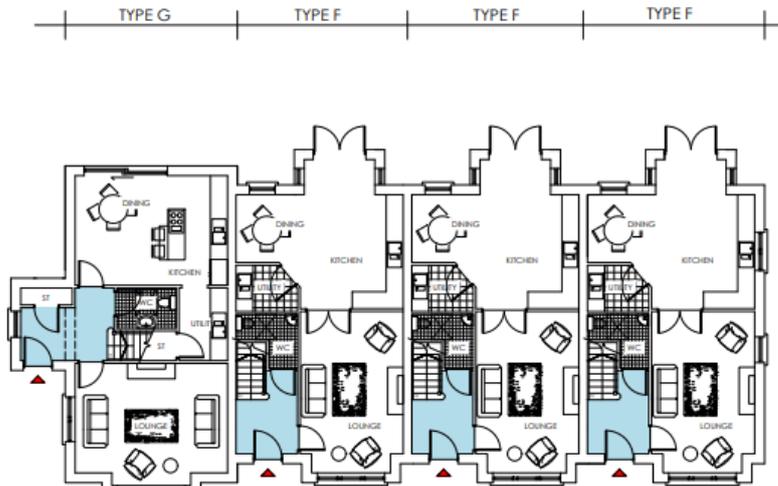
FLANK ELEVATION

FLANK ELEVATION

HOUSE TYPE F-G 4 BED TOWNHOUSE - PLOTS 46-49

PLANNING	
 KEVIN CAHILL ARCHITECTS LTD. <small>1609 PLF-G.06</small>	
 FERMAC PROPERTIES LTD. <small>1609 PLF-G.06</small>	
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST	
HOUSE TYPE F-G - 4 BED TOWNHOUSE FLANK ELEVATIONS	
1609 PLF-G.06	8

Sample Proposed Floor Plans (House Type F - G):



GROUND FLOOR PLAN
G - 1910 SQ.FT
F - 1746 SQ.FT

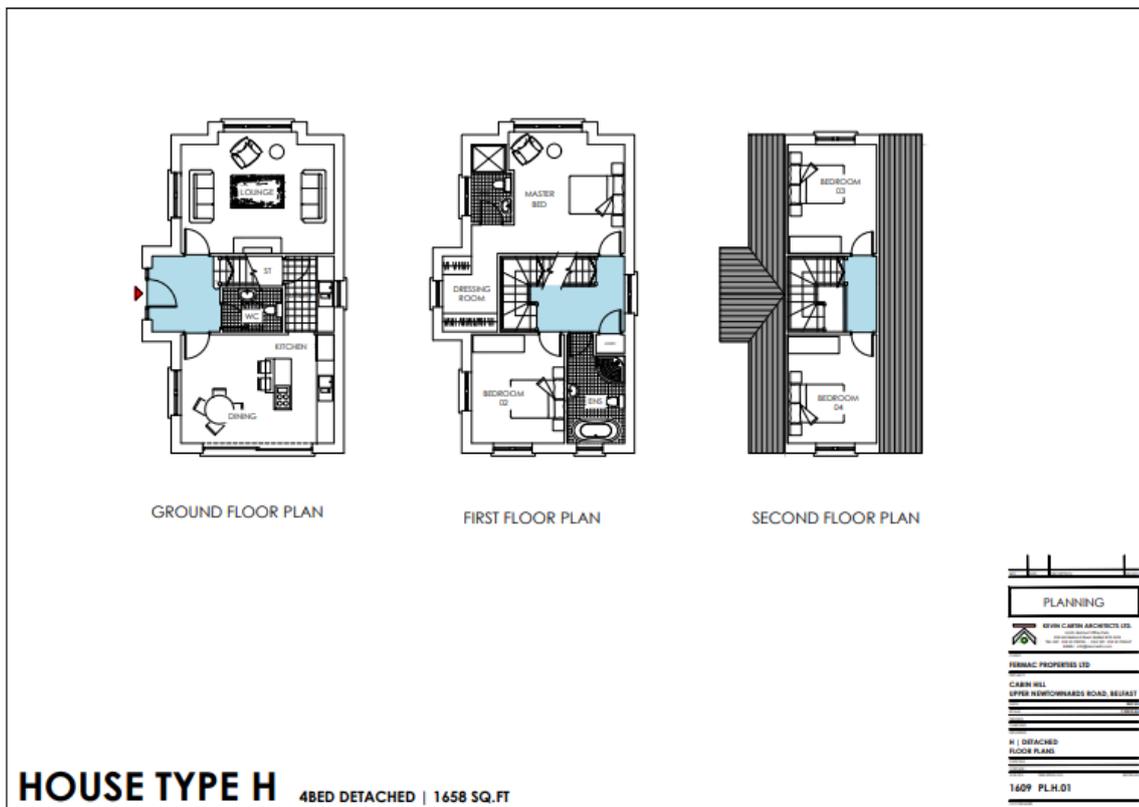
HOUSE TYPE F-G 4 BED TOWNHOUSE

PLANNING	
 KEVIN CAHILL ARCHITECTS LTD. <small>1609 PLF-G.01</small>	
 FERMAC PROPERTIES LTD. <small>1609 PLF-G.01</small>	
CABIN HILL UPPER NEWTOWNARDS ROAD, BELFAST	
HOUSE TYPE F-G - 4 BED TOWNHOUSE GROUND FLOOR PLAN	
1609 PLF-G.01	A

Sample Proposed Elevations (House Type H):



Sample Proposed Floor Plans (House Type H):



Proposed elevations (apartment block)



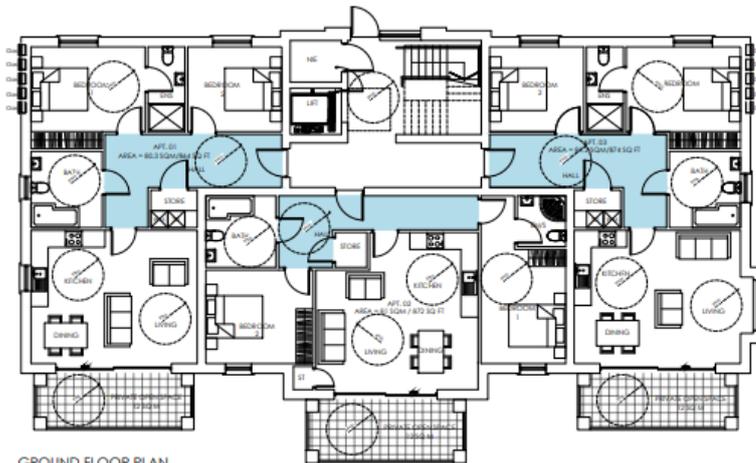
ZINC CLADDING
 RENDER FINISH
 (PAINTED TO SELECT
 COLOUR)
 FACING BRICK (RED)
 UPVC WINDOWS (WHITE)



FRONT ELEVATION

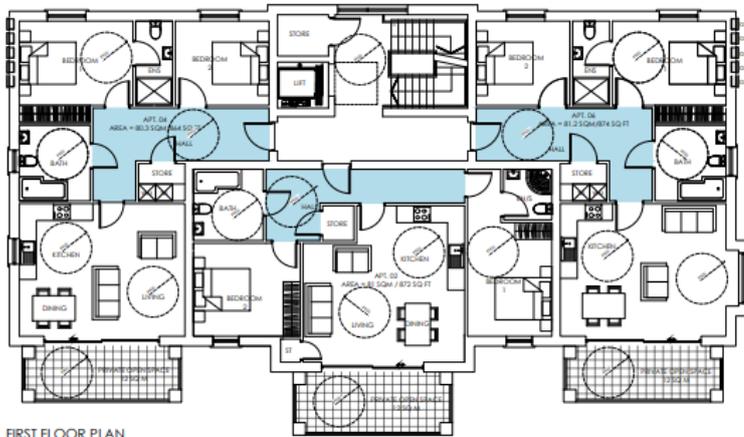
PLANNING	
KEVIN CARMICHAEL ARCHITECTS LTD <small>100-102, BELSHAM STREET, BELFAST, BT7 1JG</small>	
FERMAC PROPERTIES LTD	
CARMICHAEL <small>UPPER NEWTOWN ROAD, BELFAST</small>	
10 BLOCK APARTMENTS FRONT ELEVATION	
1609 PLAPT.05	B

Proposed Floor Plans (apartments):



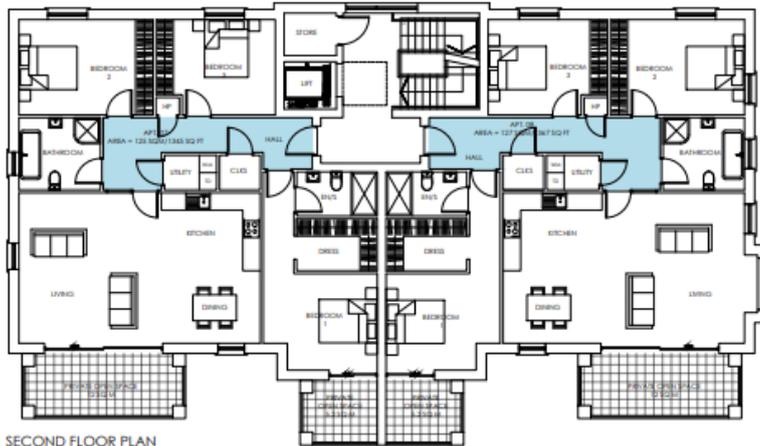
GROUND FLOOR PLAN

PLANNING	
KEVIN CARMICHAEL ARCHITECTS LTD <small>100-102, BELSHAM STREET, BELFAST, BT7 1JG</small>	
FERMAC PROPERTIES LTD	
CARMICHAEL <small>UPPER NEWTOWN ROAD, BELFAST</small>	
10 BLOCK APARTMENTS GROUND FLOOR PLANS	
1609 PLAPT.01	B



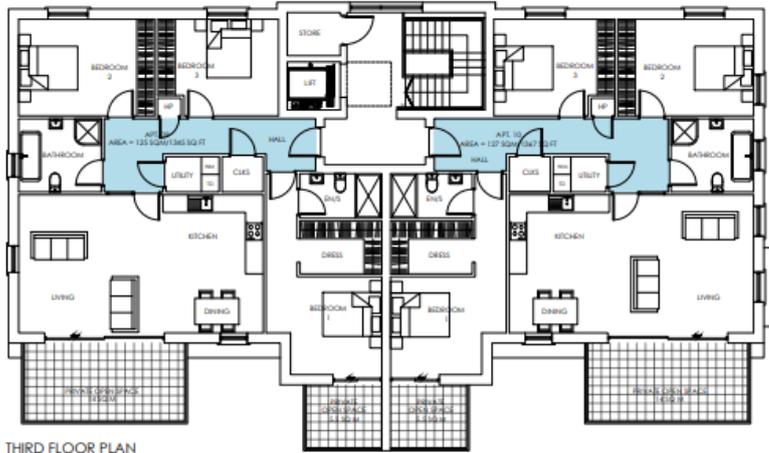
FIRST FLOOR PLAN

PLANNING	
<small>ERWIN CARTIN ARCHITECTS LTD. 100 NEWTONROADS ROAD, BELFAST</small>	
<small>ERMAC PROPERTIES LTD.</small>	
<small>CABIN HILL 100 NEWTONROADS ROAD, BELFAST</small>	
<small>10 BLOCK APARTMENTS FIRST FLOOR PLANS</small>	
<small>1409 PL.A1.02</small>	<small>8</small>



SECOND FLOOR PLAN

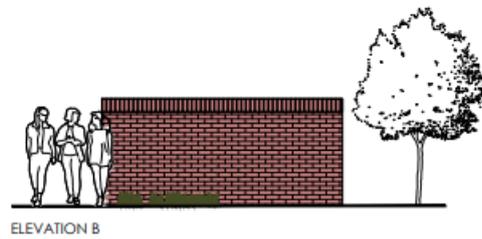
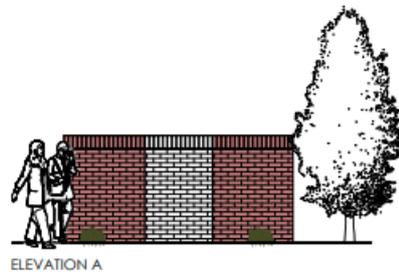
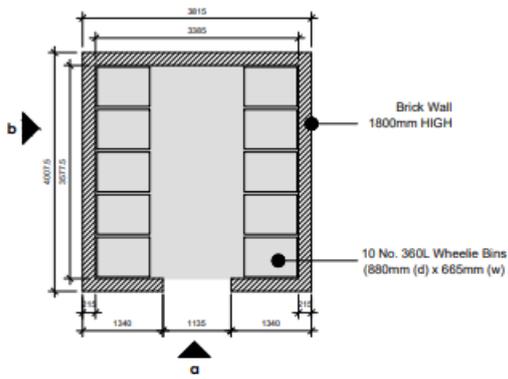
PLANNING	
<small>ERWIN CARTIN ARCHITECTS LTD. 100 NEWTONROADS ROAD, BELFAST</small>	
<small>ERMAC PROPERTIES LTD.</small>	
<small>CABIN HILL 100 NEWTONROADS ROAD, BELFAST</small>	
<small>10 BLOCK APARTMENTS SECOND FLOOR PLANS</small>	
<small>1409 PL.A1.03</small>	<small>A</small>



THIRD FLOOR PLAN

PLANNING	
<small>KEVIN CAHILL ARCHITECTS LTD. 1609 NEWTOWN ROAD, BELFAST</small>	
<small>FERMAC PROPERTIES LTD.</small>	
<small>CABIN HILL UPPER NEWTOWN ROAD, BELFAST</small>	
<small>18 BLOCK APARTMENTS THIRD FLOOR PLAN</small>	
1609 PLAP1.04	A

Bin Store (apartments)



PLANNING	
<small>KEVIN CAHILL ARCHITECTS LTD. 1609 NEWTOWN ROAD, BELFAST</small>	
<small>FERMAC PROPERTIES LTD.</small>	
<small>RESIDENTIAL DEVELOPMENT CABIN HILL, UPPER NEWTOWN ROAD</small>	
<small>BIN STORE</small>	
1609 PLBS.01	

<p>1.0</p> <p>1.1</p> <p>1.2</p> <p>1.3</p> <p>1.4</p> <p>1.5</p> <p>1.6</p>	<p>Characteristics of the Site and Area</p> <p>The application site is the grounds of a former prep school. It is partly occupied by several derelict school buildings, including a listed building. Whilst the latter is included within the application site (red line), it does not form part of the proposals.</p> <p>The site contains mature trees that are subject of a Tree Preservation Order. The site includes areas of open space that has become overgrown.</p> <p>Levels decline towards the east boundary. The rear gardens of domestic properties at Castlehill Road back onto the site along its east boundary. The site is bounded by open space and trees on its southwest, west and north sides. The site is accessed from Upper Newtownards Road to the south of the site.</p> <p>The surrounding area is characterised by open space, commercial, community and residential uses in buildings of eclectic styles and sizes.</p> <p>Description of Proposed Development</p> <p>The application seeks full planning permission for residential development comprising the erection for 43 dwellings and 10 apartments (53 residential units in total), including improvement to the existing access, internal roads, landscaping and associated works.</p> <p>The application follows a Pre-Application Discussion (PAD) which was not concluded and with issues remaining outstanding at the point of submission of the planning application.</p>
<p>2.0</p> <p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p> <p>2.5</p>	<p>PLANNING HISTORY</p> <p>Relevant planning history is summarised below.</p> <p>LA04/2023/3808/PAN – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast. Amendments to extant approval Z/2007/2609/RM to include reduced density and revisions to layout and house types.</p> <p>LA04/2023/2777/PAD – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Proposed amendment to Reserved Matters approval Z/2007/2069/RM to include reduced unit number (42 units), reconfiguration of internal road and associated ancillary works. The current planning application was submitted before the PAD process was completed.</p> <p>LA04/2022/0664/LDP – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast. Confirmation that proposed completion of Unit 9 of planning permission ref. Z/2007/2069/RM would be lawful. Approved 19/01/2023.</p> <p>LA04/2018/2863/F and LA04/2018/2862/LBC – Cabin Hill House, Upper Newtownards Road, Belfast. Conversion and restoration of former preparatory school to 12No. private apartments including removal of inappropriate extensions. Approved on 19/06/2019</p> <p>LA04/2024/1085/CLOPUD – Lawful commencement of Planning Permission LA04/2018/2863/F and associated Listed Building Consent LA04/2018/2862/LBC by insertion of ground floor window in the southeast elevation. Approved 08/11/2024.</p>

2.6	Z/2007/2069/RM – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast, BT4. Residential development of 66 units. Approved. Historical.
2.7	Z/2003/2938/O – Lands at Cabin Hill, Campbell College, Upper Newtownards Road, Belfast, BT4. Residential Development (Outline Permission). Approved. Historical
3.0	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy</p> <p>3.1 <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 DES2 – Masterplanning approach for major development Policy RD1 – New residential developments Policy CI1 – Community Infrastructure Policy BH1 – Listed Buildings Policy BH5 – Archaeology Policy HC1 – Promoting healthy communities 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 OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Natural Heritage Policy LC1 – Landscape impact Policy LC1C – Local Landscape Policy Areas (LLPAs)</p>

<p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</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 (Edition 2, 2025) (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DFI Roads – No objection, subject to conditions. DFI Rivers – No objection in principle. NI Water – No objection. NIHE – Supports the proposal for social housing.</p> <p><u>Non-Statutory Consultees</u></p> <p>Environmental Health – No objection. BCC LDP Housing – No objection. BCC LDP Environment – No objection. BCC Trees and Landscape – No objection.</p> <p><u>Representations</u></p> <p>The application has been advertised in the press and neighbours notified. 2No. third party representations have been received. One of these failed to provide any comments. The other forwarded a letter that they sent directly to the agent.</p> <p>The following concerns were raised within the third-party letter than was submitted:</p> <ol style="list-style-type: none"> 1. Claims that the information outlined in the Pre-Application Community Consultation Report (PACCR) is factually incorrect. The information brochure, that was distributed to households was not delivered to Castlehill Road residents until after the public event. 2. Also claims that the information brochure was incomplete as it excluded drawings and elevations of the ‘property type’. 3. No consultation was made with local residents when trees, protected by a TPO, were removed from the site prior to the submission of the application. 4. The proposal will impact on protected trees.

	<ol style="list-style-type: none"> 5. The proposal 'does not mirror' the architecture of existing properties in close proximity to the application site. 6. Strongly object to the proposed road adjacent to the rear of properties at Castlehill Road due to potential for noise and light pollution from car headlights. 7. Heights of proposed apartment block is diametrically opposed to the existing housing on Castlehill Road and will result in loss of light and overlooking. 8. The proposed changes between the 2007 application and the proposal 'are radically different' and will be closer to the common boundary (Castlehill Road) than the previous permission. 9. The developer is attempting to disguise fundamental design changes as an amendment or revision to the previous planning permission (ref. LA04/2007/2069/RM) granted in 2009. The proposal is a completely different design proposal, with an increase in the scale and heights of buildings. 10. Despite the unit numbers decreasing, the density has increased in parts of the site in comparison to the 2009 planning permission. 11. No information has been submitted on how the developer plans to meet statutory obligations to protect bats. <p>4.5 Regarding points 1 and 2, in accordance with legislation, the applicant has submitted a Pre-Application Community Consultation report (PACCR) outlining how they carried out their statutory public consultation. They state in this report that they distributed leaflets to all properties within 200m of the site one week prior to holding the public event. A copy of the leaflet did not include the plans or drawings, nor is there a legal requirement to do so. However, the brochure did include a link to a website where these were viewable for a limited period.</p> <p>4.6 Not all of the trees on the site are protected by the TPO. However, consent was given for tree surgery in 2019 (see ref. LA04/2019/2603/CONTPO). There is no duty to publicise or notify neighbours on applications for works to trees.</p> <p>4.7 In respect of points 4-7 and 10, these are material planning considerations and are addressed in the assessment within the main body of this report.</p> <p>4.8 The concerns raised in points 8 and 9 have been noted and the Planning Service advised the applicant to revise the description of the proposal to remove reference to the proposal being a modification to the planning permission granted in 2009 under ref. LA04/2007/2069/RM. The amended description was readvertised in the press on 22nd November 2024. Neighbours were also re-notified.</p> <p>4.9 The original submission included an ecology report outlining how habitats of protected species, including bats, will be managed during and after the construction phase. DAERA NIEA has been consulted and after several rounds of further information, is content with the revised information submitted by the applicant.</p>
<p>5.0</p> <p>5.1</p>	<p>PLANNING ASSESSMENT</p> <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>

5.2	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	<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>
5.4	<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 un-zoned “whiteland” within the development limit.</p>
5.7	<p>Belfast Metropolitan Area Plan 2015 (v2004) – the site is within the development limit. It is within a Local Landscape Policy Area (LLPA) within the draft Belfast Metropolitan Area Plan, with the exception of the southeast corner which is “whiteland”.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is within the development limit. It is within a Local Landscape Policy Area (LLPA) within the draft Belfast Metropolitan Area Plan, with the exception of the southeast corner which is whiteland. The site also encroaches into the edge of a Site of Local Nature Conservation Importance (SLNCI).</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> <p>5.10 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, placemaking and landscape impact • New open space • Impact on 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 • Natural heritage • Section 76 planning agreement • Pre-application Community Consultation <p><u>Principle of housing in this location</u></p> <p><i>Protection of open space:</i></p> <p>5.11 Policy OS1 'Protection of Open Space' states a general presumption in favour of retaining open space, whether specifically identified in the LDP or not. This presumption against the loss of existing open space will apply irrespective of ownership, public access, physical condition or appearance.</p> <p>5.12 Policy OS1 states that development resulting in the loss of open space 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. In all circumstances, the council must be satisfied that the loss of any open space would not result in detriment to the overall green infrastructure provision.</p> <p>5.13 The application site is shown in red in the extract from draft BMAP 2015 (v2014) at Figure 1, overleaf. This shows that the site is mostly "white-land" with the exception of the northeast corner which was previously used as ancillary tennis courts for Cabin Hill school but forms part of a wider parcel of land beyond the site boundary that is specifically identified as existing open space in the development plan.</p> <p>5.14 The tennis court is approximately 1,875 sqm in size. The proposed housing scheme would include areas of open space amounting to 3,242 sqm, resulting in a net increase of around 1,350 sqm. Having regard to the re-provision of open space elsewhere within the development, the proposal is considered acceptable having regard to Policy OS1.</p>
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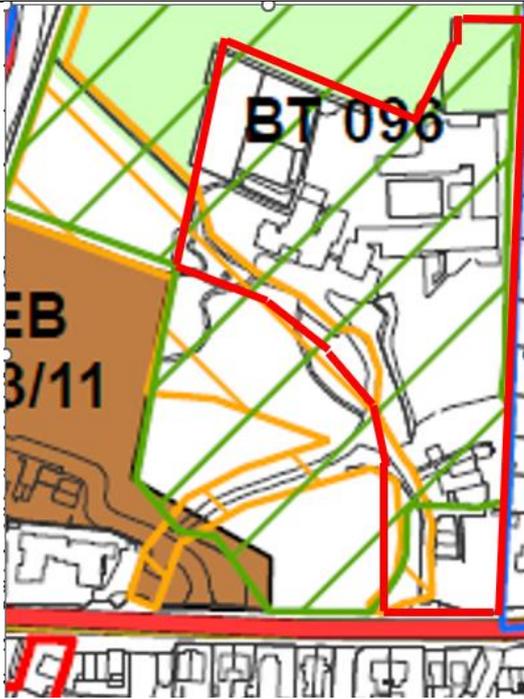


Figure 1: Extract from dBMAP 2015 (v2014)

Windfall housing:

- 5.15 The application site is located within a partly previously developed site (windfall) within 'rest of Belfast city'. 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.
- 5.16 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.
- **The site is suitable for housing** –the site is a sustainable location and for the reasons set out previously in relation to loss of open space, is considered suitable in principle for housing.
 - **The location is accessible and convenient to public transport and walking cycle infrastructure** – the site is on the Glider route and close to cycling / walking routes and is highly accessible to shops, services, amenities and public transport.
 - **Provision is made for any additional infrastructure required as a result of the development** – suitable infrastructure is in place to support the proposal.
- 5.17 The proposal will provide quality general needs housing that will add to the variety of housing stock offered in this location.
- 5.18 The site benefits from extant planning permission for housing as confirmed by an application for a Lawful Development Certificate (LA04/2022/0664/LDP). The previous permission is a material planning consideration.

5.19	<p>The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.</p> <p><u>Housing density</u></p>
5.20	<p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>
5.21	<p>The proposal is for 53 residential units in a location where Policy HOU4 states a target density of 25 - 125 dwellings per hectare (ha). The site area is 2.8ha, therefore, the proposed development equates to a density of only 19 dwellings per ha (dpa), which is outside the density band. However, there is already an extant approval for the conversion of the listed school building into 12 residential units. This is within the application site redline boundary and shares the same access. As such it could reasonably be included in the overall density of dwellings on this site, which raises the dpa to 23. This is closer to the target density of 25-125 for this area.</p>
5.22	<p>Policy HOU4 states that these bands are for guidance only and development proposals outside these bands will be considered on their merits. The immediate area contains lower density residential development in the form of houses with gardens which is similar to that as proposed. On balance, the density is considered acceptable, having regard to Policy HOU4.</p> <p><u>Affordable housing</u></p>
5.23	<p>Policy HOU5 of the Plan Strategy states that planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.</p>
5.24	<p>The proposal is for 53 residential units, therefore, Policy HOU5 requires a minimum of 11 of the residential units (rounded up) to be provided as affordable housing.</p>
5.25	<p>However, the applicant states that the provision of affordable housing would make the scheme unviable. The applicant originally submitted a viability assessment to the Council in June 2024. This was independently appraised on behalf of the Council by Brian Jennings Quantity Surveyor (BJQS). This concluded that the scheme was unviable as a fully market housing scheme without affordable housing.</p>
5.26	<p>Given the passage of time since the original viability assessment, the applicant submitted an updated assessment in November 2025. This has again been independently appraised by BJQS on behalf of the Council. The independent appraisal again concludes that the scheme is unviable as a fully market housing scheme without affordable housing. Developer profit would have to drop to around 5% for the scheme to be marginally viable, which would be well below the assumption of 15% developer profit advised by the Council's <i>Affordable Housing and Housing Mix Supplementary Planning Guidance (SPG)</i>.</p>
5.27	<p>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>' The amplification text of Policy HOU5 set out in para 7.1.36 of the LDP provides further clarity on this matter and states 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</i></p>

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.'

5.28 Further guidance is contained in the Affordable Housing and Housing Mix SPG on the alternative approaches referred to above which are set out and considered below.

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.

5.29 However, given the significant level of unviability of the scheme, it is not considered that the above options are realistic or reasonable. BJQS has advised that all the options listed above would, to varying degrees, reflect additional cost and render the scheme even more unviable than as currently appraised.

5.30 The applicant has agreed to a viability review mechanism which would require a fresh viability assessment to be undertaken within 12 months of the last independent appraisal to ascertain whether the economic conditions have sufficiently changed to allow the development to include an element of affordable housing or provide a Financial Developer Contribution in lieu of on-site provision. This would be secured through a Section 76 planning agreement.

5.31 In conclusion, the proposal does not provide affordable housing and is contrary to Policy HOU5. However, having regard the viability of the scheme and its benefits in terms of delivering new housing, and subject to the requirement for the viability review mechanism, this is considered acceptable.

Housing mix

5.32 The proposal comprises the following housing mix:

House Type	Beds	Floorspace sq/m	Number	Proportion
Detached	5	212 – 243	15	28.3%
Detached	4	165 - 196	20	37.7%
Townhouse	4	158 - 167	8	15.1%
Apartment	3	125-126	4	7.5%
Apartment	2	80-81	6	11.3%
Total			53	

5.33 Policy HOU6 and the Affordable housing and Housing Mix Supplementary Planning Guidance (SPG) note that the Plan Strategy sets out an overall housing mix requirement for Belfast over the plan period, which can be summarised as a 30:70 split

	<p>of flats/apartments to houses and a split of 40:60 of properties with 2 bedrooms or less to those with at least 3 bedrooms.</p>
5.34	<p>The current mix proposed of 47no. 3+ bed units and 6no. 2 bed units provides a 11:89 split between 2 bedroom and larger properties. The mix of flats to houses is approximately 20:80 split. However, there is a Listed Building (Cabin Hill House) within the application site (red line) that has an extant planning approval for conversion to 12no residential apartments with 8no 2 bed units and 4no 3 bed units. This development shares the same access as the proposal and could form part of the same development when implemented. When taking into account these units, the ratio of 2 bedroom to larger properties changes to approximately 20:80; and apartments to houses to approximately 30:70. However, it is acknowledged that the conversion of the Listed Building to apartments is not certain and may not be delivered.</p>
5.35	<p>The applicant has also provided information from a local estate agent who argues that in their opinion the housing mix reflects the local housing needs and responds positively to the existing housing characteristics in the immediate vicinity. They also state that smaller homes in this area would be contextually inappropriate, in respect of market demand, and better suited to Ballyhackamore, Belmont, Barnets Road, Knock and the adjacent suburbs. However, this information of itself is not considered to justify the proposed housing mix.</p>
5.36	<p>Nevertheless, having regard to the other considerations set out above, whilst it would be preferable to have more smaller units within the development, on balance, the proposed housing mix is considered acceptable, having regard to Policy HOU6.</p>
	<p><u>Adaptable and accessible accommodation</u></p>
5.37	<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 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.</p>
5.38	<p>The proposed plans demonstrate how the development would be capable of meeting all of the criteria of Policy HOU7. All dwellings have generous space provision, downstairs WCs and accessible bathrooms on the same floor as main bedroom. It has been demonstrated that 6no (11%) of the 10no proposed apartments are wheelchair accessible, therefore meeting the minimum requirement. Each of those units is supported by a parking space for disabled users that are located directly to the front of the main entrance door to the apartment block, which also has a canopy to shelter from the weather. All surfaces to the entrance from the car parking spaces are level or gently sloping with a firm surface. The proposed private amenity areas for these units are balconies / terraces with hard surfaces with dimensions that would be able to accommodate wheelchairs. It is therefore considered that all relevant criteria of Policy HOU7 has been satisfied.</p>

	<u>Design, placemaking and landscape impact</u>
5.40	The proposal has been assessed against the SPPS, <i>Creating Places</i> and Policies SP5, DES1, DES2, RD1, and RD3 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.
5.41	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>Layout:</i>
5.42	The proposal comprises a residential cul-de-sac with ingress and egress via the same access, which is from the Upper Newtownards Road. The road layout is to be traditional and consist of two main roads through the site onto which most houses will face towards. Open space will be subdivided into 5 separate 'areas' throughout the development. Dwellings will be positioned mostly in linear form along the road and on their own plots. This form is not unlike the layout of the adjacent housing development at Lacefield. As such, it is considered to be in conformity with the general character of the surrounding residential area. Given the separation distances, a buffer zone of trees and the proposed orientation of the dwellings, it is considered that any conflict with existing neighbouring dwellings is unlikely.
5.43	In respect of visual impact, external views of the development from the existing public realm will be limited due to the depth and width of the site, and screening from existing housing at Castlehill Road to the east and Lacefield to the west. Trees on lands abutting the front of the site, many of which are protected, will also assist integration of the proposal and provided screening. Internally, parking for the apartment block is to the rear and mostly screened from public view from the main road through the development. Therefore, the proposal is considered to comply with Policy RD1 a. and b, and Policy DES1 a. and c. <i>House types:</i>
5.44	The proposal consists of a block of apartments containing 10no units over 4 storeys and 43 dwellinghouses. The houses come in a ranges of different house types of a standard two-storey design. Whilst most are detached, a number of townhouses are also provided. Each house will be gabled with chimneys. This will be in keeping with the eclectic character of the surrounding streets. This complies with Policy RD1 (a) and Policy DES1 a and b. <i>Finished Materials:</i>
5.45	Each house will be finished in either red brick, render or a mix of both, in keeping with the area. Roof tiles will be black / blue smooth tiles. Samples of these will be requested by condition if permission is granted.

5.46	<p><i>Boundary treatments:</i></p> <p>The front curtilages of all dwellings will be defined by low beech (<i>Fagus sylvatica</i>) hedge rows with the exception of plots 46 to 53. The rear gardens will be defined by 1.8 metre timber fencing. Elsewhere, rendered brick walls and metal railings will be used where sides of gardens abut common areas or carriageways. This is compliant with Policies DES1 and RD1.</p>
5.47	<p><i>Existing trees and shrubs:</i></p> <p>Many of the existing trees on the site are protected by a confirmed Tree Preservation Order (TPO). These are to be retained where feasible and compensatory tree planting will be implemented where existing trees are to be felled either due to poor condition or to facilitate the development. A tree survey and report has been submitted in support of the proposal which includes tree protection measures in accordance with recognised industry standards outlined in BS 5837:2012 '<i>Trees in relation to design, demolition and construction – Recommendations</i>'.</p>
5.48	<p>The Council's Tree Officer has been consulted and is content with the proposal. This is considered to be in adherence with Policy TRE1.</p>
5.49	<p><i>Proposed Planting:</i></p> <p>The proposed planting consists of a mix of different species of trees including rowan, beech, apple, cherry, ornamental pear, lime 'greenspire' and acers planted between heights of 2.5m - 5m within the site at various locations including open spaces, site boundaries and garden trees in each individual plot. These will be supplemented with shrub planting within the site to help promote visual amenity offering.</p>
5.50	<p>The submitted landscape management and maintenance plan set out how the existing trees along with proposed landscaping features will be maintained to ensure they form landscaping features within the site for future years which will promote visual amenity and have future surgery to help mitigate future risks from arising. This is compliant with Policies TRE1, DES1 and RD1.</p>
5.51	<p><i>Levels:</i></p> <p>The topography of the site is undulated with gentle slopes rising from the south (front) to a central plateau in the middle of the site. Levels decline in the middle towards the east boundary and the rear of adjoining properties at Castlehill Road and towards the north (rear). The proposal responds to these levels with minimal requirement for cut-and-fill. Where cut-and-fill will occur, retaining walls of between 600mm and 1200mm max will be required to ensure levels are usable. The existing driveway that runs adjacent to the east boundary will be close to where part of the new road will meander through the site. This will require an increase in levels by between 1 and 1.5 metres approx. at this point. However, this will be screened from the rear of existing properties along Castlehill Road by buffer zone several metres wide of retained trees augmented with new planting. This is compliant with Policy RD1 a. and the associated Residential Design SPG (paragraph 3.1.6).</p>

	<i>Landscape character:</i>
5.52	The site is part of a wider Local Landscape Policy Area (LLPA). Policy LC1 is applicable to all new development within any designated landscape. This states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape.
5.53	In this case, the proposal includes the retention of existing mature trees and hedgerows which would limit the impact of the proposal on the wider landscape. It will also incorporate the wall of an historic walled garden and is sympathetic to a listed building on the site (see section on Impact on Heritage Assets).
5.54	Policy LC1C specially applies to proposals within LLPAs. Given the existing character of the site, which is overgrown and containing several derelict school buildings, its natural screening and location on the edge of the wider LLPA, the proposal would not have a significant impact on the amenity, character, environmental quality or natural or built and cultural heritage features within the LLPA.
5.55	The proposal is considered compliant with Policies LC1 and LC1C.
	<i>Amenity Space:</i>
5.56	Policy RD1 criterion (d) requires new residential development to make provision for appropriate open space. Each house is on a private plot with ample garden space whilst each apartment will have its own private terrace or balcony.
5.57	The Departmental design guide <i>Creating Places</i> advises that private open amenity space within new residential development schemes in suburban areas should have an average 70sq/m per unit, while no unit should have private open space under 40sqm. Each dwelling has private amenity space behind the building line. The minimum rear garden size is 50sq/m for any individual house and the largest is 220sq/m. This exceeds the minimum size of 40sq/m and the overall average for the development exceeds 70sqm per unit. This is compliant with Policy RD1 criterion a.
5.58	The justification and amplification of Policy RD1 outlines private open space for apartments may take the form of recessed balconies and roof terraces. <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. Therefore, in this case, the figure should be towards the higher figure. Each apartment will have its own private balcony ranging from 12sq/m to 19.5sq/m. The average size of individual balconies will be 14.69sq/m. This is greater than the minimum standard of 10sq/m as per the guidance but is lower for a suburban area. However, the residents will be able to avail of the communal open space within the wider development as well as access to existing open space in the wider locality, which is deemed acceptable under the policy. The communal open space is assessed, below.
5.59	The proposal is therefore considered to comply with the paragraphs 4.23 to 4.36 of the SPPS, Policies DES1 and RD1 of the LDP PS, and <i>Creating Places</i> .

	<p><u>New open space</u></p>
5.60	<p>Policy OS3 ‘Ancillary open space’ states that all new residential developments of 25 units or more will only be granted where open public space is provided. A normal expectation is at least 10% of the total site area.</p>
5.61	<p>The application site has a total site area of 2.9ha. 10% of this is required for shared open space provision (29,046sqm / 10 = 2,904.6sqm). The applicant indicates total open space as 3,242sqm (11.16%). This is broken this down into four separate areas:</p> <ul style="list-style-type: none"> • Area A (1,451sqm) contains a significant number of protected trees (refer to Tree Retention Plan); • Area B (263sqm) marginally encroaches into the redline boundary of the planning permission for the change of use of the apartments, but this is not significant and does not impact on the approval; • Area C (663sqm) is unusable open space as it lined with protected trees (refer to Tree Retention Plan) and acts as a buffer between the site and rear gardens at Castlehill Gardens; • Area D (422sqm) appears to be useable, but it is adjacent to the access road and is only a narrow strip.
5.62	<p>The Justification and amplification of Policy OS3 (paragraph 10.1.18) states that open space must be of recreational or amenity value i.e. ‘useable’. However, proposed Areas A (1,451sqm) and C (663sqm) contain significant tree cover and therefore are not fully “useable”. Discounting these areas, it would reduce the useable open space to 1,128sqm, which is less than 5% of the overall site.</p>
5.63	<p>However, Policy OS3 states that provision at a rate of less than 10% may be acceptable where it would benefit from ease of access to areas of existing public open space. The applicant has demonstrated that the site is within walking distance from several existing public open spaces that have various amenity functions. These include Stormont Estate (500 metres from application site) which includes various public amenities such as an outdoor gym, woodland trails, BBQ area, and children’s playpark. In addition, Thornhill Parade public green (400m); and Comber Greenway (550m) are close by.</p>
5.64	<p>Having regard to the proximity of the site to existing open space, the proposal is considered acceptable having regard to Policy OS3.</p>
	<p><u>Impact on heritage assets</u></p>
5.65	<p>Cabin Hill Preparatory School building is within the curtilage of the site and is a Listed Building. DfC 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, and advised that it is content that the proposal would not have any negative impact on this building, subject to a condition regarding samples of brick materials for use in the adjacent walled garden being made available for inspection. This condition is recommended.</p>
5.66	<p>It is considered that the proposal would not adversely affect the setting of the listed building or other heritage assets, compliant with the relevant provisions of the SPPS and Policy BH1.</p>

	<u>Climate change</u>
5.67	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.
5.68	This policy also places an expectation for development proposals to seek to avoid demolition where feasible. The applicant has stated that it is not possible to avoid demolition in this case as existing buildings are in an extremely poor state of repair with collapsed roofs and walls and the buildings on site are both physically and functionally obsolete and many of them are structurally unsound. A site visit by officers confirms that the buildings are in a poor state due to years of dereliction.
5.69	<p>Policy ENV2 states that where demolition is proposed, measures should be included to minimise waste through reuse of building materials. The following measures are proposed:</p> <ul style="list-style-type: none"> • Recovery of suitable brick, timber and steel from existing buildings for re-use on site; • All hardcore materials will be crushed on site and re-used throughout the site for construction purposes. • It is estimated that c.90% of materials from demolished buildings will be recycled and reused with all hardcore (c.75%+ of building makeup) being reused on site, with only a small proportion incapable of reuse (i.e. fixtures and fittings).
5.70	The above measures can be secured by condition should permission be granted.
5.71	<p>Policy ENV2 also promotes the incorporation of sustainable design features where feasible. The applicant has provided details on the various sustainable design features which will be incorporated into the development. These measures include:</p> <ul style="list-style-type: none"> • where possible, dwellings have been orientated to maximise solar gain; • all houses will be constructed to “A” rated EPC standards and the lifetime operational costs of the houses will be minimised to ‘Near Zero’ carbon buildings standards’ traditional block construction will mean that houses will last significantly longer than the typical 60-year design lifetime of a house, thereby making their real-world embodied carbon similar or lower to timber frame construction; and the houses will also be more easily recycled than timber frame at the end of their life cycle, as there are less hard-to-recycle plastics required in the wall make up of traditional construction, thereby improving their end-of-life sustainability.
5.72	Overall, the proposal incorporates appropriate and feasible measures to mitigate environmental change and incorporates sustainable design features. Again, these can be secured by condition if permission is granted.
5.73	<p>Policy ENV3 states that permission will be granted for proposals that incorporate measures to adapt to environmental change. The policy includes 9 criteria (a to i) of measures that may be included in development proposals. This proposal includes the following measures:</p> <ul style="list-style-type: none"> • The use of traditional block construction to ensure resilience and safety of each house during extreme weather events, by providing a higher tolerance to prolonged damp and wet conditions (criteria c and g);

	<ul style="list-style-type: none"> • In addition to having high levels of thermal insulation, the use of traditional block construction techniques will provide important thermal mass within the buildings to store solar gain in sunny weather and to passively regulate the internal temperature of the houses during excessively warm periods, thereby reducing heating requirement of the houses in winter and avoiding the need for air conditioning within the houses during summer periods (criterion d); • The main storm drainage system throughout the site is designed to SuDS standards and the discharge of storm water from the site is below the green-field runoff rate for the site to avoid excessive discharge from the site into local watercourses. This will avoid any potential for localised flooding (criterion f and i); • The proposal also incorporates permeable paving around the patio and driveway areas of dwellings, which will further minimise the runoff of storm water from the site (criterion f and i); • The site is not located near an existing floodplain area. The site is quite elevated relative to the Upper Newtownards Road, and the houses are set on average 200mm above the surrounding ground level, meaning that they are resilient in a flash-flood event (criterion i); • The proposal retains the vast majority of the trees on the site, and the proposal will introduce bat boxes to the trees and houses to enhance biodiversity of the site (criterion b and e); and • Additional bio-diversity enhancement measures throughout the site include the planting of additional native trees, shrubs and flowers and the introduction of new green amenity space within the scheme, to help promote biodiversity and facilitate increased permeability of rainfall in storm events (criterion b).
5.74	<p>Overall, the proposal incorporates appropriate measures to adapt to environmental change and incorporates sustainable design features, which includes resilience to current and future climate conditions. These measures are considered to satisfy Policies ENV2 and ENV3.</p> <p><i>Sustainable Urban Drainage Systems:</i></p>
5.75	<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. As pointed out above, the site includes extensive communal green open space areas, trees and shrubs and grass lawns in gardens in addition to the proposed use permeable bitmac and paving in driveways and patios areas. The main storm drainage system throughout the site is designed to SuDS standards and the discharge of storm water from the site is below the green-field runoff rate for the site to avoid excessive discharge from the site into local watercourses. These measures are considered to help minimise flood risk and therefore the proposal is acceptable having regard to Policy ENV5.</p> <p><u>Residential quality and impact on amenity</u></p>
5.76	<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.</p>

Impact on neighbouring amenity:

- 5.77 The nearest existing residential properties to the application site are on its east boundary at Castlehill Road. However, potential for impact on existing residential amenity such as overlooking, dominance and overshadowing will be minimised by a buffer zone of existing trees and proposed planting along this boundary from the rear boundaries of numbers 12 to 22 Castlehill Road. The new access road through the site will run parallel to this buffer, further reducing impacts from the siting of new dwellings. Impacts on numbers 614 Upper Newtownards Road, numbers 6-10 and 24 Castlehill Road will be minimal due to orientation of dwellings and levels and new boundary screen planting.
- 5.78 The side gable of Plot 22 faces towards the rear of number 24 Castlehill Road. There are two upper floor windows in this gable wall; however, these are to be treated with obscure glass. The same occurs at site 3, which faces onto the rear of number 6 Castlehill Road. These windows will also be treated with obscure glass. This can be secured via a condition.
- 5.79 The orientation of the dwellings, at a 90-degree angle from rear of existing dwellings, will also minimise potential for overlooking whilst separation distances from any new dwelling to the rear of any existing dwelling is in excess of the 20 metres.
- 5.80 Internally, the separation distances between all dwellings adhere to the minimum standards as advocated by *Creating Places* where these are back-to-back. This is considered to adhere to the relevant provisions of the SPPS Policy RD1 and Policy DES1.

Waste Management

- 5.81 Criterion I of Policy RD1 states that planning permission will only be granted if provision is made for the disposal and storage of waste. Each house will have ample storage space for bins. The apartments will have a dedicated communal bin storage area with an area of 21sq/m approx. at a distance of 14.5m from the main entrance of the apartment block. This is sufficient to store the number of bins required for 12 units. The waste provision for the apartment blocks is broken down as follows:

Waste Type	Number	Area Required	Total Area Required
1100L Bins	2	3.1m x 3.2m	9.92
660L Bins	2	2.2m x 3.0m	6.60
140L Bins	3	2.0m x 1.8m	3.60
Total Area required			20.12
Total Area provided			21.00

- 5.82 This is compliant with standards outlined in the Planning and Waste Infrastructure SPG.
- 5.83 Policy DES1 states that any external bin storage areas should not have a negative impact at street level which would result in the creation of dead frontage or unnecessary clutter. There are no external bin storage areas which will have a negative impact at street level. Therefore, no negative impact is provided at street level that would result in the creation of dead frontage or unnecessary clutter. General waste will be collected kerbside on a fortnightly basis by the Council and will be collected by a medium size refuse vehicle.

5.84	<p>The proposed development is therefore considered to be in compliance with Policies RD1 and DES1.</p> <p><u>Access, transport and parking</u></p> <p><i>Accessibility:</i></p>
5.85	<p>The site is a highly accessible location within the city having direct access to the road network and public transport including the Glider. It is within short walking and cycling distance of local shops, services, leisure and employment opportunities. Provision is made for sheltered and secure cycle parking within the proposed apartment block. The proposal accords with Policy TRAN1.</p> <p><i>Travel Plan:</i></p>
5.86	<p>The applicant has provided a Travel Plan that demonstrates that the proposed development is currently easily accessible to residents and visitors by alternative and sustainable modes of transport. The site is a highly accessible location within the city having direct access to the road network and public transport. The Upper Newtownards Road is serviced by the Glider. The Travel Plan also identifies several cycle routes linking the site to the wider cycle path network whilst 10No. cycle stands are to be provided within the grounds of the proposed apartment block.</p>
5.87	<p>The Travel Plan commits to a travel fund of £99,343.20 to fund green travel measures for promoting alternative to car use, including the option of travel cards, car club membership, bicycle vouchers and Belfast Bikes membership. The Travel Plan and travel fund would be secured by means of a Section 76 planning agreement.</p> <p><i>Parking provision:</i></p>
5.88	<p><i>Creating Places</i> design guide outlines parking requirements for residential developments.</p>
5.89	<p>The number of spaces required by the guidance is determined by the house type and the number of bedrooms per unit. The total number of spaces required for this development based on this guidance will be 144 spaces.</p>
5.90	<p>In respect of spaces for dwellinghouses, the guidance allows for parking provision that is divided between off-street and on-street parking.</p>
5.91	<p>In this case, each dwellinghouse would have 2no spaces in-curtilage, which equates to 86no spaces. An additional 42no spaces would be provided on-street within the proposed development, which gives a cumulative total of 128no spaces.</p>
5.92	<p>There is a requirement of 1.75 spaces per apartment unit for 3 bed apartments and 1.5 spaces for 2 bed apartments (there are 6no 2-bed; and 4no 2-bed units proposed), which equates to a requirement of 16.5 no spaces for the 10no apartments. A total of 20no spaces are proposed for the apartments.</p>
5.93	<p>The table below shows the breakdown of car park spaces required per house type juxtaposed to the number of spaces proposed.</p>

House Type	Beds	Number	Spaces Required	Spaces Proposed (incurtilage)	Spaces Proposed (communal)
Detached	5	15	48	30	18
Detached	4	20	60	40	20
Townhouse	4	8	20	16	4
Apartment	3	4	7	8	0
Apartment	2	6	9	12	0
	Total	53	144	106	42
				Total	148

- 5.94 The level of car parking spaces within the development is compliant with the Departmental *Creating Places and Parking Standards*.
- 5.95 DfI Roads have no objection to the parking and travel arrangements for the proposed development, subject to conditions. The proposal is considered acceptable having regard to the relevant provisions of the SPPS and Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN8.
- Health impacts
- 5.96 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.
- 5.97 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. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure amenities, playing pitches and public parks. The proposal would provide a suitable quality residential environment for people to live in including a natural environment with ample tree coverage. The proposal is considered to satisfy the requirements of Policy HC1.
- Environmental protection
- 5.98 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.
- 5.99 Environmental Health has been consulted and advised that it is generally satisfied in respect of contaminated land, air quality, noise and odour, subject to conditions. These conditions are recommended as appropriate. The proposal is considered compliant with the relevant provisions of the SPPS and Policy ENV1.

	<u>Flood risk and drainage</u>
5.100	Flood Maps (NI) indicates that the development does not lie within 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.
5.101	The proposal meets the thresholds for the submission of a Drainage Assessment (DA) in that it proposes residential development comprising of 10 or more dwelling units and the site area is in excess of 1 hectare. The applicant submitted a DA as required and DfI Rivers has reviewed this and advised that it has no reason to disagree with its conclusions. The proposal is considered compliant with the relevant provisions of the SPPS Policy ENV4.
	<u>Waste-water infrastructure</u>
5.102	NI Water has been consulted and is content, advising that there is sufficient capacity at the nearest waste-water treatment works. This satisfies Policy SP1a which requires that necessary infrastructure is in place to support new development.
	<u>Natural heritage</u>
5.103	The application site contains bat species protected by The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The applicant submitted a Bat Survey which outlined measures to ensure bats would not be disturbed during the construction phase, which included the installation of bat boxes at various locations throughout the site. NIEA Natural Environment Division (NED) has considered this information and is content with these measures.
5.104	There are no other aspects of natural heritage that would be adversely affected by the proposal.
5.105	It is considered that the proposal is in compliance with the relevant provisions of the SPPS Policy NH1.
	<u>Section 76 planning agreement</u>
5.106	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: <ul style="list-style-type: none"> • Viability Review Mechanism – to be required if development does not commence within 12 months of the latest independent viability appraisal. The viability review will assess whether economic market changes would allow an affordable housing contribution to be made. • Green travel measures – Travel Plan and Travel Fund of £99,343.20 to fund the option of travel cards; car club membership, bicycle vouchers and/or Belfast Bikes membership. • Management of Open Space.
5.107	The draft Section 76 planning agreement has been agreed in principle between the applicant and Planning Service.

	<u>Pre-application Community Consultation</u>
5.108	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.
5.109	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.
5.110	<p>The applicant states that they 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"> • Published a notice in the press 11 days prior to the public event to highlight information about the proposals and provide notification of the public information event; • A leaflet containing details of the public consultation event (Appendix 6) was designed and distributed to all properties within a 200m radius of the site, over one week in advance of the public event; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Online consultation was undertaken to provide an opportunity for the local community to view plans of the proposed development digitally and provide feedback. This consultation ran between Monday 18th September 2023 and Friday 8th December 2023, on a webpage within the Gravis Planning (planning agent) website.
5.111	Feedback from stakeholders was generally positive with no objections to the principle of the proposal.
5.112	The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.
5.113	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.
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, on balance, 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, provided the issues are not substantive.

<p>6.0</p>	<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 construction of the development hereby permitted shall not be sequenced unless in accordance with the Phase Plan, submitted on 3 February 2026 and uploaded to the Planning Portal. Reason: To allow the phased discharge of conditions. 3. No external facing or roofing materials shall be applied unless in accordance with the approved plans. Reason: In the interests of the character and appearance of the area. 4. No works to the retained walled garden wall 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. Reason: In the interests of protecting the special architectural or historic qualities of the listed building and it's setting. 5. No phase of the development shall be occupied unless all communal and private open space and amenity areas for that phase, including public open space, gardens, roof terraces, balconies, have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times. Reason: To ensure that a quality residential environment is provided for occupants of the approved development. 6. The residential units hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details. Reason: In the interests of amenity. 7. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order), the upper floor windows in the east side gables of Plots 3 and 22, as shown on the approved plans, shall at all times be glazed with obscure glass 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. 8. No dwelling or apartment shall be occupied until its respective waste storage area/s 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.
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	<p>9. No phase of the development shall be occupied unless the measures to mitigate climate change for that phase have been implemented in accordance with the Gravis Planning letter dated 24 September 2025 and written verification of such has been submitted to the Council. 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.</p> <p>10. The materials from the existing buildings on the site to be demolished shall be recycled and re-used in accordance with the Gravis Planning letter dated 24 September 2025. Reason: To mitigate climate change.</p> <p>11. 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 each phase 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.</p> <p>12. All existing 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.</p> <p>13. No development shall be carried out unless in accordance with the approved Tree Impacts and Protection Plan, published to the Planning Portal on 29 August 2024. The measures set out in the Tree Impacts and Protection Plan shall be in place prior to the commencement of development and shall remain in place until the completion of the construction. Reason: To safeguard existing trees in the interests of visual amenity.</p> <p>14. Within twenty-four hours prior to demolition, all buildings shall be checked for bat presence by a competent ecologist, under license where necessary, and all demolition works shall be monitored by a competent ecologist. A report with any observations from the ecologist during demolition works shall be submitted to the Council within 2 weeks of completion of the demolition. Reason: To ensure protection to bats and their roosts.</p> <p>15. During the construction and occupation phase of the development, there shall be no lighting of greater than 1 lux impacting upon retained Building E, as shown in the Aspen Bat Survey. Reason: To minimise the impact of the proposal on bats.</p>
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16. 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.

Reason: To ensure adequate car parking within the site.

17. The apartment building 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.

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

18. No development shall commence on site (other than that required to fulfil this condition) unless the access, including visibility splays and any forward sight lines, have been provided in accordance with the approved plans. The access and visibility splays shall be retained in accordance with the approved plans at all times.

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

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 occupied 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 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 means of access in the interests of road safety and the convenience of road users.

21. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No:1021 Rev E and 1022 Rev D bearing the Department for Infrastructure determination date stamp 20/5/25.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

22. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in (verges/service strips) determined for adoption.

Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.

23. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993 no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 500 mm shall be carried out in (verges/service strips) determined for adoption.

Reason: In order to avoid damage to and allow access to the services within the service strip.

24. 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 (each phase / the development.)

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.

25. No construction of the drainage network shall commence on site unless an updated Drainage Assessment has been submitted to and approved in writing by the Council. The Drainage Assessment shall demonstrate the safe management of any out of sewer flooding emanating from the surface water drainage network in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%), and a programme for implementation. The development shall not be carried out unless in accordance with the approved details.

Reason: In order to safeguard against surface water flood risk.

26. 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.

DRAFT INFORMATIVES

1. 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 an affordable housing viability review, travel plan, green travel fund and management of the public open space.
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.

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, 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.

5. 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:
 - 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:
 - (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.

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.

6. The applicant is advised that no works shall be carried out on the building known to contain roosting pipistrelle bats (Building L in the Aspen Bat Survey) until a NIEA Wildlife Licence has been obtained.

7. The applicant is advised that the bat box positioned on tree 4 as shown in the Aspen Bat Survey must not be relocated until a NIEA Wildlife Licence has been obtained.

Development Management Report	
Committee Date: 10 th March 2026	
Application ID: LA04/2024/0570/F	
Proposal: 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.	Location: Stormont Hotel, 587 Upper Newtownards Road BT4 3LP
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Summerhill Retirement Developments Ltd Victoria House Gloucester Street Belfast BT4 4LS	Agent Name and Address: Nick Salt Turley Hamilton House 3 Joy Street Belfast
Date Valid: 26/02/2026	
Target Date: 25/09/2026	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
<p>Executive Summary:</p> <p>The application seeks full planning permission for the change of use of the existing 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. There are no external changes to the elevations of the hotel building. The medical facility would be located on the ground floor and independent of the care home. The proposal previously involved the demolition of No. 39 Summerhill Park (semi-detached dwelling). However, this have now been omitted from the proposal.</p> <p>The application site comprises the Stormont Hotel building. The site is proposed to be subdivided from the majority of the existing hotel car park to the west. This proposal is Phase 1 of a two-phase proposed redevelopment scheme for the entire hotel site. Phase 2 is for a retirement village to be built on the remainder of the hotel car park and is subject of a separate planning application (ref. LA04/2024/0569/O). That application will be considered by the Committee at its same meeting (also see Planning History).</p> <p>The key issues for 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
- Section 76 planning agreement
- Pre-application Community Consultation

The Council has received 47 third-party representations, from 26 persons all of which are objections to the scheme. These are summarised in the main report. Some of the objections relate to the application for outline planning permission (LA04/2024/0569/O) on the adjacent land.

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

The proposal is considered acceptable in respect of principle, access and parking, impact on amenity and other relevant land-use planning considerations. The proposal is considered compliant with relevant policies.

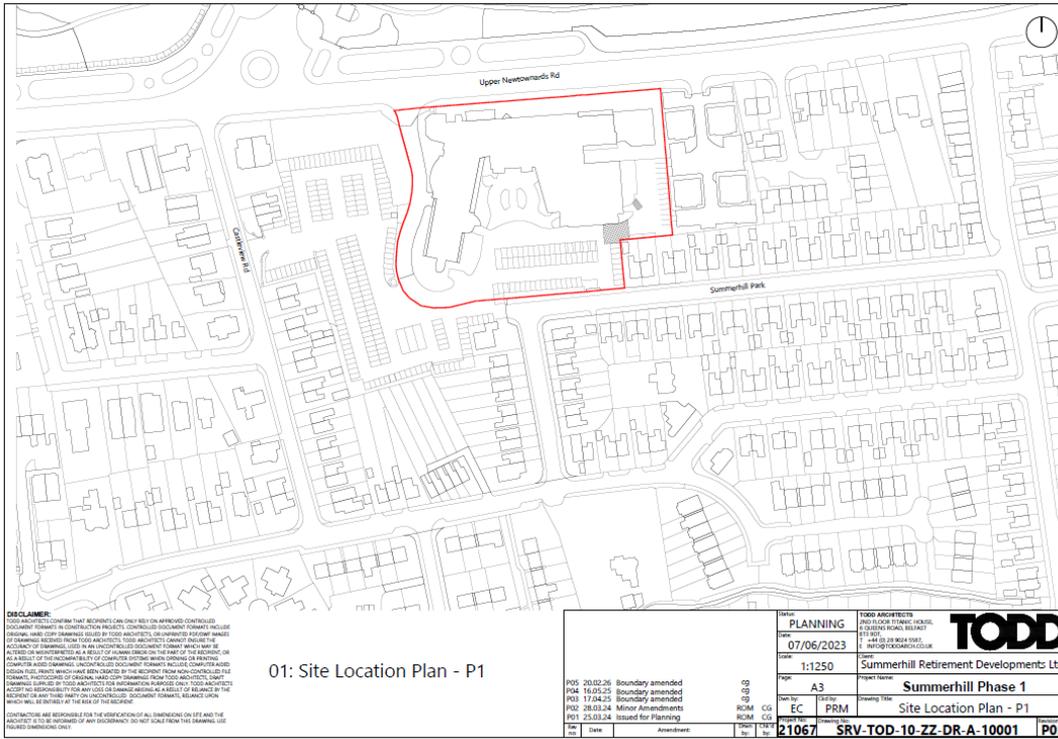
Recommendation

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

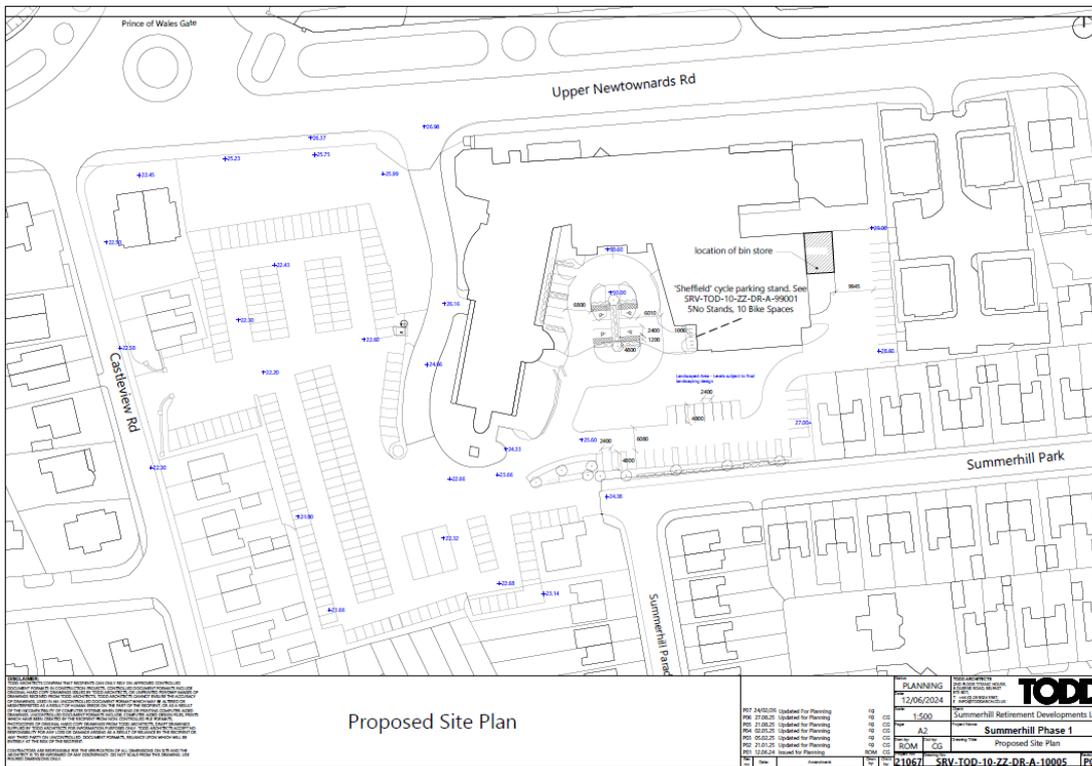
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with and any other issues that arise, provided the issues are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



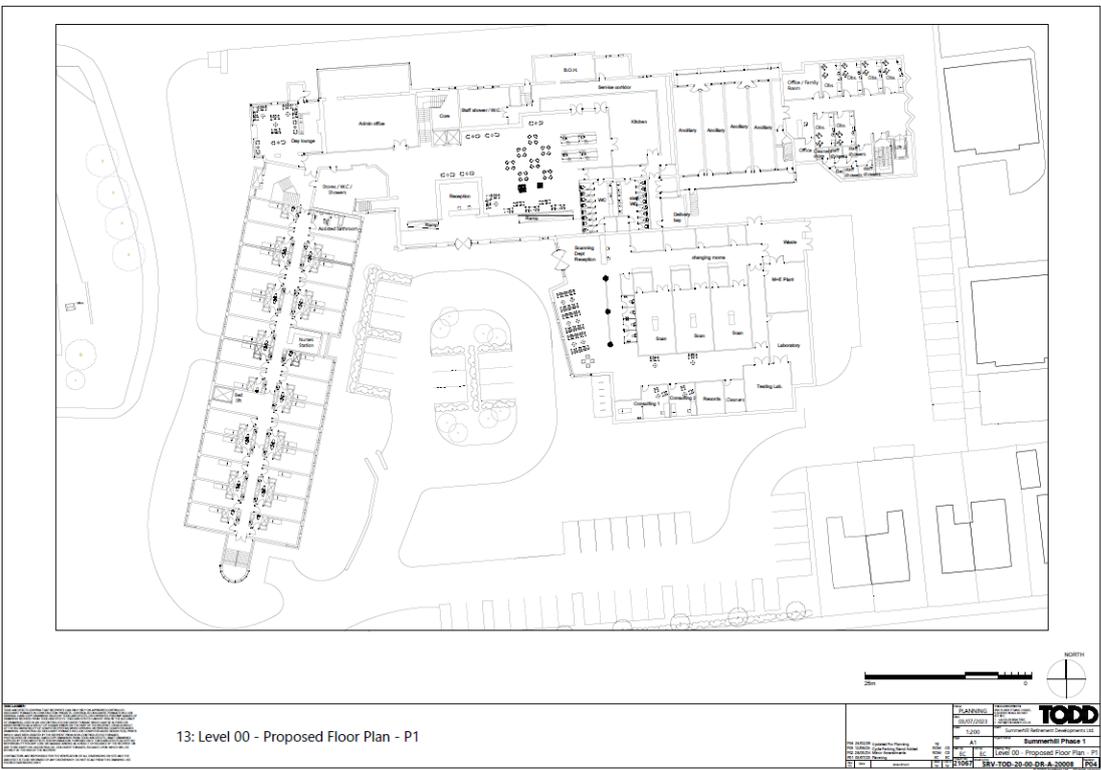
Proposed Site Plan:



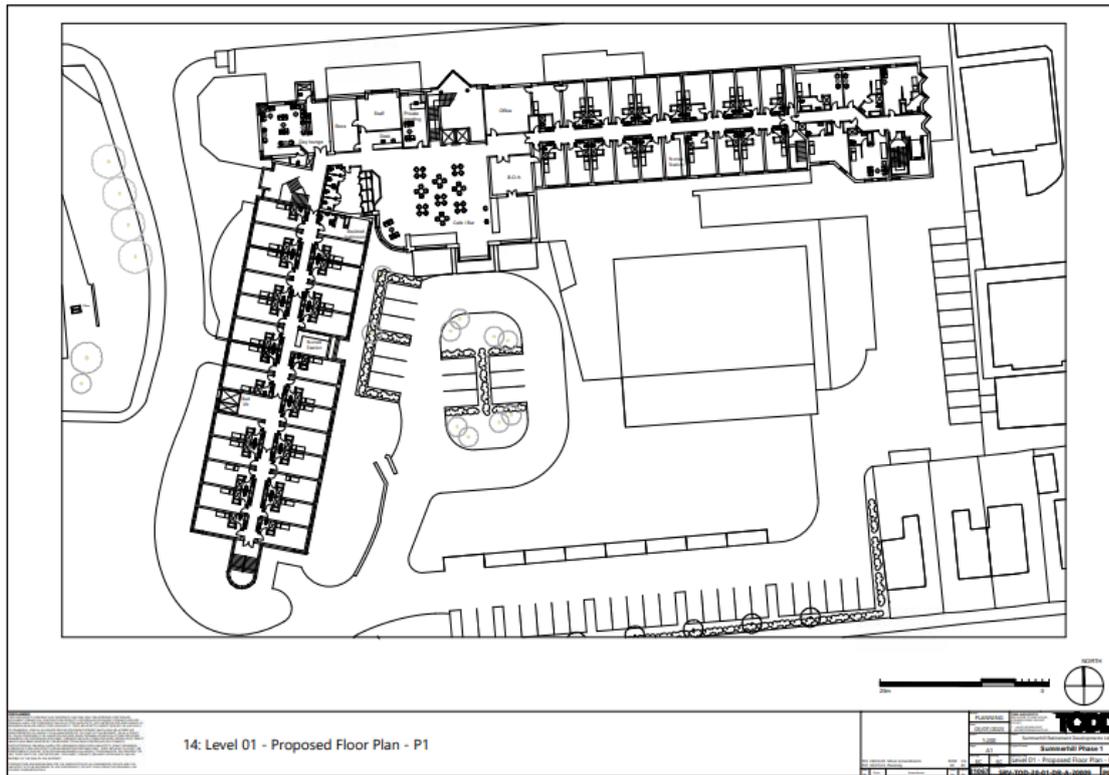
Proposed Landscaping Plan:



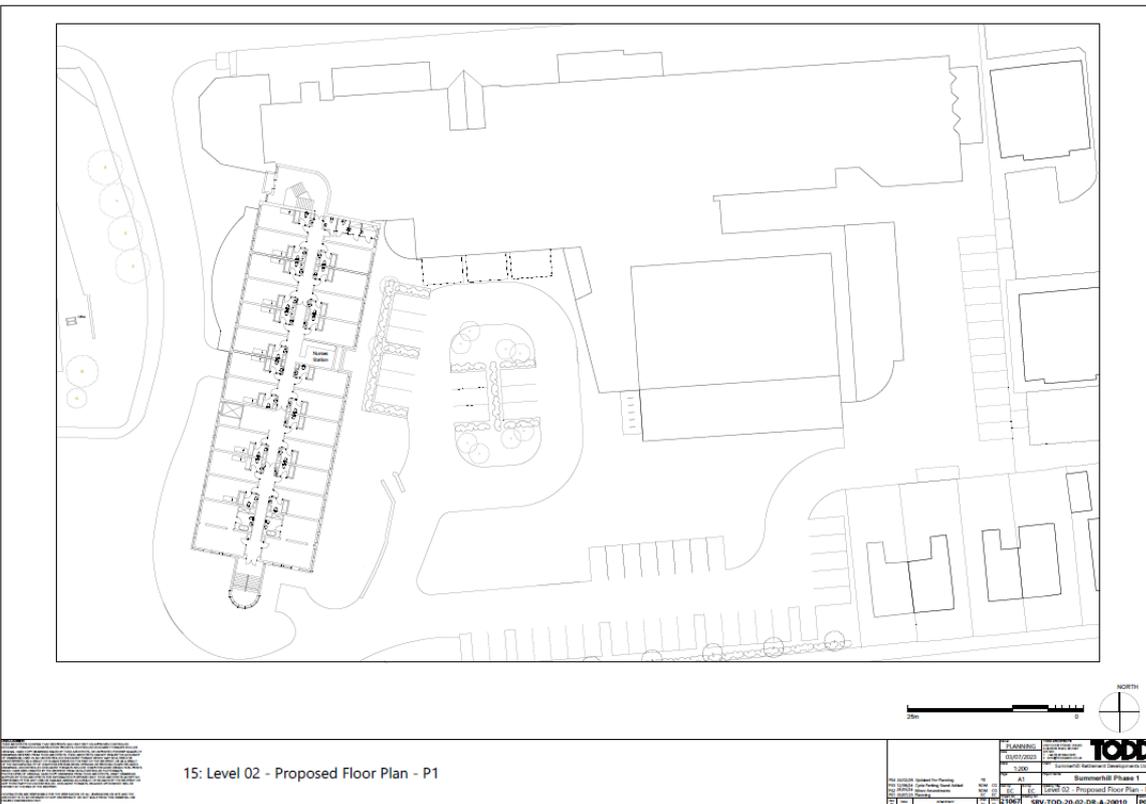
Level 00 Floor Plan (Medical Facility):



Level 01: Proposed Floor Plan:



Level 02: Proposed Floor Plan:



<p>1.0</p> <p>1.1</p> <p>1.2</p> <p>1.3</p> <p>1.4</p> <p>1.5</p> <p>1.6</p>	<p>Characteristics of the Site and Area</p> <p>The application site is located on the Upper Newtownards Road opposite the Stormont estate. The site is currently occupied by a hotel and car park. The complex sits on 2.2 hectares (ha) of land, and comprises 105 bedrooms, together with two restaurants, wedding, meeting, and conference facilities. The hotel has been extended and renovated in different styles on a number of occasions. The hotel fronts onto the Upper Newtownards Road, with its vehicular access from the road dropping some eight metres to a main car park below, before rising up again to a drop off point outside its double height, frameless glazed, main entrance. Residential development abuts square shaped site on three sides.</p> <p>The surrounding area is suburban and predominantly residential, characterised by two-storey detached and semi-detached houses.</p> <p>Description of Proposed Development</p> <p>The application site comprises the Stormont Hotel building and a dwelling on the boundary of the site at number 37 Summerhill Park. The site is to be subdivided, separating the hotel from the majority of the existing hotel car park to the west.</p> <p>The application seeks full planning permission for the 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. The medical facility will be on the ground floor and would operate independently of the care home. There would be no external changes to the existing hotel building.</p> <p>This proposal is Phase 1 of a two-phase proposed redevelopment scheme for the entire hotel site. Phase 2 is for a retirement village and is to be built on the remainder of the hotel car park to the west and is subject of a separate planning application (LA04/2024/0569/O – see Planning History). That application is to be considered at this same Planning Committee meeting.</p> <p>The proposal was subject of a Pre-Application Discussion (PAD), although not all the issues were resolved at the point at which the application was made.</p>
<p>2.0</p> <p>2.1</p> <p>2.2</p> <p>2.3</p>	<p>PLANNING HISTORY</p> <p>The site has no relevant planning history, however, there is a separate proposal for the hotel car park and lands to the west. Both this and the proposal were subject to Pre-Application Discussion (PAD) with officers and Proposal of Application Notice (PAN):</p> <p><i>Application site and car park site to west:</i></p> <p>LA04/2022/1211/PAN - Mixed-use development, comprising retirement living (Use Class C1), care home (Use Class C3) and medical facility (Use Class C3 or D1), associated access, amenity space, landscaping and car parking. PAD concluded.</p> <p><i>Car park site to west:</i></p> <p>LA04/2024/0569/O - 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</p>

	Castleview Road, associated car parking, servicing, amenity space and landscaping. Pending decision.
3.0	<p>PLANNING POLICY</p> <p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p>Relevant Planning Policies:</p>
3.1	Policies in the Plan Strategy relevant to the application include the following:
3.2	<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>
3.3	<p><i>Operational Policies:</i></p> <p>Policy HOU8 – Specialised residential accommodation Policy CI1 – Community Infrastructure Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for Major development Policy BH1 – Listed Buildings 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 NH1 – Protection of Natural Heritage Resources Policy LC1 – Landscape Policy HC1 – Promoting healthy communities</p>
3.4	<p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation Planning and Flood Risk Waste Infrastructure Trees and Development</p>
3.5	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004)</p>

<p>3.6</p> <p>3.7</p>	<p>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) (Edition 2, 2025)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DFI Roads – No objection, subject to conditions DFI Rivers – No objection NI Water – No objection DAERA NIEA – No objection subject to conditions DFC Historic Environment Division (HED) – No objection, subject to conditions</p> <p><u>Non-Statutory Consultees</u></p> <p>BCC Environmental Health – No objection, subject to conditions BCC Landscape Planning and Development Unit – No objection BCC Trees and Landscape – No objection BCC Economic Development Unit – No objection Translink – No objection NIE – No objection Shared Environmental Services (SES) – No objection, subject to a conditions</p> <p><u>Representations</u></p> <p>The application has been advertised in the press and neighbours notified. 47 third party representations have been received to date from 26 persons all of which are objections to the scheme. The points raised are summarised below.</p> <p><i>Objections:</i></p> <ol style="list-style-type: none"> 1. Living beside a large care home and sheltered housing will affect existing property values. 2. Antisocial behaviour within proposed communal areas. 3. Increased traffic and impact on parking and road safety in the area. The development will increase demand for on-street parking in the area. 4. The existing hotel car park acts as a parking hub for people venturing to Stormont Park, Dog Park, Park Run and Playground - in rare and worse cases the Starting point for the Marathon and Parades. Residents fear that the access to parking will overflow onto the surrounding streets, blocking residential access/ egress. 5. Parking Regulation Order (TRO) / Travel Plan to encourage sustainable modes of transport. 6. The height of the proposed buildings will over-shadow the existing road and surrounds. 7. Impact on privacy of existing homes from overlooking from proposed new houses. 8. Loss of light into neighbouring houses.

	<p>9. The proposed development would take a considerable time to build - leading to substantial inconvenience to residents.</p> <p>10. Impact on existing utilities and infrastructure: proposal will exacerbate existing flooding and sewerage issues and affect water pressure. The car park is within a 'floodplain'.</p> <p>11. Impact of construction on the site will affect residents both in terms of site traffic, noise, and air quality from dirt and dust.</p> <p>12. Replacement of two storey red brick houses on Castlevue Road with high rise buildings would be out of character with the housing in the area.</p> <p>13. The use of the proposed houses on Castlevue Road as 'commercial multiple occupancy premises'</p> <p>14. Strongly oppose the demolition of perfectly good and affordable semidetached family homes. Almost all of these homes are occupied by families at present. Demolishing such homes only adds to an already existing housing crisis.</p> <p>15. The proposed demolition of number 39 Summerhill Road will impact the adjoining property at number 37 Summerhill Park, which is the other half of a pair of semi-detached dwellings.</p> <p>16. Conversion of a hotel into a care home is not investing in our future and not forward thinking. Tourism is significantly important for the N.I economy and converting a luxury hotel into a nursing home is tone deaf and lacks foresight.</p> <p>17. The hotel offers amenities for the local area and its change of use to a medical facility will have a negative impact on the neighbourhood. Living beside a 4-star hotel has more appeal than a nursing home.</p> <p>18. Not all residents living on Summerhill Parade received planning consultation letters.</p> <p>19. Concerns raised over the location of bin storage. These can be an eyesore and come with the potential for overflowing waste and pests.</p> <p>20. The intensity of a 24/7 care use and a diagnostic facility is materially different from hotel use and risks unacceptable harm to amenity through noise/disturbance, servicing activity and lighting.</p>
4.5	<p>Points 1 and 2 are not material planning considerations. It should also be pointed out that there are no communal areas proposed as part of this application.</p>
4.6	<p>It is clear some objectors are referring to the proposed retirement village scheme that has been applied for under planning application ref. LA04/2024/0569/O (see Planning History). For example, points 3 through to 14 all refer to the other application seeking outline planning permission for housing with the exception of point 11.</p>
4.7	<p>In relation to point 15, the proposed demolition of No. 39 Summerhill Park has been omitted from the scheme.</p>
4.8	<p>Regarding point 17, all neighbours were notified in accordance with the regulations.</p>
4.9	<p>All other points are material planning considerations and will be addressed below.</p>

5.0	<p>PLANNING ASSESSMENT</p>
	<p>Development Plan Context</p>
5.1	<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>
5.2	<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>
5.3	<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><u>Operational Polices</u></p>
5.4	<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 unzoned “whiteland” within the settlement limits for Belfast.</p>
5.7	<p>Belfast Metropolitan Area Plan 2015 (v2004) – the site is unzoned “whiteland” within the settlement limits for Belfast and on an arterial route and a protected route.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is unzoned “whiteland” within the settlement limits for Belfast and on an arterial route and a protected route.</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 was 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 • Section 76 planning agreement • Pre-application Community Consultation <p>Principle of development at this location</p>
5.11	<p>Policy HOU8 (Specialist residential accommodation) and Policy CI1 (Community Infrastructure). The existing hotel use is not protected by planning policy.</p> <p><i>Proposed care Home:</i></p>
5.12	<p>The proposed care home element will take up most of the building. Policy HOU8 states that permission will be granted for specialist residential accommodation, including care-related facilities, subject to two criteria: a) a community need is demonstrated via the submission of a statement of specialist housing need; and b) the proposal delivers convenient access to relevant local services and facilities, including local shops, public transport routes and health facilities.</p>
5.13	<p>The applicant has submitted a statement of housing need which addresses the need for a care home in this area. This states that Northern Ireland is experiencing demographic shifts in terms of an ageing society and uses statistics from the NIHE to back this up. The justification and amplification of Policy HOU8 also supports the need for more care home bed spaces. This states that 820 additional bed spaces in residential care homes will be required during the plan period.</p>
5.14	<p>It is considered that the applicant has demonstrated a need for the care home in line criterion a. of Policy HOU8.</p>
5.15	<p>The application site is on an arterial route and in close proximity to shops, the Ulster hospital and Gilder and Metro bus links to Belfast City Centre, as well as outbound bus services to Newtownards, Comber, Holywood and Bangor. This is considered to comply with criterion b of Policy HOU5. More detail on travel and accessibility is outlined under <i>Access and Transport</i>, later in the report.</p> <p><i>Proposed Medical Facility:</i></p>
5.16	<p>The diagnostic medical facility would use up to 60% of the ground floor only. This will be independent from the care home but would be available for use by residents of the care home. Policy CI1 - Community Infrastructure is applicable. The Plan defines community infrastructure as including surgeries and health facilities. Policy CI1 supports the</p>

	provision of new community infrastructure at appropriate and accessible locations within the urban area. As with the care home, the proposed diagnostic medical centre is in a sustainable location in terms of accessibility.
5.17	<p>Policy CI1 also states that all such proposals for community infrastructure shall ensure that there are no unacceptable impacts on residential amenity or natural/built heritage and are provided for access for all, including for pedestrians, cyclists and public transport. There are residential properties to the east and south of the site. Environmental Health is the appropriate consultee for noise, nuisance and disturbance and raises no objection. There is no operational development proposed other than minor ground works and these will not have any impact on these neighbouring properties. It is considered that the proposed use would not adversely impact on residential amenity. Car parking and cycle stands are proposed and the site is accessible by pedestrians, cyclists and public transport. These issues are explored in more detail under the assessment, below.</p>
5.18	<p>The proposal is considered to adhere to Policy CI1.</p> <p>Design, Placemaking and Impact on Amenity</p> <p><i>Proposed form, scale, massing and finished materials:</i></p>
5.19	<p>The existing hotel building would be retained in its current form with no external alterations. It is considered that the proposed use would not impact on the character and appearance of the area. Minor ground works and cycle stands are proposed; these would have a minimal visual impact. The proposal is considered acceptable, having regard to Policy DES1 of the Plan Strategy.</p> <p><i>Proposed Layout, Landscaping and Boundary Treatments:</i></p>
5.20	<p>The facility would utilise the existing access from the Upper Newtownards Road. Car parking would be in-curtilage. The existing turning head at the entrance of the hotel would be retained. Proposed landscaping will consist of retaining existing trees and hedges along the front of the site and planting new trees and hedges to the rear. Tree species will be mixed and include oak, birch, lime, pine, cherry. All would be semi-mature at the time of planting.</p>
5.21	<p>The Tree Officer and Landscape Planning and Development Unit are content with the proposed layout and landscaping scheme, although the Council's Landscape and Development team advises the submission of a final submission landscape plan is submitted and this will be secured by condition.</p>
5.22	<p>The proposal complies with Policy DES1 and Policy TRE1.</p> <p><i>Masterplanning approach:</i></p>
5.23	<p>Policy DES2 states that planning permission will be granted for Major development where it accords with the principles a. to j.</p>
5.24	<p>The proposal is designed as Phase 1 of a two-phase development for a 'retirement village' and is an integral part of the overall scheme.</p>
5.25	<p>It is considered that the scheme adopts a holistic approach which allows it 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 development and the Stormont</p>

	estate, with regards to its site assembly, layout and design. The proposal also promotes opportunities for urban repair.
5.26	It is considered that the proposal accords with Policies DES2. <u>Access and Transport</u>
5.27	The existing hotel has two access points: the main entrance from Upper Newtownards Road on the north boundary; and another from Castleview Road on the west side. As the proposal will be subdividing the site, the access for the care home and medical facility will retain the access from Upper Newtownards Road only. This would be for both ingress and egress. However, the vehicle numbers using the facility would be less than then the current number using the hotel.
5.28	Based on Dfl's Parking Standards and some worst-case assumptions regarding staffing levels, the associated Transport Assessment concludes that the Parking Standard requirements for the care home and medical facility is 64 spaces. The number of car parking spaces proposed on-site is 57, which is 7 spaces short of what is required in the worst-case scenario. These spaces are to be provided within the curtilage of the site.
5.29	The applicant has provided a Travel Plan that demonstrates that the proposed development is currently easily accessible to staff, residents and visitors by alternative and sustainable modes of transport. The site is a highly accessible location within the city having direct access to the road network and public transport. The Upper Newtownards Road is serviced by the Glider. The supporting Travel Plan also identifies several cycle routes linking the site to the wider cycle path network whilst 10No. cycle stands are to be provided within the grounds of the care home.
5.30	The changes made at the site as part of the development provide an enhancement for those travelling by foot, by cycle and on public transport. A "Travel Pack" will be supplied to all new staff and residents that will contain various available sustainable travel options which offer alternatives to the use of the private car. If planning permission is granted, this will be conditional that the development will operate in accordance with the Travel Plan. Having regard to these considerations, together with the aim of reducing car usage, the level of parking is considered appropriate.
5.31	Dfl Roads have no objection to the parking and travel arrangements for the proposed development, subject to conditions. The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN8. <u>Healthy Communities</u>
5.32	The proposal is considered to comply with Policy HC1 in that would promotes healthy communities through active travel and good placemaking. <u>Built Heritage</u>
5.33	The application site is location in close proximity to several listing buildings, including the Gate Lodge, Gates and Screens, Stormont Estate, Parliament Buildings, walls and lamp standards, Lord Carson Memorial Statue, Stormont Estate. St. Molua's Church of Ireland Church, 645 Upper Newtownards Road.
5.34	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

	<p>will not have any negative impact on these buildings. The proposal involves minimal physical works and would have little impact on the setting of Listed Buildings, in compliance with these policies.</p> <p><u>Natural heritage</u></p>
5.35	<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>
5.36	<p>It is considered that the proposal is in compliance with Policy NH1.</p> <p><u>Climate change</u></p>
5.37	<p>The Planning Service require a Climate Change Statement in support of the planning applications. Plan Strategy Strategic Policy SP6 states that the council will support development where it helps to reduce greenhouse gas emissions and is adaptable in a changing climate to build environmental resilience.</p>
5.38	<p>Policy ENV2 and Policy ENV3 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>
5.40	<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 proposal will see the 're-use' of an existing building with only internal alterations and reconfiguration of the existing hotel building into a care home and diagnostic medical facility is feasible and appropriate, taking cognisance of promoting sustainable development and reducing the carbon footprint of the development. This is in line with Policy ENV2.</p>
5.41	<p>A number of passive sustainability measures will be embedded into the proposals to ensure a flexible, usable design that minimises the reliance on mechanical ventilation and heat. This includes the building orientation, positioned to take advantage of natural sunlight and shading to reduce reliance on artificial lighting and cooling systems; 3m floor to floor heights and full height openings to make the most of solar gain to reduce reliance on mechanical heating; a 'fabric first' approach which places the emphasis energy-efficiency by optimising insulation, airtightness, ventilation, and other key aspects of the building's envelope; choice of materials too offer effective thermal mass which soaks up heat on a hot day and storing and slowly radiating warmth when needed; and the removal of extensive areas of hardstanding with the inclusion of green open space to provide a range of benefits, such as improving air quality, reducing urban heat island effect, mitigating storm water runoff and promoting biodiversity.</p>
5.42	<p>The design of the proposal includes the retention and re-use of the existing hotel building, re-purposing it into a care home and medical facility, with minimal internal reconfiguration required, taking cognisance of promoting sustainable development and reducing the carbon footprint of the development. This is in compliance with Policies ENV2, ENV3 and DES2.</p>
5.43	<p>Retention of existing soft landscaping to the front of the site and proposed new soft landscaping such as grass lawns and tree and shrub planting to the rear of the site will</p>

	<p>contribute to sustainable methods of drainage, acting as a natural soakaway (SuDS) and minimising flood risk. This is considered to be in compliance with Policy ENV5.</p> <p><u>Flood Risk and Drainage</u></p>
5.44	<p>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.</p> <p><u>Waste-water infrastructure</u></p>
5.45	<p>NI Water advises that there is a public foul sewer within 20m of the proposed development boundary which can adequately service the proposal and offers no objection. The proposal is therefore considered compliant with Policy SP1a which requires that necessary infrastructure is in place to support new development.</p> <p><u>Environmental protection</u></p>
5.46	<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 including light pollution. Environmental Health has confirmed that it has no objections, subject to conditions, which are recommended.</p>
5.47	<p>The proposal is considered compliant with Policy ENV1.</p> <p><u>Waste Management</u></p>
5.48	<p>A Waste Management Plan has been submitted in support of the proposal. This advises that the existing building has a designated bin storage and collection point to the rear of the building. It is intended to retain this arrangement. Egress and ingress for bin lorries will be via the main site entrance at Upper Newtownards Road.</p> <p><u>Section 76 planning agreement</u></p>
5.49	<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"> • Employability and Skills – the Council’s Economic Development Unit has advised that both Construction and Operational Employability and Skills Plans are required to promote inclusive growth, consistent with the Developer Contribution Framework. • Linkage to outline application – a clause linking this proposal to the development of the proposed retirement village (LA04/2024/0569/O) to require that on commencement of development of the outline permission, the hotel shall no longer been used as such (in recognition of the loss of parking spaces).

5.50	<p>Legal Services has confirmed that the draft section 76 planning agreement has been agreed in principle with the applicant, on a without prejudice basis.</p> <p><u>Pre-application Community Consultation</u></p>
5.51	<p>The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.</p>
5.52	<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>
5.53	<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"> • To allow the public to engage in the project, the applicant published a notice in the press on 11 August 2022, 7 days prior to holding a public event on 18 August 2022 from 3pm to 7pm at the Stormont Hotel. • Distribution of information leaflets with free-post feedback form and free consultation phone-line to 1,100 properties within 500m of the proposed site. • A dedicated website was set up and launched on 10 August 2022 which included all details and documents of the project submitted with the PAN and outlined all the consultation methods available including comments through the website. This website was live from 10th August until 1 September 2022; • A Live Chat function was made available on the project website and was operational between 9am and 5pm, Monday-Friday; • Printed physical packs containing proposal information were available on request to be posted out. Two hard copy packs were distributed via post on request, 26 digital packs were emailed to residents; • The PAN was provided to a list of community interests in the area via email on 17 June 2022; • All elected members within the Electoral Area received a copy of the PAN on 17 June 2022. • In addition, the PAN was also issued to other elected representatives including Ormiston DEA Councillors, East Belfast MLAs, the East Belfast MP.
5.54	<p>The PACC report states that the majority of feedback to the public consultation was either supportive, neutral or negative. 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; • The hotel is an asset to the local community and should not be closed to make way for a care home; • It is not clear what is meant by these facilities - are they to be NHS or private healthcare facilities? Are they for the public or just the residents? More info needed.
5.53	<p>The applicant responded to the feedback as follows:</p> <ul style="list-style-type: none"> • A transport consultant has been instructed to ensure that the proposal provides suitable safe access for pedestrians, cycles and cars. The proposal will encourage the use of the nearby public transport network to reduce car-dependency, and demand for parking.

5.54	<ul style="list-style-type: none"> Commercial matters relating to the hotel are not within the remit of the applicant. The current outline proposal by Summerhill Retirement Developments seeks to establish if the principle of redevelopment on the site is acceptable; The exact nature of future occupancy of the medical facility is unknown at this stage. <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	<p>Recommendation</p> <p>6.1 Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>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 and any other issues that arise, provided the issues are not substantive.</p>
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 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>3. 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>4. 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 24 April 2024.</p> <p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p> <p>5. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan uploaded to the Planning Portal on 24 April 2024.</p> <p>Reason: In the interests of road safety and convenience of road users.</p>

6. Prior to installation of windows within the development hereby permitted, the final proposed window schedule (including configurations of frames and air gaps, details of the frames, seals etc) shall be submitted to and approved in writing by the Council. The schedule shall be presented within a Noise Impact Assessment confirming how the new windows will meet the necessary sound reduction performance at all facades and floor levels at the hereby permitted development. The window specification shall be in line with recommendations in the AONA Consulting Noise Impact Assessment dated: June 2023, referenced ENV-8096 and published on the Planning Portal on 24 April 2024. The windows shall not be installed unless in accordance with the approved details.

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

7. Prior to installation of any alternative means of ventilation to be incorporated within the development hereby permitted, a Noise Impact Assessment confirming the specification of the alternative means of ventilation to serve habitable rooms shall be submitted to and approved in writing by the Council. The noise assessment shall demonstrate how the alternative means of ventilation will be acoustically attenuated and capable of achieving the internal noise levels for habitable rooms outlined in British Standard BS8233:2014 with the windows shut and the alternative means of ventilation operating (if including a mechanical component) or in the open position. The alternative means of ventilation shall be installed unless in accordance with the approved details and retained as such.

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

8. Prior to installation within the development hereby permitted, a Noise Impact Assessment of final plant and equipment shall be submitted to and approved in writing by the Council. The Noise Impact Assessment shall include a list of all proposed plant, their location, number, operating modes (in terms of times, on/off conditions etc) and noise specifications. The noise assessment shall determine the combined rating level (dBLAr,T) from the operation of all plant and equipment and confirm if any other assessment criteria such as noise rating curves of low frequency curve criterion are applicable. The assessment shall identify any necessary noise mitigation measures to ensure that its operation will not exceed the existing representative daytime and night-time background sound levels at the nearest noise sensitive premises, when measured 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.

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

9. The development shall not be operated or occupied unless details of a means of ventilation and extraction 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.

Reason: To safeguard the amenity of adjoining properties and the general locality.

10. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy shall consider the RPS Ireland Ltd report entitled 'Project Carson – Stormont Hotel, Generic Quantitative Risk Assessment Report, RWM-01491, Project Carson, Stormont Hotel, GQRA, Rev 04, February 2025'. The Remediation Strategy shall follow current Environment Agency and CIRIA guidance and British Standards and 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. 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. In the event that any substantial centralised combustion sources (generators, boilers, CHP or biomass) are proposed as part of this development 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 prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and it must demonstrate that there will be no exceedances of Air Quality Strategy objectives at relevant human receptor locations. The development shall not be carried out unless in accordance with the approved details.

Reason: Protection against adverse impact on local air quality.

14. 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.

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

15. After completing any remediation works under condition 14 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.

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

16. Within 48 hours prior to the commencement of construction works, 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 Natural Heritage & Conservation Areas competent ecologist, details of which shall have first been submitted to the Council in writing. A report of the demolition shall be submitted to the Council within 2 weeks of the check carried out by the competent ecologist.

Reason: To ensure protection to bats and their roosts.

17. Notwithstanding the submitted details, no development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a final hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; 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.

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. All trees within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, or 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.

19. Prior to any work commencing all tree protective measures, protective barriers (fencing) and ground protection is to be erected or installed as specified and in accordance with the British Standard 5837: 2012 (section 6.2) on any trees 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.

20. 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 avoid compaction within the RPA of existing trees to be retained.

DRAFT INFORMATIVES

1. 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 both Construction and Operational Employability and Skills Plans, and prevents the operation of the existing hotel use on commencement of development of outline planning permission LA04/2024/0569/O.
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 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.

	<p>4. 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>
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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 10 th March 2026	
Application ID: LA04/2025/1002/F	
Proposal: Change of use from 4-bed residential dwelling (C1) to 5-bedroom HMO (suis generis) with occupancy for 5 people.	Location: 24 Rutherglen Street, Belfast, BT13 3LS
Referral Route: Section 3.8.1 of the scheme of Delegation. request for the application to be reported to the Planning Committee by an Elected Member (Cllr. Verner).	
Recommendation: Approval subject to condition	
Applicant Name and Address: Honor McCall 67 Drumahean Road Middletown Armagh BT60 3QG	Agent Name and Address: Paul Jenkins 40 Mount Merrion Park Belfast BT6 0GB
Date Valid: 17 th July 2025	
Target Date: 30 th October 2025	
Contact Officer: Lisa Walshe, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>This application seeks full planning permission for the change of use from an existing 4-bedroom dwelling to a 5-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>50 objections have been received raised the following issues which are addressed in the main report.</p> <ul style="list-style-type: none"> • Too many HMOs in the area • Application does not demonstrate compliance with 10% threshold • Family homes needed • Reduced house values • HMOs are not wanted in the area • The property is already listed online • Complaints around the ethics of HMOS and pricing 	

- Higher rental prices
- Overlooking and loss of privacy
- Will lead to further HMOs
- Parking issues
- Strain on local services
- Increased noise
- Increased waste generation
- The house is not large enough to accommodate a HMO
- Sloping roof for top floor rooms would be cramped
- Increased risk of anti-social behaviour
- Sets precedent for more HMOs
- Neighbours were not appropriately notified preventing a full response
- Water supply and sewage overrun
- Reduced emergency vehicle access

The application has been called in for the following reasons:

1. Overconcentration of HMOs
2. Parking and traffic issues
3. Impact on Residential Amenity
4. Property Maintenance and Waste Management
5. Contrary to Planning Policy

The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on Rutherglen Street 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. DFI Roads has no objections to the proposal.

Recommendation

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

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

Case Officer Report

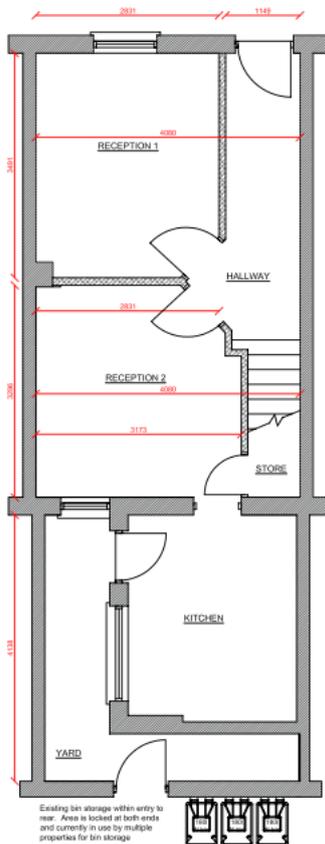
1.0 Drawings

Site Location Plan

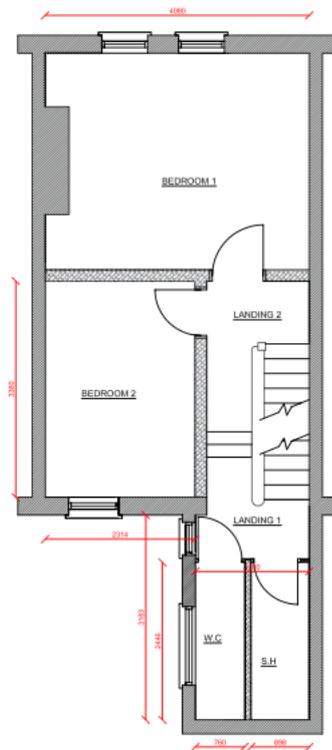


Existing Floor Plans

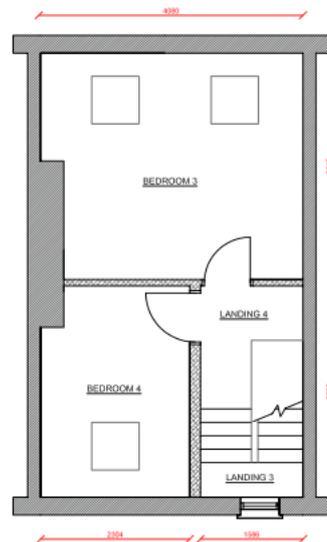
EXISTING GROUND FLOOR

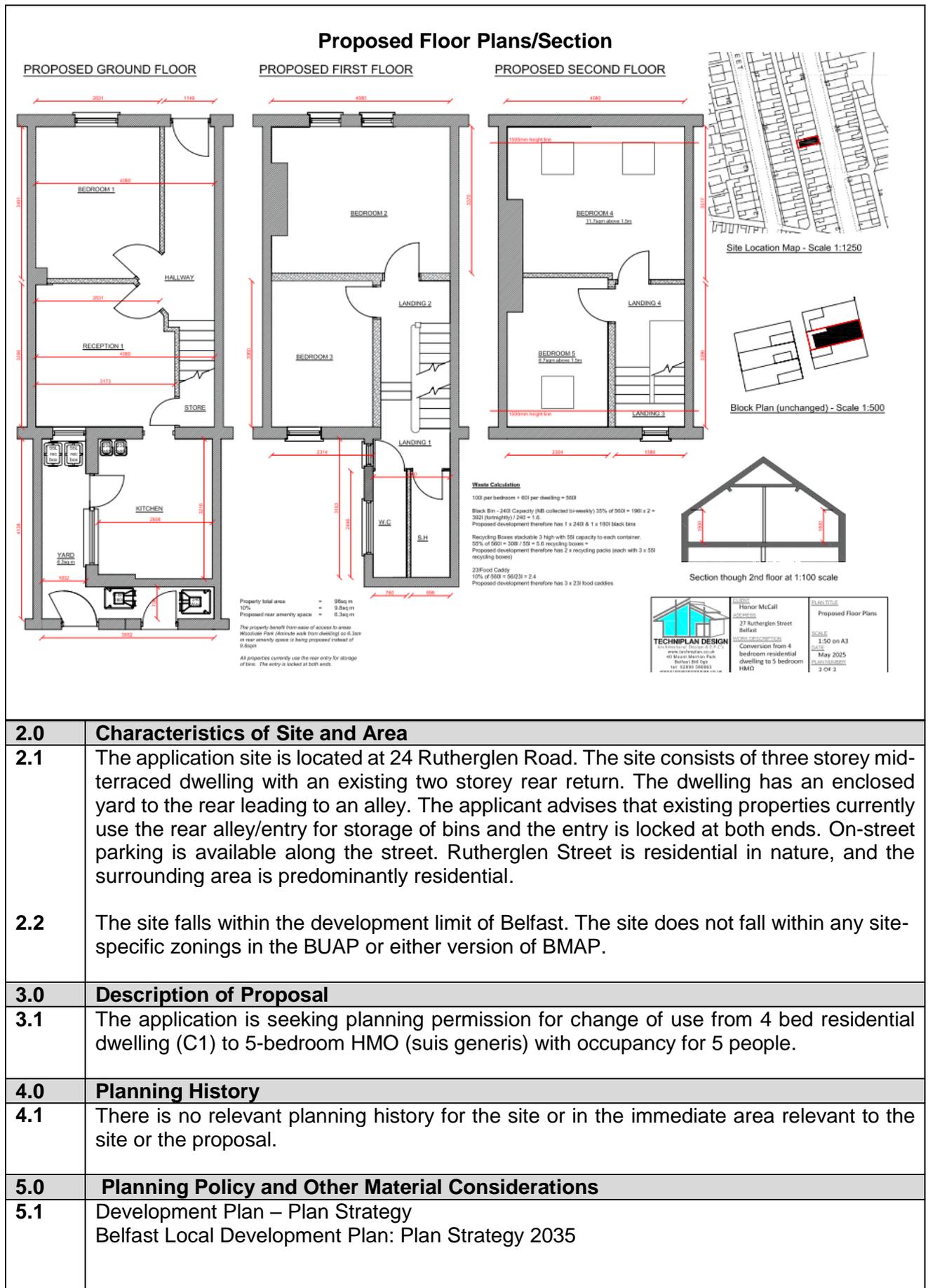


EXISTING FIRST FLOOR



EXISTING SECOND FLOOR





	<p>Strategic Policies Policy SP2 – Sustainable development</p> <p>Operational Policies Policy ENV1 – Environmental quality Policy HOU10 – Housing management areas (HMAs) Policy RD1 – New residential developments Policy TRAN8 – Car parking and servicing arrangements Policy OS3 – Ancillary open space</p> <p><i>Supplementary Planning Guidance</i> Residential Design Transportation Waste Infrastructure</p> <p><u>Development Plan – zoning, designation and proposal maps</u> Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Belfast Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
6.0	Consultations and Representations
6.1	<p>Non-Statutory Consultees N/A</p>
6.2	<p>Statutory Consultees DFI Roads – No objection</p>
6.3	<p>Representations The application was neighbour notified and advertised in the local press. A total of 50 objections were received including representations from elected members: Cllr Verner and Cllr McDowell. The main issues raised are as follows:</p> <ul style="list-style-type: none"> • Too many HMOs in the area • Application does not demonstrate compliance with 10% threshold. • Family homes needed. • Reduced house values. • HMOs are not wanted in the area • The property is already listed online • Complaints around the ethics of HMOS, pricing • Higher rental prices • Overlooking and loss of privacy • Will lead to further HMOs • Parking issues. • Strain on local services. • Increased noise. • Increased waste generation. • The house is not large enough to accommodate a HMO. • Sloping roof for top floor rooms would be cramped. • Increased risk of anti-social behaviour.

- Sets precedent for more HMOs.
- Neighbours were not appropriately notified preventing a full response.
- Water supply and sewage overrun.
- Reduced emergency vehicle access.

Officers response to the issues raised are set out below:-

1. Too many HMOs in the area

During the Council's calculation of the HMO threshold in the area, no existing HMOs were identified on Rutherglen Street within the database, there are no live enforcement cases with the Council for unlawful HMO properties on this street and no HMO licences have been granted for dwellings on this street. A full assessment of the applications compliance with HOU10 is set out below.

2. Application does not demonstrate compliance with 10% threshold.

A full assessment of the proposal against Policy HOU 10 is set out within the main body of the report. The proposal has been found to comply with Policy HOU10.

3. Family homes needed.

The proposal meets the criteria for HMO development as set out in Policy HOU 10. The LDP permits a range of housing needs across the city of Belfast. The local development plan seeks to facilitate sustainable housing growth in response to changing housing needs and states that carefully managing the variety of housing types, sizes and tenures will help to meet the diverse needs of all the community. HMOs contribute to providing choice and assisting and meeting community needs. Controls on the number of HMOs allowed in any one street will ensure that the residential character of areas is protected. It is considered that the proposal would not undermine the availability of family housing in the area and the proposed area will remain predominantly family housing.

4. Reduced house values.

This is not a material planning consideration.

5. HMOs are not wanted in the area

This is not a material planning consideration. Policy HOU10 makes provision for HMOs subject to meeting the requirements set out within.

6. The property is already listed online

The Agent has confirmed that 2 rooms are being leased. The renting of the property to two persons would not constitute a HMO.

7. Complaints around the ethics of HMOs, pricing

This is outside the remit of planning.

8. Higher Rental prices

This is outside the remit of planning.

9. Overlooking and loss of privacy

Overlooking and privacy will not be exacerbated beyond what already exists.

10. Will lead to further HMOs

There is no substantive evidence that the current proposal will lead to further HMOs in the street. Notwithstanding, any further application for a HMO in this street will be subject to assessment under Policy HOU10 and considered on its own merits.

11. Parking issues.

DFI Roads was consulted in relation to the proposal and are content with the findings of the Parking Survey and have offered no objection to the proposal.

12. Strain on local services.

The HMO is located within an area which has not exceeded the 10% threshold within the street. It is considered there are appropriate services within the area to serve the proposed HMO and that the proposal would have no greater impact than the existing residents of a family occupied dwelling at this location.

13. Increased noise.

The HMO licensing scheme is in place to regulate HMOs. An anti-social management plan will be required as part of the HMO licensing process which will appropriately deal with issues relating to noise and tenant behaviour should they arise.

14. Increased waste generation leads to risk of overflowing and vermin

The waste storage requirements are considered below. A condition is proposed to ensure that waste is stored in the curtilage of the property and does not overspill into the adjoining alley.

15. The house is not large enough to accommodate a HMO.

Each of the proposed rooms within the HMO meet the required space standards. This is discussed within the main body of the assessment.

16. Sloping roof for top floor rooms would be cramped.

The second floor bedrooms have been appropriately assessed and meet the space standards required. A Plan was also submitted to verify this (01C). This is discussed within the main body of the assessment.

17. Increased risk of anti-social behaviour.

An anti-social management plan will be required as part of the HMO licensing process which will appropriately deal with issues relating to anti-social behaviour should they arise.

18. Water supply and sewage overrun.

The existing dwelling could accommodate 5 persons, and it is considered that there would be no intensification on the existing water/sewerage network from the proposed development. The proposed dwelling is currently connected to the main sewerage network, and this would remain unchanged.

19. Reduced emergency vehicle access.

DFI Roads was consulted in relation to the proposal and have raised no concerns regarding access to the site by emergency vehicles.

7.0	Policy Context
7.1	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.
7.2	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.
7.3	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.
7.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application which are set out in section 5.0 above.
7.5	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.
8.0	Key Issues
8.1	The key issues for the assessment 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
8.2	<u>The principle of an HMO at the location</u> The application site falls outside a Housing Management Area. Housing Management Areas (HMAs) will be designated within the local policies plan, based on evidence available relating to concentrations for HMOs and flat conversions. In advance of the local policies plan, this will be applied to the HMO policy areas under designation HMO2 of the ‘Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015’. 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:
8.3	

	<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>
8.4	<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 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.
8.5	<p>According to the LPS Pointer Address database there are a total number of 106 houses which fall within Rutherglen Street, allowing for 10 HMOs. At the time of assessment there were 0 properties with existing HMO licenses and/or planning approval. The proposal is therefore within the 10% threshold and is acceptable in principle.</p>
8.6	<p>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.</p>
8.7	<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. The assessment of the proposal against these policies is set out below.</p>
8.8	<p><u>Impact on the character and appearance of the surrounding area</u></p> <p>The proposed development will not result in any external alterations to the property, ensuring that its appearance remains unchanged. As a result, it is expected that the proposal will have no adverse impact on the appearance or character of the surrounding area.</p>
8.9	<p><u>Impact on residential amenity</u></p> <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> <ol style="list-style-type: none"> a) <i>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. b) <i>Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other 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>8.10</p> <p>8.11</p> <p>8.12</p>	<p><i>c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure</i> - 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 services provide links between the area and the city centre. The nearest bus stop along Ballygomartin Road is approximately 185m (3 minute walk) from the front of the dwelling.</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. The site has good access to existing open space infrastructure with Woodvale Park located c. 250m (4 minute walk).</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> - Each of the bedrooms in the proposed HMO meet the space standards set out in Appendix C for 1 person occupancy. A 1-person bedroom should measure a minimum of 6.5m². All bedrooms proposed meet this standard. Bedrooms 4 and 5 which are located on the 2nd floor meet the recommended floorspace standards when measured from the height of the sloping roof at 1.5m. The proposed kitchen/living area measures a combined 18.2m² which exceeds the recommended standard of 11.5m². The proposed HMO is also in compliance with the space standards set out for kitchens and living rooms for a total occupancy of 5 persons. Accordingly, the proposal is in full compliance with the relevant HMO space standards.</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</i> - All bedrooms have safe and secure access from the front door of the dwelling.</p> <p><i>h) Ensures that living rooms, kitchens and bedrooms have access to natural light</i> - All habitable rooms in the dwelling have access to natural light.</p> <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 5 bedrooms for the intended use of 5 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> <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> <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>
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	<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 8.16-8.22 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>
8.13	<p>Taking account the nature of the proposal and the criteria set out above the proposal is considered to comply with Policy RD3.</p>
8.14	<p><u>Traffic, Parking and Access</u></p>
	<p>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. 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.</p>
8.15	<p>A parking survey was provided demonstrating that adequate parking is available within walking distance of the site on Rutherglen Street to serve the proposal. It is considered that the scheme will not be detrimental to on-street parking in the prevailing area.</p>
8.16	<p>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.</p>
8.17	<p><u>Waste and refuse collection</u></p> <p>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. 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 5 bed HMO this would equate to the typical production of 560L 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).

8.18	<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. 2. Recycling – 2 x recycling packs (3 x 55L) – collected weekly. 3. Food waste – 3 x food bins (4 x 23L) – collected weekly.
8.19	<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.
8.20	<p>Taking account of the guidance set out in the Waste SPG 8 bins would be required to serve the proposed HMO which according to the SPG would equate to an area of 2.0 x 2.4 (4.86sqm) for 4 bins and an overall total area of 9.6sqm for 8 bins would be required.</p>
8.21	<p>Policy RD3 requires that adequate provision is made within the curtilage of the site for the storage of refuse and recyclable materials, in order to safeguard residential amenity, visual appearance and public health. The rear amenity space measures 6.3 sqm and would fail to accommodate the minimum storage requirements for bin storage. The nature of the immediate area is characterised by terraced dwellings of a similar size to the application site with limited rear amenity space.</p>
8.22	<p>In the recent appeal decision under reference 2024/A0045 (Ponsonby Avenue), a similar situation arose in that the amenity area was not large enough to accommodate the required minimum storage requirements for the proposed HMO and the Council put forward a refusal reason relating to <i>‘insufficient space within the site for accommodating the increased waste storage requirements for a 6-bedroom HMO whilst maintaining sufficient amenity space for occupants of the development’</i>.</p>
8.23	<p>The Commissioner having considered the context of the site concluded that they were satisfied that <i>‘the required bin storage could be accommodated within the rear enclosed yard and not overspill into the rear alleyway or require bins to be located at the front of the property’</i>. Furthermore, the Commissioner stated that the level of amenity space provided for that particular terraced dwelling (similar to the application site) was <i>‘restricted private amenity space, which is of limited ‘socialising and gardening’ value’</i> and considered that the increase in bin provision for the HMO would not alter that. The Commissioner gave significant weight to the proximity of open space facilities to the site. In this case, Woodvale Park is within 4 minutes walking distance to the site and officers consider that its proximity would offset the level of private amenity space.</p>
8.24	<p>Taking account of the PAC decision which is a material consideration in the assessment of this application officers consider that additional bins required to serve the HMO could be physically accommodated in the rear yard and would not overspill into the rear alleyway and that the proximity to Woodvale Park would offset the level of amenity provision which is not significantly lower than that available for other terraced dwellings in the street/area. The waste storage arrangements and level of private amenity space are on balance considered acceptable. It is recommended that the provision of bin storage within the curtilage of the property be controlled by condition.</p>
9.0	Recommendation
9.1	<p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted.</p>

9.2	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.
10.0	Draft Conditions
10.1	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.
10.2	The development shall not be occupied until the refuse and recycling storage area have been provided within the rear curtilage of the property. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times. Reason: To ensure adequate provision of refuse and recycling storage in the interests of the amenities of the area.
10.3	The HMO hereby permitted may not be occupied by more than 5 persons. The owners 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: In the interest of residential amenity.

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Development Management Officer Report Committee Application

Summary	
Date of Committee: 10 th March 2026	
Application ID: LA04/2025/0951/F	
Proposal: Proposed 25m monopole with 6no. antennas, 4no. transmission dishes, 2no. equipment cabinets and ancillary development thereto.	Location: Loughside playing fields, Shore Road, Belfast, BT15 3PZ
Referral Route: The application is made by Belfast City Council and on lands to which the Council has an estate (as per the Scheme of Delegation paragraph 3.8.5 (a)).	
Recommendation: Refusal	
Applicant Name and Address: EE (UK) Ltd & Hutchison 3G UK Ltd Sixth Floor Thames Tower Station Road Reading RG1 1LX	Agent Name and Address: Guy de Rose WHP 1a Station Court Station Road Guiseley Leeds LS20 8EY
Date Valid: 30/06/2025	
Target Date: 13/10/2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	
Executive Summary: The application seeks planning permission for a 25m monopole lattice tower with 6 no antennae and 4 no dishes as well as associated cabinets and equipment. The site is located within Loughside playing fields, adjacent to the Shore Road. The playing fields are a Council operated site which offers sport pitches and a recreation centre. The topography of the site is broadly level with areas of trees outside the site boundary. An area of hardstanding to the front of the recreation centre serves as the entrance and car park. The monopole will be situated to the rear of the recreation centre and in close proximity to the two playing fields. The site is situated within the development limit as designated under both versions of dBMAP (2004 & 2014). The site is designated open space and has been identified as existing open/recreation space under dBMAP. The Key Issues relevant to consideration of the application are: <ul style="list-style-type: none"> • Principle of Development • Impact on Character and Appearance of Area • Mast sharing and the potential to share existing structures • Impact on Amenity 	

- Health Considerations.
- Road Safety

Recommendation

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

The proposal is contrary to Policies ITU1 and OS1 of the Belfast Local Development Plan: Plan Strategy 2035 as the siting, height, scale and design of the proposal would negatively impact on the area of protected open space and it has not been demonstrated that community benefits would decisively outweigh the loss of the open space.

It is recommended that planning permission is refused and delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and deal with any other issues that arise, provided they are not substantive.

Case Officer Report

Drawings

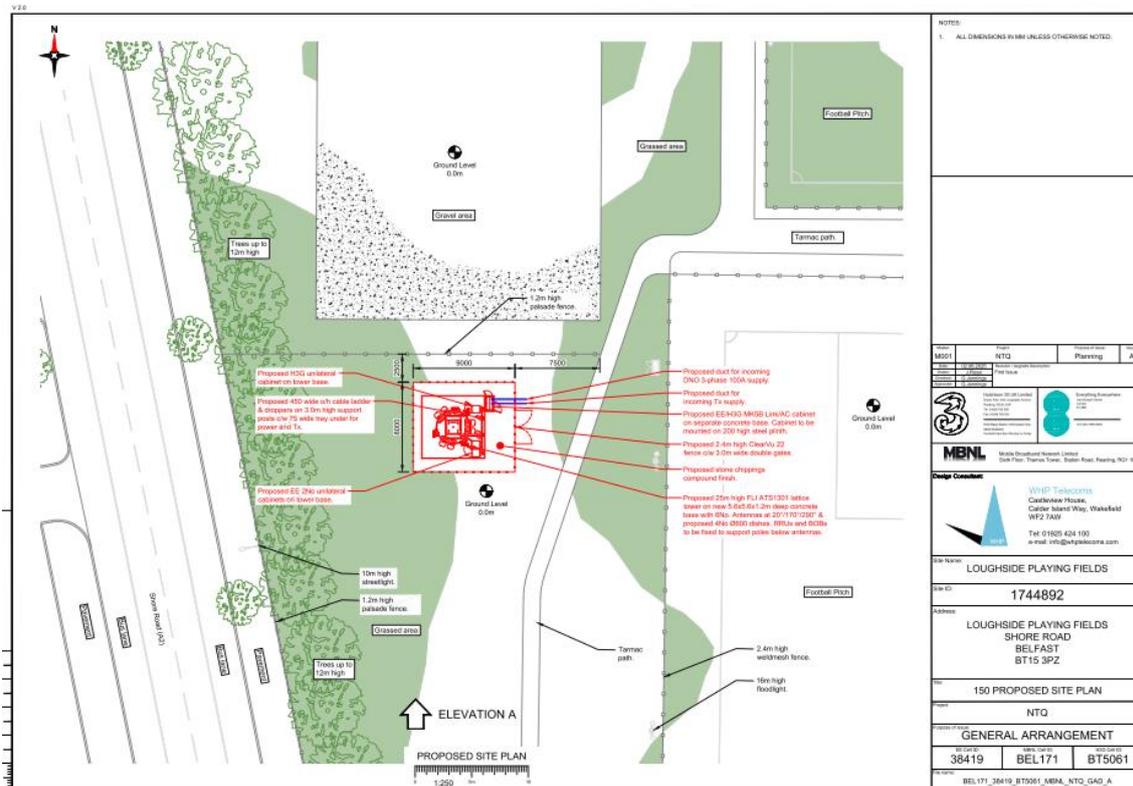
Site Location Plan



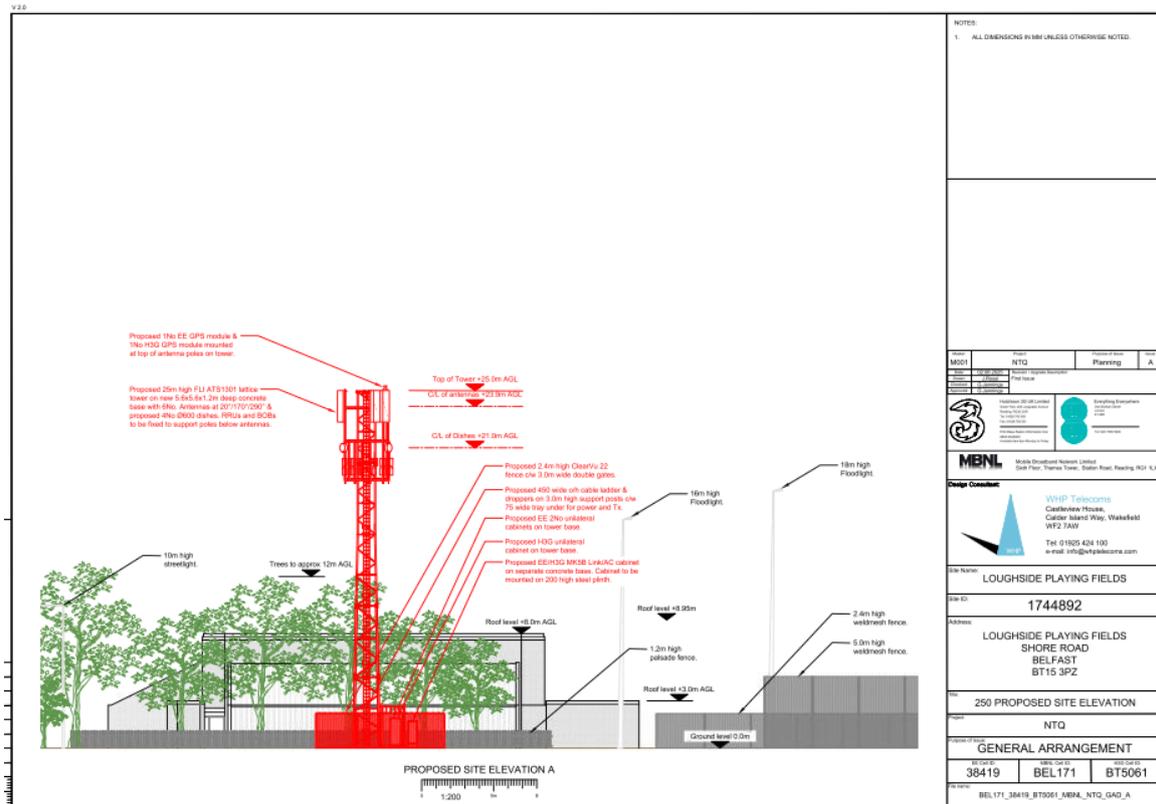
NI NGR E: 334167 N: 378163
 NGR E: 146950 N: 533593
 W3W: guess.kings.ranks

SITE LOCATION PLAN
 1:1250

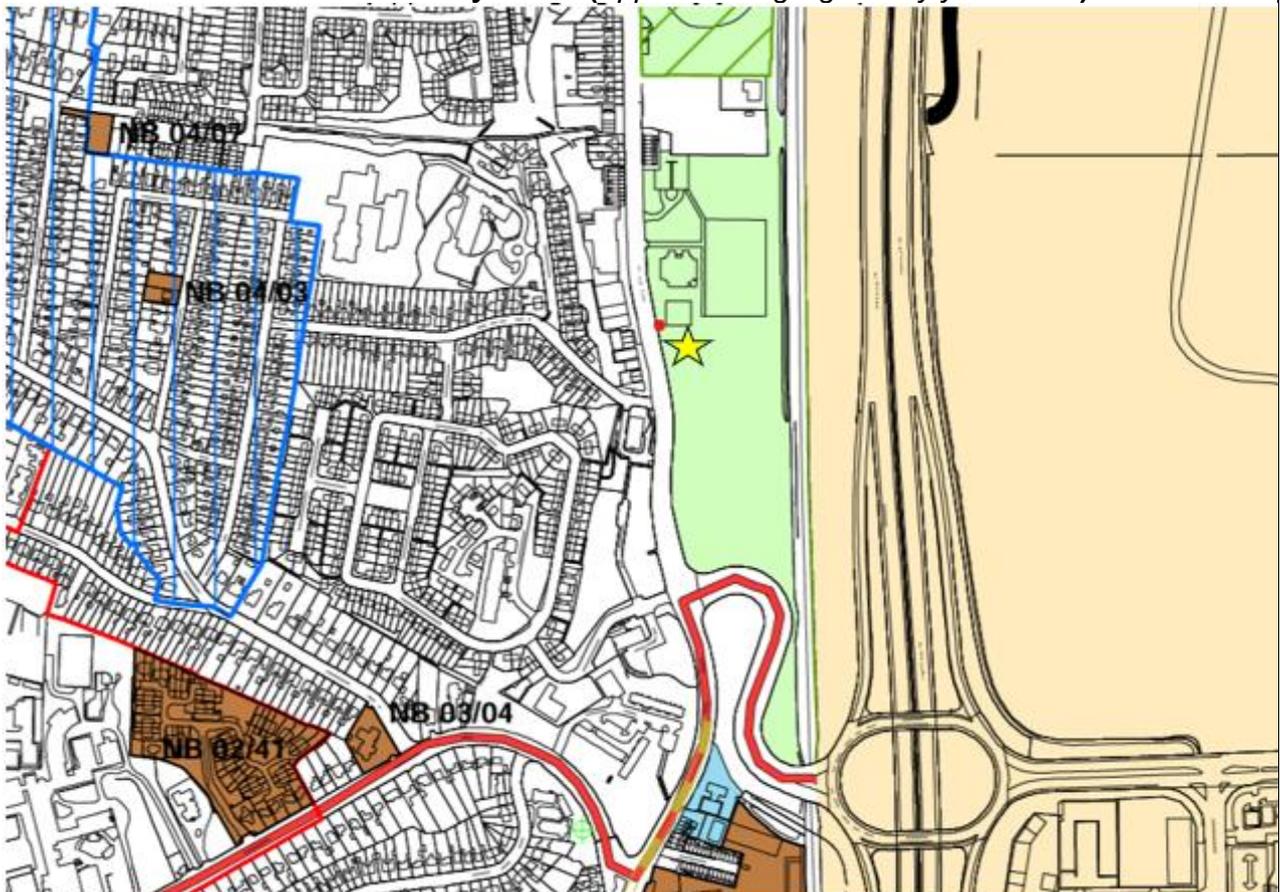
Proposed Site Layout



Proposed Elevation



Extract from Draft BMAP – see key below (Application highlighted by yellow star)



Key

For Information Only:

-  Conservation Area
-  Area of Existing Open Space
-  Protected Route
-  Archaeological Site & Monument (State Care)
-  Archaeological Site & Monument (Scheduled)
-  Archaeological Site & Monument (Unscheduled)

Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 The proposal is seeking planning permission for a 25m monopole with 6no. antennas, 4no. transmission dishes, 2no. equipment cabinets and ancillary development.

2.0 Description of Site

- 2.1 The proposal is situated to the south of and adjacent to the vacant Loughside Recreation Centre and within the western side of the area of open space adjacent to Shore Road. The centre has been closed to the public since 2020 however the adjoining playing fields remain operational.
- 2.2 There is a band of mature trees along the Shore Road boundary which are the subject of a Tree Preservation Order. Playing facilities including football and hockey pitches are situated immediately to the south and east of the application site. The immediate area on the eastern side of the Shore Road is characterised by open space and recreational uses. The western side of the Shore Road is characterised by commercial uses with residential uses beyond.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

LA04/2023/2665/F – Loughside Recreation Centre, Shore Road, Belfast BT15 4HP. Replacement of existing all weather playing pitch with 3G pitch, new fencing, floodlights and dugouts. Permission granted 03/05/2023.

4.0 Policy Framework

4.1 Development Plan Context

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	<p><u>Operational Policies</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1.</p>
4.5	<p><u>Proposals Maps</u></p> <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 (BUAP), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (dBMAP) 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 dBMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <ul style="list-style-type: none"> • Belfast Urban Area Plan 2001: The site is located within Lands reserved for Landscape, Amenity or Recreation Use. • Belfast Metropolitan Area Plan 2015 (2004): The site is within an Area of Existing Recreation and Open Space • Belfast Metropolitan Area Plan 2015 (v2014): The site is within an Area of Existing Recreation and Open Space
4.6	<p>Development Plan – Local Development Plan</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <ul style="list-style-type: none"> • Policy ITU1 • Policy OS1
4.7	Strategic Planning Policy Statement for Northern Ireland (2025)
4.8	<p>Other Considerations</p> <p>DCAN 14 – Sitting and Design of Radio Telecommunications Equipment.</p>
5.0	<p>Statutory Consultees Responses</p> <ul style="list-style-type: none"> • Belfast City Airport – No objections
6.0	<p>Non Statutory Consultees</p> <ul style="list-style-type: none"> • Belfast International Airport – No objections
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No third party representations have been received.
8.0	Assessment
8.1	<p>Principle of development</p> <p>This proposal seeks to enhance connectivity and maximise service provision and supply in this area. The applicant cites the proposal as a replacement mast for existing</p>

	<p>infrastructure on the roof of Ross House which will prevent a coverage gap in the area. The proposal relates to network users of EE.</p>
8.2	<p>The proposal is required to comply with policies ITU1 and OS1 of the Belfast Local Development Plan 2023. ITU1 sets out 8 criteria for telecommunications infrastructure/development. The policy aims are:</p> <ul style="list-style-type: none"> • To facilitate appropriate provision of infrastructure to meet current and featured needs and, • To minimise visual and environmental impacts of infrastructure, telecoms and utilities in order to support sustainable economic growth.
8.3	<p>Policy ITU1 as it pertains to Impact on Character and Appearance of the Area Criterion (c) - Not result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations, or heritage features. Criterion (g) requires details of the consideration given to measures to mitigate the visual and environmental impact of the proposal.</p>
8.4	<p>From the site inspection, the average height of the surrounding buildings on this part of Shore Road was noted. The commercial and residential buildings do not exceed more than 3 storeys for this part of the road. Within the surrounding context, Ross House (Mount Vernon), located to the south west of the site is the only apartment block which does not conform with surrounding character in terms of height. Ross House is proposed to be demolished under the Housing Executive's Action Plan.</p>
8.5	<p>The proposal does not satisfactorily sit within this existing character and will create an overly prominent feature. The height of the proposal far exceeds that of the mature planting and trees, limiting the screening they can provide especially over medium and long distances thus failing criterion (c) of ITU1.</p>
8.6	<p>The proposed 25m lattice tower is directly adjacent to the Shore Road. The western boundary which faces onto the road is screened by mature trees along this route. The Trees are subject to a Tree Protection Order under TPO/2012/0067. Policy ITU1 advises in paragraph 9.1.7 that telecommunication development should avoid any sensitive areas that include any other environmental designations. The site is within a TPO site. Policy TRE1 has a precautionary approach when considering the impacts of a proposed development on trees of visual, biodiversity or amenity quality and significance. Whilst the development is situated away from the tree line, the visual impact is considered significant and will detract from the established tree line which characterises this part of Shore Road.</p>
8.7	<p>The proposal will create a gross area of 75 sqm. The proposal includes ancillary works such as a 2.4m high fence and gates along with 4 transmission dishes and 2 equipment cabinets.</p>
8.8	<p>The mast will be located in an area of open space to the immediate south of the currently vacant recreation centre. The surrounding area is mixed use with commercial and residential uses. The mast will be significantly taller than any other structures in the immediate area. The proposal is 9m taller than existing street lighting. The proposal will be 17m taller than the recreation centre and 14m taller than the tree line. Public views will be open to the mast throughout the park and will be highly visible from the surrounding area.</p>
8.9	<p>The mast will be a dominant feature in the immediate context of the site due to the height and bulkiness of the structure, creating a prominent feature in the surrounding area. The setting of this proposal does not provide a sufficient backdrop to allow the 25m lattice tower to satisfactorily integrate into the streetscape. The proposal will be highly visible</p>

	from various public viewpoints e.g. along the adjacent Shore Road and a significant distance away.
8.10	The proposal has not fully considered potential mitigation measures. The proposal will sit above the existing street lighting by 7-15metres. The proposal is a large and bulky lattice tower which is top heavy with a range of antennae and dishes which are fixed to the tower at its highest point.
8.11	The statement provided by the agent does not adequately demonstrate the proposal will not be an overly dominant feature from public viewpoints. Officers have identified the key public viewpoints which fall along the Shore Road, within the park and the residential street of Loughside Chase and Loughwood Park.
8.12	If permitted the proposal would significantly change the established skyline and would create an unacceptable level of visual clutter which does not integrate with the surrounding.
8.13	The SSRI has provided limited information in regard to mitigation measures to overcome this policy conflict. For the reasons set out above the proposal is contrary to Policy ITU1 criteria (c) & (g).
8.14	<p>Policy ITU1 – other considerations</p> <p>Criterion (a) – Improve connectivity. The agent has made a statement that the proposal will help improve connectivity, as it serves as a replacement for Ross House to prevent a gap in coverage. Officers have undertaken a desktop assessment and are satisfied criterion (a) will be complied with.</p>
8.15	<p>Criterion (b) – Encourage investment and support the competitiveness of the city. The statement provided by the agent quotes the planning policy framework for England in which “<i>Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being</i>”. Officers would not dispute this position; however, the proposal should also comply with the following criteria.</p>
8.16	Criteria (d) & (e) relate to new masts being proposed and will only be acceptable where both requirements are meet,
8.17	Criterion (d) relates to the sharing of an existing mast or other structure has been fully investigated and not feasible.
8.18	ITU 1 requires demonstration of mast sharing and that a new mast represents a “better environmental solution than other options”, under criteria (d) and (e). The SSRI demonstrates the discounted site options.
8.19	<p>The applicant has presented supporting information that alternative sites (25no.) were considered. They were dismissed for various reasons, including,</p> <ul style="list-style-type: none"> • Proximity to residential housing • Ross house re-development scheme • Railway fall distances • Giant’s Park site is up for re-development • Site shares as structures not shareable. Insufficient height available to achieve the required line of sight/ edge of search area. • Structures located in conservation area and issues with Trees • Significant distance away from NTQ site. • Unsuitable for extending the required height.

8.20	The SSRI concludes that the applicant has taken into account the factors of technical constraints, available sites and planning constraints and consider that the site and design clearly represents the optimum environmental solution.
8.21	The discounted site options have disregarded sites in other locations due to close proximity to residential dwellings. This is not considered appropriate justification as there are many instances of telecoms infrastructure being located within residential areas throughout Belfast. ITU 1 also does not preclude such development from residential areas within the criteria. The council does note there is a weak signal for 5G network coverage in the area.
8.22	The requirement for the 5G Coverage does not outweigh the visual impacts outlined in this report. The lack of clarity and detail regarding the assessment of other sites means the Council cannot be satisfied that the need for a telecoms structure at this location outweighs the visual impact of the proposal.
8.23	Officers are aware of a recent live planning permission under LA04/2023/4526/F which was granted planning permission as an alternative site to the existing Ross House site which can be implemented until 27/04/2010. The applicant has advised the works did not go ahead due to budgeting constraints. Had the proposal been otherwise acceptable, officers could have explored revocation of the extant approval at Ross House, or a Section 76 Planning Agreement to ensure only one of the permissions was enacted. As it stands however, the proposal is not considered to meet key policy tests, and a replacement mast has already been approved.
8.24	<p>Criterion (e) requires a new mast to represent a better environmental solution than other options.</p> <p>Little information has been provided by the agent in terms of criterion (e). Officers consider that the best environmental solution would be to implement the permission the applicant has under LA04/2023/4526/F. This would prevent the proliferation of masts within the immediate area.</p>
8.25	<p>Criterion (f) requires that the applicant provides information about the purpose and need of the proposal and how it fits into the wider network.</p> <p>The supporting statement details the site selection process and alternative sites for the proposal that have been explored and discounted for various reasons. These elements of the supporting statement aim to satisfy criteria a., b. and f. of Policy ITU 1 of the LDP, in that the proposal would enhance connectivity, encourage investment and competitiveness of the city. The applicant has provided a limited level of information about the purpose and need for this mast.</p>
8.26	The agent has advised mobile phone stations are required as more people are using their network at home, which requires the service to be placed in close proximity to residential properties.
8.27	The agent further contends that proposals are limited as they are required to fit within the existing network. Sites can have a degree of overlapping, however if the overlap is too great unacceptable interference can occur. The proposed development at this site will provide the required service for EE whilst accommodating future users. This feeds back into providing a wider benefit to the economy.
8.28	Criterion (h) has two parts which the proposal must comply with where a base station is proposed a statement:

	<ol style="list-style-type: none"> 1. Indicating its location, the height of the antenna, the frequency and modulation characteristics and details of power output. 2. Confirmation that the base station when operational will meet the Internal Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines for public exposure to electromagnetic fields.
8.29	The agent has met the above requirements within the SSRI and the ICNIRP certificate has been submitted as part of this application.
8.30	In relation to air / public safety, Belfast City Airport and Belfast International Airport have been consulted in relation to the height of the structure. Belfast City Airport requested that if 5G was to be enabled, that the applicant should provide clarification of compliance with the Ofcom coordination process.
8.31	The applicant has provided an ICNIRP declaration of compliance. This declaration states that the mast, if erected, would comply with the requirements of radio frequency guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure. Criteria (h) of policy ITU1 has been complied with, therefore the council offer no objection on this basis.
8.32	<p>Loss of Open Space</p> <p>The proposal falls within and established area of open space and therefore OS1 is applied. While the proposal pertains to a relatively small area, the general presumption of the policy is for retention of open space unless the lands have been identified in the LDP for alternative uses. The presumption against the loss of open space will apply irrespective of ownership, public access, physical condition or appearance.</p>
8.33	The proposal incorporates the loss of open space to facilitate this development/infrastructure works. Development will only be permitted where exceptional circumstances have been demonstrated. No information to date has been provided to demonstrate that the upgrade in network coverage will bring substantial community benefits that outweigh the loss of open space. Therefore, the proposal is contrary to policy OS1.
8.34	<p>Road and Pedestrian Safety</p> <p>The proposed monopole and associated ancillary works would be positioned approx. 15 metres from Shore Road ensuring the public footpath remains unobstructed. Given the distance to the footpath and the mature trees acting as a barrier, DFI Roads were not consulted on the application. The installation is not expected to impede pedestrian or vehicular movement.</p>
9.0	Summary of Recommendation:
9.1	The proposal is contrary to Policies ITU 1 and OS 1 of the Belfast Local Development Plan: Plan Strategy 2035. It is recommended to refuse planning permission and delegated authority is sought for the Director of Planning and Building Control to finalise the wording of refusal reasons.
10.0	Draft Refusal Reasons:
	<ol style="list-style-type: none"> 1. The proposal fails to satisfy criterion c. of Policy ITU1: Telecommunications Development of the Belfast Local Development Plan: Plan Strategy 2035 in that siting, scale, design and massing of the proposal would result in unacceptable damage to visual amenity and cause harm to the area.

	<ol style="list-style-type: none"><li data-bbox="336 232 1422 427">2. The proposal fails to satisfy criteria e. and g. of Policy ITU1: Telecommunications Development of the Belfast Local Development Plan: Plan Strategy as it has not been demonstrated that a new mast represents a better environmental solution than other options, and that adequate details have been considered to mitigate the visual and environmental impact of the proposal at this location.<li data-bbox="336 472 1422 600">3. The proposal fails to satisfy Policy OS1 of the Belfast Local Development Plan: Plan Strategy 2035 in that it has not been demonstrated that the loss of open space will be decisively outweighed by delivering substantial community benefits.<li data-bbox="336 645 1422 869">4. The proposal fails to satisfy Policy OS1 of the Belfast Local Development Plan: Plan Strategy 2035 in that it has not been demonstrated that the proposal will protect the character and amenity value of the protected area of open space and no alternative provision has been proposed nor has it been demonstrated that retention/enhancement of the existing open space/recreational facilities can only be achieved by the development of part of a small part of the existing space.
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