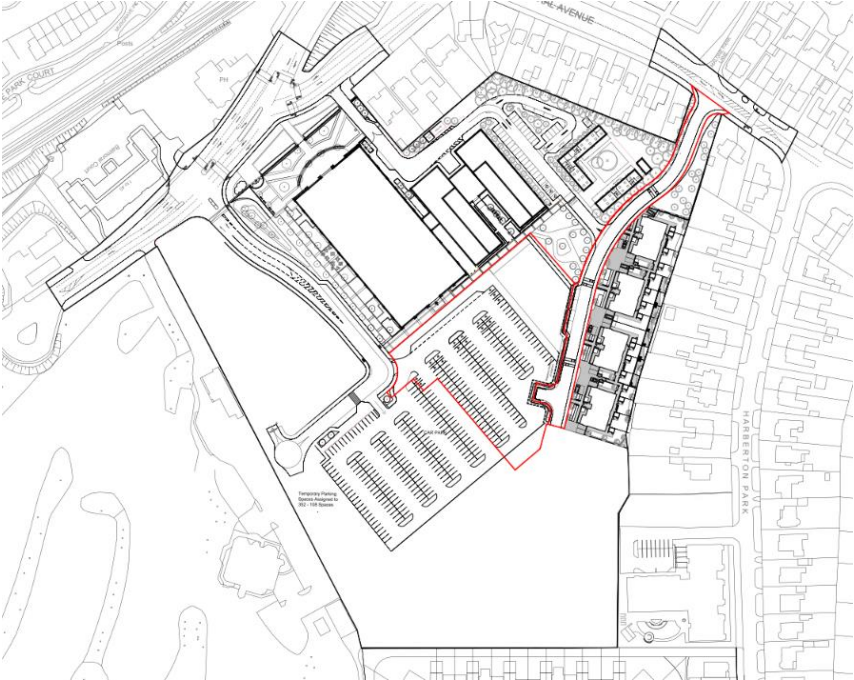
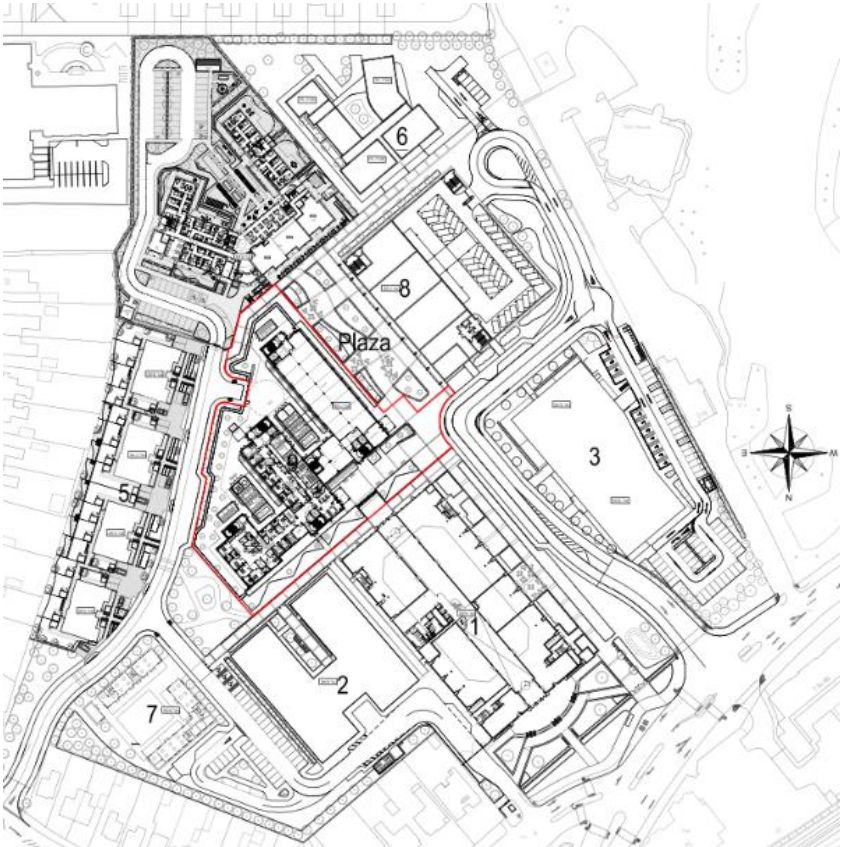
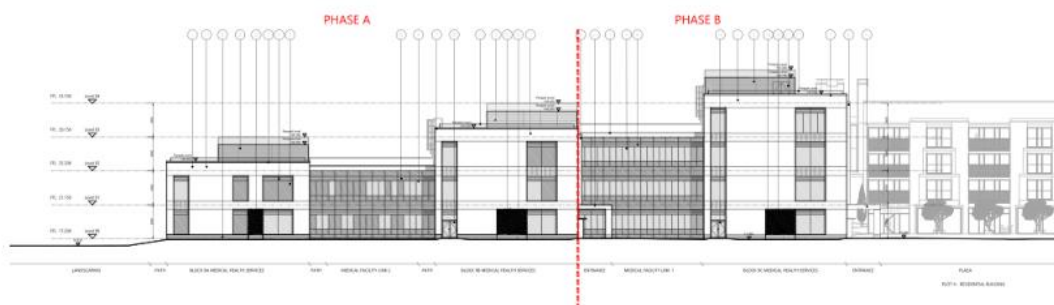


Committee Application

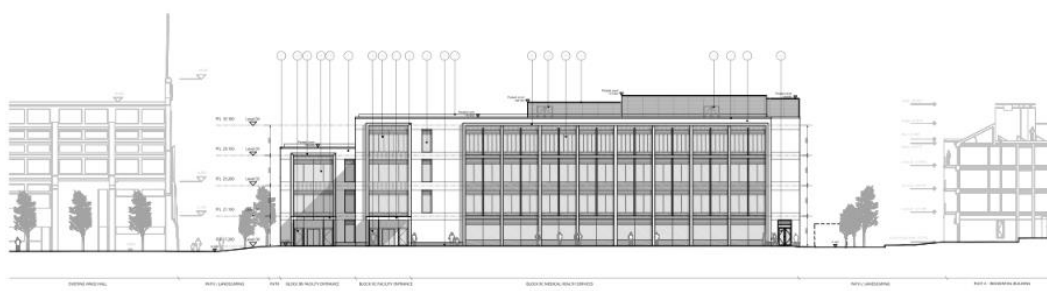
Development Management Report	
Application Ref: LA04/2024/1761/RM	Committee Meeting Date: 17 th June 2025
Proposal: Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance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

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

Elevations



Phase B Elevation 02 - North West
1 : 200



Phase B Elevation 01 - South West
1 : 200



Phase B Elevation 03 - South East



Phase B Elevation 04 - North East

Landscape Plan



CGI's





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

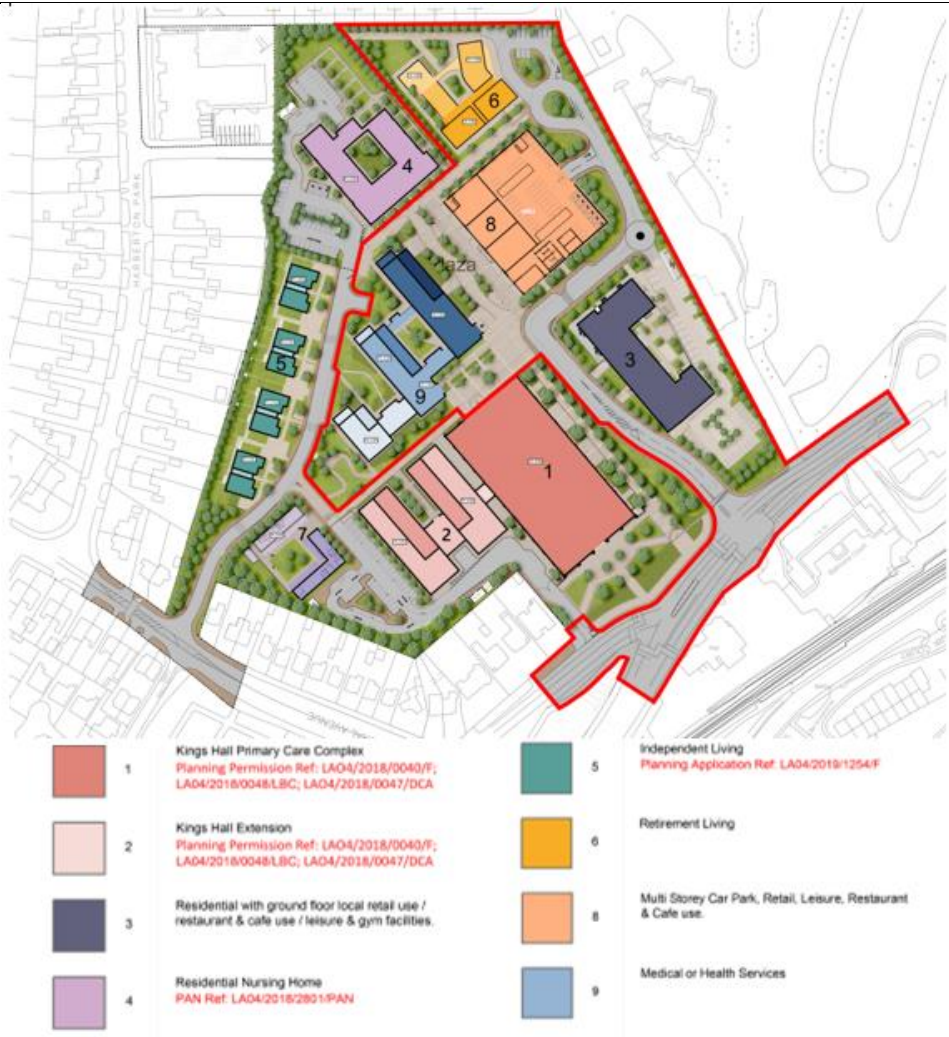
3.2	A reserved matters application was also approved on plot 9 under reference LA04/2023/2430/RM for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. In comparison to this current application, further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

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

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

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



6.7 Principle of development

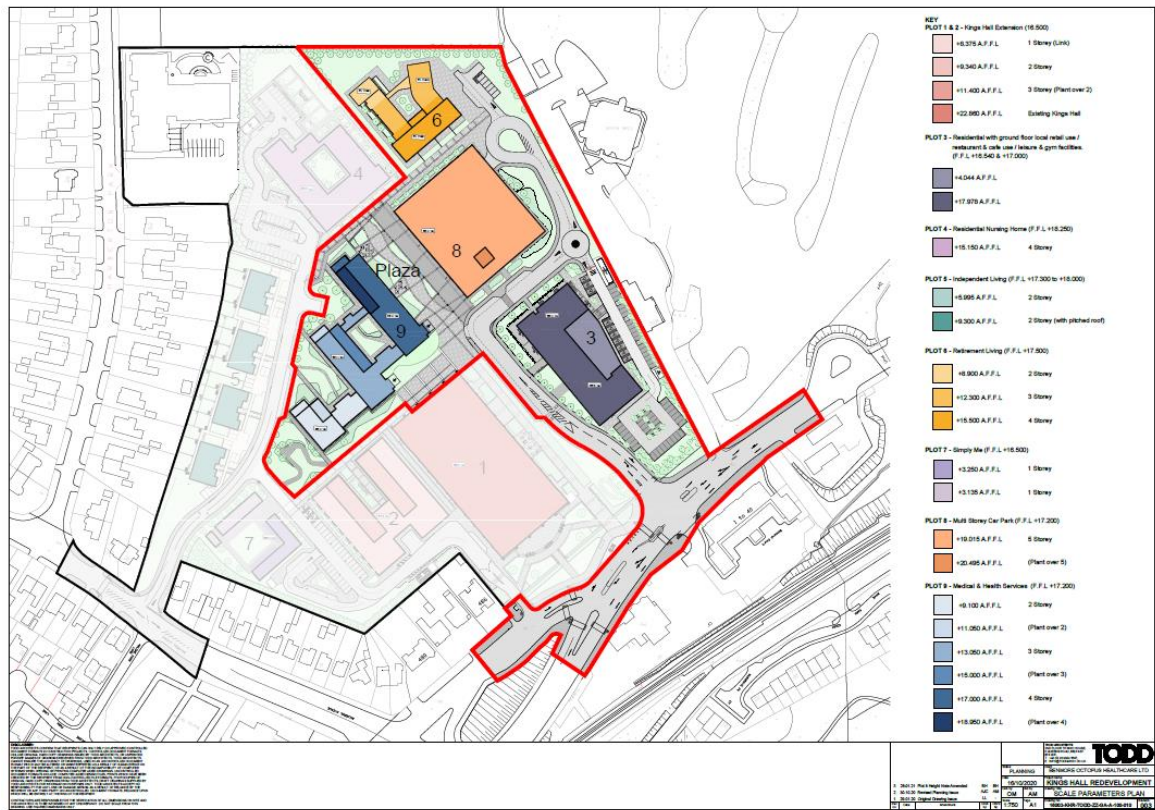
6.7.1 The application is a reserved matters application for a medical facility previously granted outline approval under planning application reference LA04/2020/0845/O. A reserved matters application was also approved on plot 9 under reference LA04/2023/2430/RM for a medical facility in accordance with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

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

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

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

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



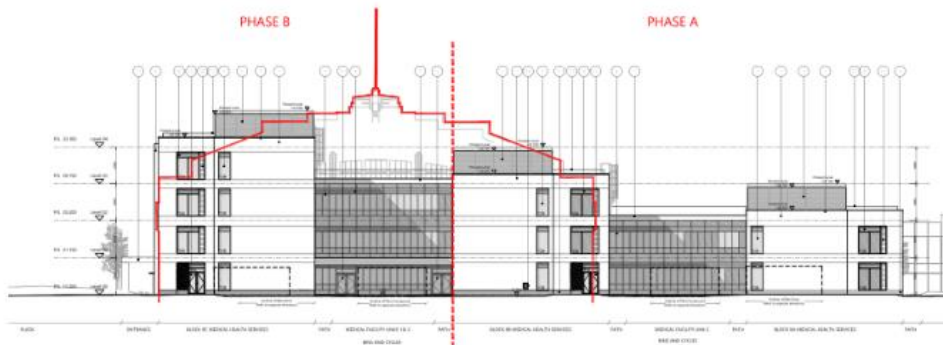
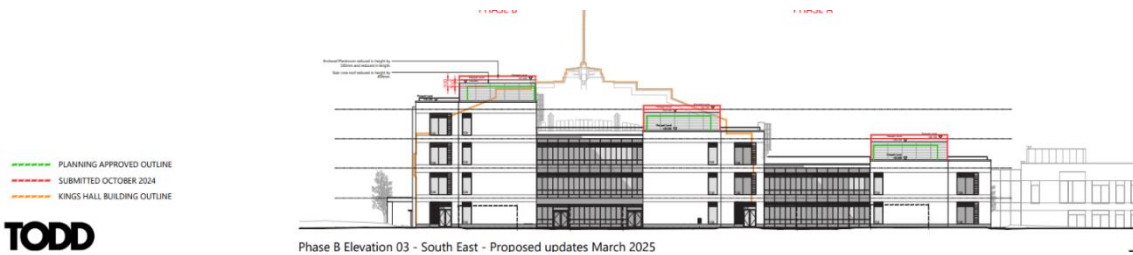
Drawing No. 33a – Scale Parameters Plan

6.8 **Siting/Layout**

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

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

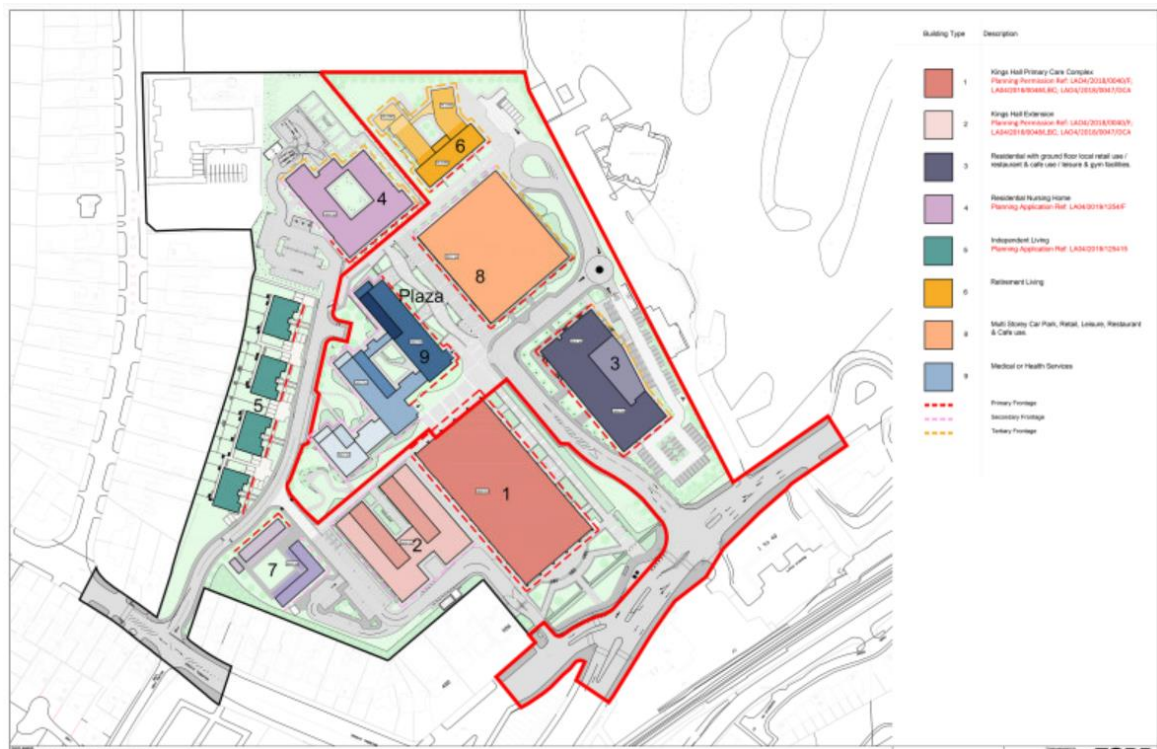
6.8.3 The siting and layout of Plot 09 is compliant with the design code and parameters plan and is considered acceptable. The height and massing are considered further below.

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

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

6.9.7

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



6.9.8

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

6.9.9

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

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

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

DRAFT CONDITIONS:

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

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

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

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

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

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

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

Phase B Elevations 03 & 04 (P03): –

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

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

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

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

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

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

Reason: Protection of residential amenity against adverse noise impact.

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

Reason: Protection of residential amenity against adverse noise impact.

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

Reason: Protection of residential amenity against adverse noise impact.

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

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

Reason: Protection against adverse construction impacts.

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

Reason: Protection of residential amenity from adverse light impact.

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

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

In particular, the Remediation Strategy must clearly detail:

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

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

Reason: Protection of human health

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

Reason: Protection of human health.

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

Reason: To protect against adverse impacts on air quality

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

Reason: Protection of residential amenity.

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

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

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

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

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

Reason: In the interests of visual amenity.

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

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

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

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

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

Reason: To safeguard existing trees.

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

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

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

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

Roads conditions to be added on receipt of consultation response.

DRAFT INFORMATIVES:

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

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