

Development Management Report

Summary	
Committee Date: 13 th May 2025	
Application ID: LA04/2024/0058/F	
Proposal: Demolition of existing 31 no. bed private nursing home and erection of 20 no. sheltered housing units (3 storey building) for the elderly; warden accommodation; communal facilities; landscaping; car parking and site works.	Location: 68 Fortwilliam Park Belfast BT15 4AS
Referral Route: Residential scheme of 20 units with representations contrary to officer recommendation	
Recommendation: Approval subject to conditions	
Applicant Name and Address: PSC Management (NI) Ltd Unit 26, Somerton Industrial Park Belfast BT3 9JB	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Date Valid: 20 th December 2023	
Target Date: 3 rd April 2024	
Contact Officer: Lisa Walshe, Principal Planner	
Executive Summary: The application relates to lands at Loughview Nursing Home, 68 Fortwilliam Park, Belfast. Full planning permission is sought for the demolition of the existing 31 no. bed private nursing home and erection of 20 no. sheltered housing units (3 storey building) for the elderly; warden accommodation; communal facilities; landscaping; car parking and site works. The application follows a detailed Pre-Application Discussion (PAD). The main issues relevant to consideration of the application are set out below. <ul style="list-style-type: none">• Principle of sheltered housing units in this location• Design and Placemaking• Impact on amenity• Flood risk and drainage• Waste-water infrastructure• Climate change• Access and transport• Health impacts• Environmental protection• Natural heritage• Trees and landscaping• Waste management	

The site is a sustainable location, with access to and from Belfast City Centre via established walking, cycling and public transport connections. It is located within a residential area of mainly two storey detached dwellings.

The proposed demolition and resulting building are considered to be of a high-quality design and appropriate to its location.

NI Water object to the application on grounds of foul sewer network capacity issues; this issue is dealt with in the main report. No objections have been received from all other statutory and non-statutory consultees. A final response from BCC Waste Management is awaited.

Three letters of objection were received raising the following issues :

- Overlooking
- Loss of trees
- Traffic
- Impact on property values
- Pollution during construction
- Disregard for planning laws
- Views of the community not taken on board

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, resolve any Waste Management issues arising and deal with any other issues that arise, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Site Layout:



Proposed Elevations:



Fortwilliam Park Elevation - Option A



Side / Car Park Elevation

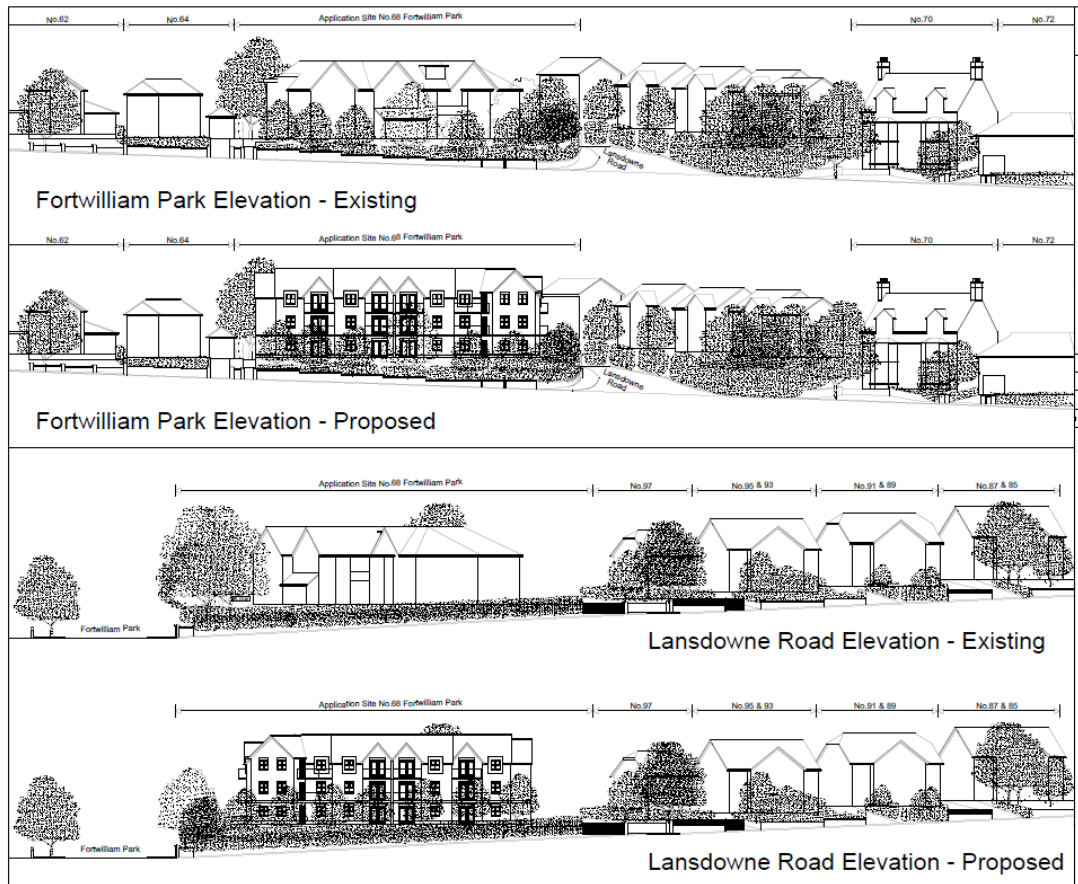


Lansdowne Road Elevation

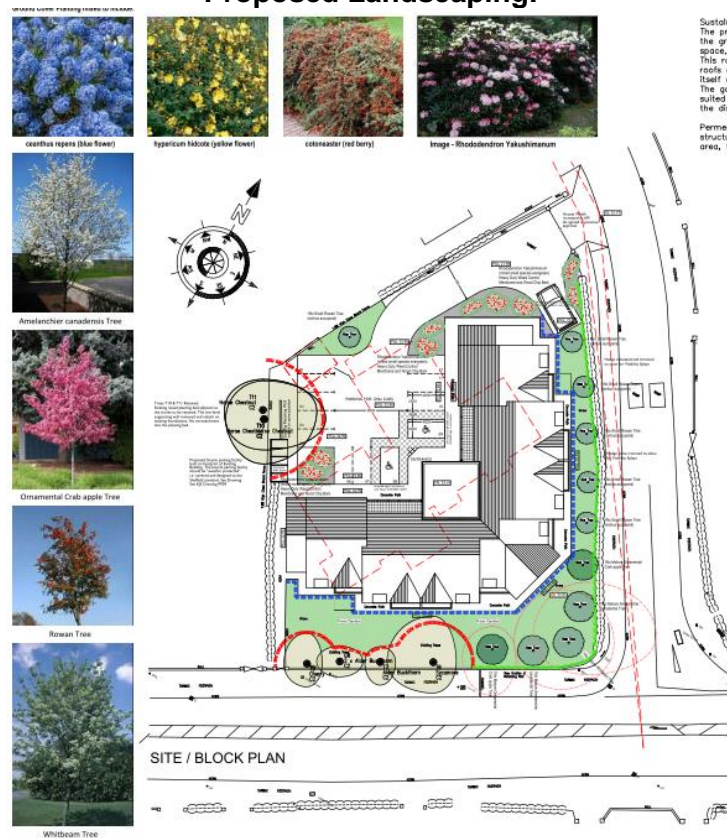


Rear / Car Park Elevation

Contextual Elevations



Proposed Landscaping:



1.0	Characteristics of the Site and Area
1.1	This application relates to the existing 2.5 storey Loughview Nursing Home, 68 Fortwilliam Park, Belfast.
1.2	The site is approximately 0.2 hectares (ha) in size and is located at the junction of Fortwilliam Park and Lansdowne Road. Residential properties about the site to the north-west and south-west. The site is elevated and rises to the rear. It is characterised by hardstanding and green landscaped areas around the existing building. The site boundaries are defined by tall mature trees along Fortwilliam Park; mature landscaping along Lansdowne Road and the south-western boundary (though not as high in height). The north-western boundary is defined by a fence between the site and No 97 Lansdowne Road and exhibits signs of the recent tree removal. The site is accessed from Lansdowne Road, as the access from Fortwilliam Park is currently closed off.
1.3	The immediate area around the application site comprises a mix of residential dwellings, mainly large detached, along with Dominican College and Parkdean Nursing Home. Somerton Conservation Area is to the East of the site adjacent.
1.4	Description of Proposed Development
1.5	The application seeks full planning permission for the demolition of the existing 31 no. bed private nursing home and erection of 20 no. sheltered housing units (3 storey building) for the elderly; warden accommodation; communal facilities; landscaping; car parking and site works.
1.6	The proposed building contains dual frontage onto Lansdowne Road and Fortwilliam Park. The access remains from Lansdowne Road with the proposed car park and main entrance to the rear. The proposed building is to be three storeys, with proposed materials a mix of red brick and smooth render, with black/grey slate roof tiles.
1.7	The application was subject to a Pre-Application Discussion (PAD).
2.0	Relevant Planning History
2.1	Z/2007/2525/F – Erection of 21 no Flats – Permission Granted 12/01/99
2.2	Z/2001/1109/F - Demolition of private Nursing Home for 36 people and erection of 16 No. new build apartments & associated site works (Amended Scheme) – Permission Granted 19/02/02
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</p>

	<p>Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></p> <p>Policy HOU8 – Specialist Residential Accommodation Policy RD1 – Residential developments</p> <p>Policy DES1 – Principles of urban design</p> <p>Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN7 – Access to protected routes Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy HC1 – Promoting healthy communities Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Residential Design (including adaptable and accessible accommodation) Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Planning and Flood Risk</p>
3.3	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) (BUAP 2001) Draft Belfast Metropolitan Area Plan 2015 (v2004) (dBMAP v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) (dBMAP v2014)</p>
3.4	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations Belfast Agenda (Community Plan)</p>

4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	<p>Statutory Consultees</p> <p>DFI Roads – No objection subject to conditions. NI Water – Issues raised – foul sewer network capacity issues. DfI Rivers – No objection. DAERA NED – No objection. DAERA WMU – No objection subject to conditions.</p>
4.2	<p>Non-Statutory Consultees</p> <p>Environmental Health – No objection subject to conditions. BCC Landscape and Development – No objection. BCC Tree Officer - No objection subject to conditions. BCC Waste Management – comments outstanding. Northern Ireland Housing Executive – No objection.</p>
4.3	<p>Representations</p> <p>The application has been advertised in the newspaper and neighbours notified. Three representations were received.</p>
4.4	<p>The following issues were raised (summarised):</p> <ul style="list-style-type: none"> • Overlooking • Loss of trees • Traffic and road safety • Impact on property values • Pollution during construction • Disregard for planning laws • Views of the community not taken on board
4.5	<p>These issues will be considered within the written assessment however a number of these issues are not planning considerations and outside the remit of planning legislation and guidance. Namely impact on property values as well as the comment that community views are not taken into account. The proposal development does not fall under the category of Major development and therefore the Applicant is not under statutory duty to consult with the public prior to making any application.</p>
5.0	PLANNING ASSESSMENT
5.1	<p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of sheltered housing units in this location • Design and Placemaking • Impact on amenity • Flood risk and drainage • Climate change • Access and transport • Health impacts • Environmental protection • Waste-water infrastructure

	<ul style="list-style-type: none"> • Natural heritage • Waste management
5.2	Development Plan Context
5.3	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.4	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.5	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan") remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Policies</u></p>
5.6	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.</p> <p><u>Proposals Maps</u></p>
5.7	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan"), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.8	Belfast Urban Area Plan 2001 – the site is un-zoned "white land" within the development limit.
5.9	Draft Belfast Metropolitan Area Plan 2015 (2004 & 2014) – in dBMAP 2015 (v2004), the site is zoned for Housing under reference 03/07. In dBMAP 2015 (v2014), the site falls is zoned for Housing under reference NB 03/04. Somerton Conservation Area is to the East of the site adjacent. The proposed development falls under Class C3 Residential Institutions (a) the Planning (Use Classes) Order (NI) 2015. The existing use falls under Class C3 (b) and therefore the use remains as residential.

5.10	Principle of Development
5.11	The site is located within the development limit in the BUAP 2001 and both versions of dBMAP 2015. The current established use on the site is that of a Nursing Home. The proposed use is for sheltered accommodation for the elderly. The proposed development falls under Class C3 Residential Institutions (a) the Planning (Use Classes) Order (NI) 2015. The existing use falls under Class C3 (b) and therefore the use remains as residential and does not conflict with dBMAP 2015 (v2014) and most recent land-use zonings for the site. The principle of the proposed development is considered acceptable subject to further assessment as set out below.
5.12	<p>Policy HOU8 of the Plan Strategy states that planning permission will be granted for Specialised Residential Accommodation where the following criteria are met.</p> <p><i>a. The homes and/or bed spaces to be provided meet community needs demonstrated through a statement of specialist housing need;</i></p>
5.13	The Applicant submitted a statement of specialist housing need with the application. Within the statement it details how the building is no longer fit for purpose and whilst there are 31 rooms it can only accommodate a maximum of 26 residents due to families' preference for a single room with ensuite facilities. The Applicant seeks to develop a new model for accommodation for independent elderly residents on the site. The applicant has highlighted that 2021 census data demonstrates an ageing population and that demand for Specialist Residential Accommodation (SRA) will continue to increase and therefore accommodation such as this is needed.
5.14	The Plan Strategy has stated a need for an additional 820 bed spaces in residential care homes during the plan period and therefore a demonstrable need exists. NIHE confirm there is housing need in the area and that the development would increase the ability to address the housing needs of all. On balance considering the loss of the established Nursing Home on the site the proposed development is acceptable.
5.15	<p>Policy HOU8 of the Plan Strategy also states that planning permission will be granted for Specialised Residential Accommodation where</p> <p><i>b. The proposals will deliver convenient access to relevant local services and facilities, including local shops, public transport routes and health facilities.</i></p>
5.16	The proposal is located within the development limit of Belfast. Fortwilliam Park provides access to relevant local services and facilities as well as being a protected route, easily accessible to the Antrim Road and Shore Road, and main route to the City Centre. Approximately 320 metres from the proposed development site are bus stops located on the Shore Road, which is one of the main metro routes into Belfast City Centre and which is served by a high frequency public transport services Monday to Sunday. The site is within close proximity to both the City Hospital and the Royal Victoria Hospital.
5.17	Having regard to the above assessment, the proposal is considered to satisfy Policy HOU8 of the Plan Strategy.

5.18	<u>Design and placemaking</u>
5.19	The proposal has been assessed against Policies SP5, DES1, and RD1 of the Plan Strategy, the SPPS and Creating Places. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development. The application follows a Pre-Application Discussion (PAD) process when issues relating to scale, height, massing and architectural treatment were discussed in detail.
5.20	The proposed development takes the form an inverted 'L' shape 3 storey building, fronting onto both Lansdowne Road and Fortwilliam Park. The area to the rear of the building is the proposed car park and main entrance. Plans show soft landscaping to the dual frontages which is discussed in more detail in paragraphs 5.62 – 5.68.
5.21	The development proposal provides 20 units overall. The resultant mix of types is 18 units with 2 bedrooms and 2 units with 1 bedroom. Units range from 61 sqm to 74 sqm which is acceptable with regards to space standards laid out in Appendix C of the Plan Strategy. The proposal includes two areas of sleeping accommodation for wardens.
5.22	The orientation of fenestration to the rear and separation distances are acceptable and this is explored in more detail when assessing the impact on neighbouring amenity.
5.23	The proposed external materials include red brick and smooth render walls, man-made grey/black slates and black/grey rainwater goods which are acceptable for the site and surrounding area.
5.24	It is considered that the scale, massing and design of the building are appropriate to the site and surrounding buildings and the proposal accords with RD1 and DES1 of the Plan Strategy.
5.25	<u>Impact on amenity</u> <i>Open space and amenity space:</i>
5.26	Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.
5.27	The proposal includes a green open amenity space to the front and side measuring approximately 424.8sqm in size. This amount of open space would result in 20% of the total site area which exceeds the 10% open space and therefore the requirement of Policy OS3 are met.
5.28	The external amenity areas would equate to an average of 21.2sqm per unit. <i>Creating Places</i> , published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm. In a development such as that proposed there would be an expectation of a reduction in amenity space. Nevertheless, the proposed amenity provision is considered generous. There are also small balconies on some

	apartments, and shared amenity space indoors in the form of a community day room and internal streets with street furniture.
5.29	It is considered the requirements of Policy OS3 are met.
	<i>Impact on neighbouring amenity:</i>
5.30	The proposal is situated adjacent and opposite a number of residential dwellings. It is opposite two storey dwellings on Lansdowne Road and Fortwilliam Park, and adjacent to the gables of dwellings at 97 Lansdowne Road and 64 Fortwilliam Park. Whilst the proposed building is orientated slightly differently from the existing and closer to the boundary with 64 Fortwilliam Park there are no proposed windows on the closest elevation to this adjacent property. All fenestration that is orientated towards this direction relate to non habitable rooms and at a significant distance from the shared boundary. On examination of the existing and proposed streetscape plans the height of the proposed building is approximately 1m higher than that of the existing. The height, scale and massing and not significantly different from that existing and it is considered that the proposed development would not cause an unacceptable degree of overshadowing to neighbouring dwellings and due to this and the orientation would have no impact on rear gardens.
5.31	Small balconies proposed have outlooks onto Fortwilliam Park and Lansdowne Road and not on to private amenity space. An objection received from 109 Fortwilliam Park raised the issue of overlooking onto the road (a public highway) and bedrooms of 109. The front boundary of No. 109 Fortwilliam Park to the front boundary of the proposed site is approximately 18.4m, whereas the front elevation of the proposed development to the front boundary of 109 is approximately 26.1m and the separation distance between the respective elevations is even greater. A similar concern was raised by an objector at 104 Lansdowne Road. The closest elevation of the proposal is over 40m from the front elevation of No 104 with it also being over 20m from its front boundary. Given the adequate separation distances between the proposal and adjacent dwellings it is considered that the proposal would not result in any adverse impact by way of overlooking.
5.32	In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.
5.33	<u>Flood risk and drainage</u>
5.34	DfI Rivers has reviewed the Drainage Assessment, subsequent updated version and drainage layout, accepting their logic and has no reason to disagree with the conclusions. Accordingly, it offers no objection to the proposal.
5.35	The proposal complies with Policies SP1, ENV3, and ENV4 and relevant provisions of the SPPS.
5.36	<u>Waste-water infrastructure</u>
5.37	Policy SP1A requires that necessary infrastructure is in place to support new development. DAERA Water Management Unit cited concerns over the potential impact on sewage loading to the Belfast waste water treatment works. However, NI Water has confirmed that there is available capacity and as such there is no issue in this regard.

5.38	<p>NI Water did however highlight the downstream catchment is constrained by overloaded sewage infrastructure including one or more downstream Unsatisfactory Intermittent Discharges (UID's) which are causing a negative impact on the environment. These are located at Fortwilliam Park Dunlambert CSO; Shore Road Fortwilliam CSO; and Shore Road York CSO. (1,2&3) Discharge to the Lagan. This part of Belfast catchment is constrained by lengths of downstream sewer operating above capacity. NI Water suggested the Applicant should liaise directly with them. DAERA WMU also highlighted concerns with respect to sewage disposal and recommended a condition to be attached to any Approval (set out below) requiring the means of sewage disposal to be agreed prior to commencement of development. Whilst NI Water has objected to the application, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. A condition is recommended to secure final details of the means of sewage disposal prior to commencement of development. Notwithstanding, there is an existing established use on site connected to NI Water infrastructure and it is considered that the additional impact as a result of the proposed development would not be so significant to result in environmental harm.</p>
5.39	<p>For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p>
5.40	<p><u>Climate change</u></p> <p><i>Demolition:</i></p>
5.41	<p>The proposal involves the demolition of the existing building to facilitate the proposal. The existing building is not listed, nor within a Conservation Area and therefore not afforded protection. 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. Development proposals should where feasible avoid demolition and reuse existing buildings and structures. A Demolition Justification Statement has been submitted and states that the existing building is not currently up to RQIA standards for residential nursing facilities. It is in such a poor state of repair that the works required to bring it up to standard, including a new roof, would be significant and result in a building still not compliant with RQIA standards. The demolition of the existing building is therefore considered acceptable.</p>
5.42	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposed development encourages passive design, utilises modern and more energy efficient building materials. Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The application proposes SuDS features such as the provision of communal green spaces, a rainwater as well as permeable paving the large parking area and surrounding the proposed building. The proposals are considered to satisfy Policies ENV5 and ENV3.</p>

5.43	<p><u>Access and transport</u></p> <p><i>Accessibility and parking:</i></p>
5.44	<p>The proposal is in an accessible location just off a protected route, near to a bus stop. A covered bike store is proposed to the rear of the site. The site is accessible and provides good opportunities for active travel, including walking and cycling, through excellent linkages with the City Centre and its shops, services and amenities. Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The proposal contains 12 parking spaces including 2 disabled spaces. There is an additional area for a ambulance/service vehicle.</p>
5.45	<p>Road safety and traffic were raised as a concern in a representation. DfI Roads Service was consulted and have raised no objection subject to conditions should approval be granted.</p>
5.46	<p>The supporting TAF advises that the access to public roads (via 1 existing pedestrian entrance and one existing vehicular access to Lansdowne Road) do not prejudice road safety or significantly inconvenience the flow of road users in accordance with Policy TRAN 6. Additionally, although the application fronts onto Fortwilliam Park, which is a protected route, the proposal continues to use the existing access onto Lansdowne Road and therefore no conflict arises with Policy TRAN 7.</p>
5.47	<p>The scale of development and transport implications of the proposal were assessed by DFI Roads and area considered to be acceptable. The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN6, TRAN7, and TRAN 8, and relevant provisions of the SPPS.</p>
5.48	<p><u>Health impacts</u></p>
5.49	<p>Policy HC1 seeks to ensure that all new development maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.50	<p>The site is a sustainable location with good access to public transport. The proposed building is considered to be of a high quality design with good quality hard and soft landscaping. This will provide a pleasant and attractive environment for any employee and occupants of the building. The proposal is considered compliant with Policy HC1.</p>
5.51	<p><u>Environmental protection</u></p>
5.52	<p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, lighting, odour and noise.</p>

	<i>Contaminated land</i>
5.53	BCC EHO confirmed records do not indicate potential land contamination associated with past land-use on or in close proximity to this proposed development.
	<i>Air quality</i>
5.54	The submitted TAF indicates the proposed development will generate less vehicle trips than the existing development on site. Therefore, the proposal is not predicted to have any detrimental impact on air quality in the local area from associated vehicle movements.
5.55	BCC EHO note a boiler room is proposed as part of the development, details of proposed heating and hot water systems are not confirmed at this stage. They have suggested a condition be included in any approval that an Air Quality Assessment be submitted and agreed in writing.
	<i>Noise</i>
5.56	The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration or odours to nearby commercial premises. BCC EHO have no concerns regarding the impact of noise.
	<i>Construction phase</i>
5.57	Pollution during the construction phase was raised as an issue in a representation objecting to the proposal. BCC EHO highlighted The Pollution Control and Local Government (NI) Order 1978 in their response and the developer's need to comply with this. Guidance was listed in relation to this including British Standard 5228-2009+A1:2014 – Code of practice for noise and vibration control on construction and open sites. BCC EHO did not object to the proposal on any issue relating to the construction phase.
5.58	The proposal is considered to accord with Policy ENV1, and relevant provisions of the SPPS.
	<u>Natural heritage</u>
5.59	Policy NH1 relates to the protection of natural heritage resources.
5.60	A Preliminary Bat Roost Assessment, as well as NI Biodiversity Checklist were submitted as part of the application. The Bat Roost Potential Survey indicated that there is no roost potential features within the building, and therefore DAERA NED are content that the building is unlikely to currently support roosting bats. However, should roosting bats be found during works, all works must stop and advice sought from NIEA Wildlife Team. NED has no objections subject to conditions having considered the impacts of the proposal on designated sites and other natural heritage interests.
5.61	The proposal is considered compliant with Policy NH1 and the relevant provisions of the SPPS.

	<u>Trees and landscaping</u>
5.62	Initially most mature trees were to be retained, however BCC Tree Officers highlighted the proposed site layout plan showing insufficient separation distance between the proposal and existing trees which would fail to promote or create a harmonious relationship between enjoyable private amenity space and retained trees. On further review they stated no objection to the Ash tree (labelled T5) to the SE corner of the site being removed due to its poor health and condition, but all other mature trees including T1, T2, T3 & T4 should be retained (along Fortwilliam Park boundary).
5.63	Following the submission of an updated landscaping plan and construction management plan BCC Tree Officer further emphasised the need to retain the mature trees. They agreed that T1 & T3 could be removed, however, T2 – 1 x mature scots pine which is classed as B2 and classed as good vitality should be retained and incorporated into the scheme. They felt the tree offers public visual amenity to the streetscape with 40+ years life expectancy
5.64	Following the submission of an arboricultural impact assessment it was shown that the root systems of a number of trees to the front were impacting the retaining wall running along the Fortwilliam Park boundary at a lower level directly adjacent to the footpath. The assessment stated the wall exhibits significant vertical cracking and evidence of past repairs, indicating ongoing structural instability likely caused by root pressure from the trees. The wall's location beside a busy public footpath, which is a primary route to a nearby school, raises serious safety concerns for residents, visitors, and the public, particularly given its compromised state. The assessment went on to state “while the trees may hold some amenity value for the nursing home, they exhibit signs of wind damage and are clearly oversized for their confined planting location”
5.65	A further updated landscaping plan as well as details of construction measures to protect any retained tree roots were submitted and BCC Tree Officers responded with no objection subject to conditions. 11 x proposed trees are to be planted within the site to compensate for the tree loss comprising of rowan, whitebeam, crab apple & serviceberry. The tree officer advised that additional hedging and tree cover should be planted along the Lansdowne Road Fortwilliam Park boundaries to help promote future screening and privacy and complement the proposed planting. A final landscaping plan could be conditioned to be agreed in writing prior to commencement of development should approval be granted.
5.66	Whilst retention of all mature trees is ideal, it is not possible on the site. Furthermore, none of the trees are protected by a Tree Protection Order or afforded protection by being within a Conservation Area. The proposal is compliant with TRE1 of the Plan Strategy.
5.67	BCC Landscape Team offered no objection to the proposal, welcoming the use of gravel throughout the car park and the Landscape Management Plan.
	<u>Waste Management</u>
5.68	Bin storage is shown to the north of the building and therefore accessible for bin collections etc. The bin storage allocation should be in line with the Local Government Waste Storage Guide for NI 2010 and BS 5905:(2005). The Council’s Waste Management team has been consulted and comments are awaited. Delated authority is requested to resolve this matter.

6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, resolve any Waste Management issues arising and deal with any other issues that arise, provided that the issues are not substantive.
7.0	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development hereby approved shall only be used for Class C3 (a) of the Planning (Use Classes) Order (Northern Ireland) 2015 and for no other use. Reason: Alternative use requires further consideration by the Council, having regard to the Local Development Plan and relevant material considerations. 3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which are removed, become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity. 4. 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 soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include all trees, hedgerows and other planting which are to be proposed as part of the scheme - a planting specification to include [species, size, position and height of all new trees and shrubs]. Reason: In the interests of the character and appearance of the area 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. 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 amenity and the character and appearance of the area. 6. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site & on along the public streetscape and must be in place before any materials or

	<p>machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>7. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA.</p> <p>8. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No.02C uploaded to the Planning Portal 24th March 2025, prior to the occupation of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>9. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>10. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>11. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.04A uploaded to the Planning Portal 14th October 2024 to provide for parking and servicing within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure adequate provision has been made for parking and servicing within the site.</p> <p>12. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with Drawing No.04A uploaded to the Planning Portal 14th October 2024.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p>
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13. 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.

14. In the event that any centralised combustion sources (boilers, CHP or biomass) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service would request that an Air Quality Impact Assessment is submitted in writing to the Planning authority for review and approval in writing. Where the Air Quality Impact Assessment indicates exceedances of air quality objectives, appropriate mitigation measures shall be presented and these mitigation measures shall be installed and retained thereafter.

Reason: Protection of human health

DRAFT INFORMATIVES

NOT02 Compliance with planning permission

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

NOT03 Discharge of condition(s)

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

NOT05 Non-planning requirements

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