

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2024/0948/F & LA04/2024/0955/LBC	Committee Meeting Date: 16 th September 2025
Full Proposal: Redevelopment of listed buildings and lands to the rear for a residential development comprising 20no. townhouses and 6no. apartments with associated landscaping, parking and site works LBC Proposal: Restoration of external features with a new rear projection to no.34 The Mount and new partitioning walls in both buildings to facilitate use for 6no. apartments	Location: Derelict lands at and to the rear of No.s 34-36 The Mount, Belfast, BT5 4NA
Referral Route: Section 3.8.1 of the scheme of Delegation. Proposal contains more than 12 units with objections.	
Recommendation:	Approval
Applicant Name and Address: Barry Smith Parkgate Property Developments Ltd 17 Mound Road Dromore Bt25 1DL	Agent Name and Address: Jennifer Mawhinney MBA Planning Ltd 4 College House Citylink Business Park Albert Street Belfast BT12 4HQ
Date Valid: 3 rd June 2024	
Target Date: 16 th September 2024	
Contact Officer: Lisa Walshe, Principal Planning Officer (Development Management)	
Executive Summary: This application seeks full planning permission for the redevelopment of listed buildings and lands at the rear for 20 townhouses and 6 apartments with associated landscaping, parking and site works. The key issues for consideration of the application are set out below. <ul style="list-style-type: none">- Principle of housing in this location- Housing density- Affordable housing- Housing mix- Adaptable and accessible accommodation- Design and placemaking- Impact on heritage assets- Climate change	

- Residential quality and impact on amenity
- Open space
- Access and transport
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Section 76 planning agreement

The site is designated with the Belfast Urban Area Plan 2001 as a Housing Action Area. The site is zoned for Housing in both versions of BMAP (2004 and 2014).

The proposal is for social housing for which there is a significant unmet need in the city. The proposal would result in the creation of a total of 26 residential units.

The proposal is not considered to adversely impact the character and appearance of the area or the amenity of neighbouring properties. The proposal will secure the restoration of a derelict listed building which will bring a positive benefit to the site and locality. The proposal is acceptable in terms of density, design, housing mix, amenity provisions and parking.

Three objections have been received and 1 non-committal representation. The main concerns raised include:

- Limited parking facilities
- Traffic congestion
- Site is a nesting ground for bats and other wildlife
- Loss of privacy
- Loss of light
- Noise
- Potential damage to properties at 52-56 The Mount
- Plumbing and sewage issues

1 non-committal representation received queried if the townhouses would be a housing executive rent scheme or to buy scheme.

All matters have been addressed throughout the main body of the report below.

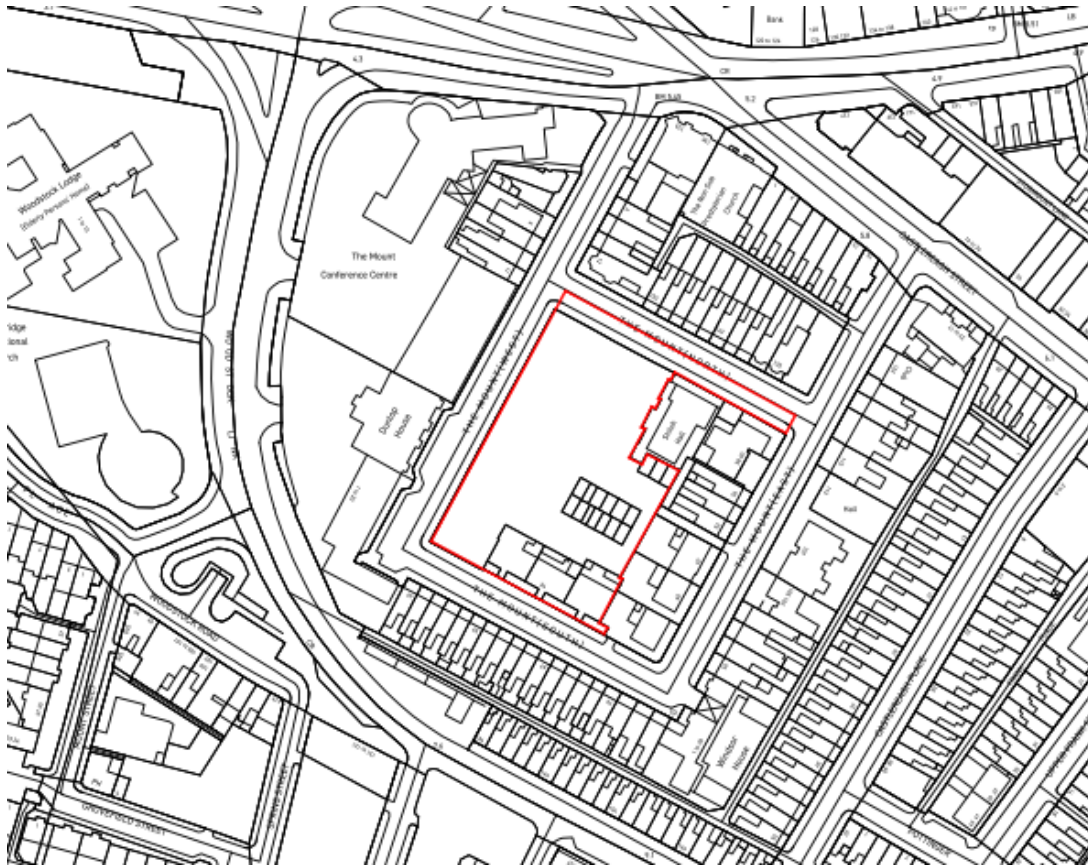
HED, NIHE, DAERA, Trees, Environmental Health, NI Water, Rivers Agency and Roads have no objection to the proposal subject to conditions.

Recommendation

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

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

Site Location Plan







1.0 Description of Proposed Development

1.1 The proposal seeks permission for the redevelopment of listed buildings and lands to the rear for a residential development comprising 20no. townhouses and 6no. apartments with associated landscaping, parking and site works.

2.0 Description of Site

2.1 The application site relates to an area of land measuring 0.3ha and is located within the development limit of Belfast. The site is designated as a Housing Action Area within the BUAP and zoned for housing in both versions of BMAP. The site slopes in a gentle gradient from southwest to northeast.

2.2 The site incorporates a derelict listed building and vacant lands within a predominantly residential area. The site would be accessed via The Mount (North).

3.0 Planning History of the application site

3.1 Z/2006/0224/F – 75 apartments in 3no. blocks. Permission granted 29/12/2008

3.2 LA04/2019/1797/F & LA04/2019/1795/LBC – Redevelopment of listed buildings and lands to the rear for a residential development comprising of 7no. townhouses and 34no. apartments with associated landscaping, parking and site works. Permission granted 04/05/2023

3.3	LA04/2024/0955/LBC – Restoration of external features with a new rear projection to no.34 The Mount and new partitioning walls in both buildings to facilitate use for 6no. apartments. Consent granted 04/05/2023.
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:
4.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.0	PLANNING POLICY
5.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></p> <p>Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking</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</p>

	<p>Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation Policy DES1 – Principles of urban design Policy RD1 – New residential development Policy BH1 – Listed Buildings Policy BH5 – Archaeology 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 OS3 - Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development</p>
5.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
5.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
5.4	<p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
6.0	<p>CONSULTATIONS AND REPRESENTATIONS</p>
6.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objection subject to conditions</p> <p>DfI Rivers – No objection</p> <p>DAERA: Natural Environment Division – No objection subject to conditions</p> <p>DAERA: Regulation Unit – No objection subject to conditions</p>

6.2	<p>DAERA: Water Management Unit – No objection subject to conditions/standing advice</p> <p>NI Water – Approval. NIW PDE confirms availability to serve</p> <p>NIHE – Supportive of 100% social housing</p> <p>HED – No objection subject to conditions</p> <p><u>Non-Statutory Consultees</u></p> <p>Planning Service Tree Officer – No objection subject to conditions</p> <p>Environmental Health – No objection subject to conditions</p>
6.3	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>3 letters of objection were received which raised the following concerns:</p> <ul style="list-style-type: none"> - Limited parking facilities - Traffic congestion - Site is a nesting ground for bats and other wildlife - Loss of privacy - Loss of light - Noise - Potential damage to properties at 52-56 - Plumbing and sewage <p>1 non-committal representation received queried if the townhouses would be a housing executive rent scheme or to buy scheme.</p> <p>Consideration has been given to all relevant concerns noted in the representations in the assessment of the application below.</p>
9.0	<p>ASSESSMENT</p> <p>Main Issues</p>
9.1	<p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on heritage assets • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Environmental protection • Flood risk and drainage

	<ul style="list-style-type: none"> • Waste-water infrastructure • Waste management • Natural heritage • Section 76 planning agreement
9.2	<p><u>Principle of housing at this location</u></p> <p>As outlined above, the site is zoned for housing in both versions of the BMAP and as a Housing Action Area in the BUAP. The principle of residential development has been further established under previous planning permission LA04/2019/1797/F for the redevelopment of the site and listed building for 7 townhouses and 34 apartments. This permission is extant and will expire on 02/05/2028.</p>
9.3	<p><u>Principle of housing in this location</u></p> <p>Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ol style="list-style-type: none"> The site is suitable for housing – the site is located within a predominantly residential area and has been zoned for housing. The location is considered suitable in principle for housing. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is in close proximity to the city centre and local centres and is 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.
9.4	<p>The proposal will support the regeneration of the area, which is welcomed.</p>
9.5	<p>It is considered that the site is a suitable location in principle for housing and that the proposal is compliant with Policies HOU1 and HOU2.</p>
9.6	<p><u>Housing density</u></p> <p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>
9.7	<p>The site is located within the inner-city area where the average density is recommended as 75-150 dwellings per hectare (ha). The site area is 0.3 ha which would equate to a recommended density of between 22.5 and 45 residential units per ha. The proposal falls within this density bracket demonstrating that it would make effective use of land.</p>
9.8	<p><u>Affordable housing</u></p> <p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing.</p> <p>In this case the application seeks to address the requirement of Policy HOU5 by providing a scheme which is 100% affordable housing.</p>

9.9	<p><i>Tenure</i></p> <p>The application is for a 100% social housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.14 of the SPG states that larger mono-tenure schemes [such as that proposed] may be considered having regard to the following considerations:</p> <ul style="list-style-type: none"> • <i>‘The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i> • <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and</i> • <i>Whether a scheme is proposed as ‘shared housing’</i> <p>Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. Turning to the second and third criteria, the proposal is integrated with general needs housing and other mixed tenures in The Mount area generally and is not readily distinguishable in terms of external design, materials and finishes. Pepper potting has not been included as part of the proposal as the scheme is 100% social provision. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.</p>
9.10	
9.11	
9.12	<p><u>Housing mix</u></p> <p>Policy HOU6 applies. The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities.
9.13	<p>The proposal complies with the policy through providing a range of size and composition of residential units such as 16no. 5-person, 3-bedroom units, 4no. 3-person, 2-bedroom units and 6no. 4-person, 2-bedroom apartments.</p>
9.14	<p>The size and type of unit has been determined by the responses from Choice Housing. The housing need assessment demonstrates that there was a need for 2-3 bedroom units in the Albertbridge Road Common Landlord Area, which this application achieves.</p>
9.15	<p>NIHE is supportive of the housing mix and noted in their consultation response that the townhouses are especially welcome as there is a lack of available sites suitable in the area and the 100% social housing units proposed would help address housing needs of all. Having regard to these factors, the proposed housing mix is considered acceptable.</p>
9.16	<p><u>Adaptable and accessible accommodation</u></p> <p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.</p> <p>The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 10% wheelchair units. It is considered that the proposal complies with the additional nine criteria g. to o. The</p>

	<p>proposed floor plans show that the proposed apartments meet the wheelchair space standards as set out in Appendix C2 of the LDP with a minimum of 80m² internal floorspace for 2-bedroom apartments, demonstrating that the criteria above has been met.</p>
9.17	<p><u>Design and placemaking</u></p> <p>The proposal has been assessed against the SPPS, and Policies SP5, DES1 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level.</p>
9.18	<p><u>Residential quality and impact on amenity</u></p> <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>
9.19	<p><i>Scale, height and massing</i></p> <p>The scale and massing of the proposed development is considered in keeping with the surrounding residential area which is characterised with 2 and 3-storey Victorian terraces and some modern buildings. The SPG advises that some overshadowing of garden areas will rarely constitute sufficient grounds to justify a refusal of permission.</p>
9.20	<p>The proposed terrace at plots 12-16 (House Type E – E1) measures a height of 6.8m, the listed building at no. 34 and 36 measures a height of 5.8m and the existing property at no. 38 The Mount, located to the east of the site, measures 6.3m.</p>
9.21	<p>The proposed terrace at plots 1-5 (house type C) located on the north side of the site would extend approximately 2.5m higher than the Shiloh Hall which is a single storey building measuring 4.7m. The adjacent apartments located at no. 58-60 The Mount measure a height of 8.5m.</p>
9.22	<p>The proposed development would not significantly exceed the height of the surrounding properties and is considered acceptable in its scale and height.</p>
9.23	<p><i>Overshadowing</i></p> <p>Overshadowing as a result of the proposal would not be detrimental to the surrounding properties. The proposal complies with the 25 degree angles test for dwellings situated opposite each other (between the existing properties at no.s 12, 153 and 151 The Mount to the Type C terrace at plots 1-5). And the properties at Type A and B (plots 23-26) meet the 45 degree angles test when measured from the properties at no.s 40-56 The Mount.</p>
9.24	<p><i>Overlooking</i></p> <p>The proposed dwelling at plot 26 (House Type A) has 2 windows located on the 1st floor which facilitate a bedroom and a bathroom. The dwelling is located 12m from the gable end of no. 52 The Mount which has no windows. This distance is in compliance with the recommended distance of 10m noted within the SPG.</p>

9.25	Proposed plots 23-25 (Type B) have 2 windows at the 1 st floor level for a bedroom and bathroom and are located 16m from the rear elevation of the dwellings at no.s 40 and 42 The Mount.
9.26	There is a 16.3m separation distance from the front of no. 153 and 151 to the terrace located at plots 01-05 (House type C). This is below the recommended separation distance of 20m between habitable rooms.
9.27	Within an urban context some degree of overlooking is likely and given the location of the site and the small degree of overlooking which may be experienced, a smaller separation distance has been deemed acceptable in this instance.
9.28	<p><i>Space standards</i></p> <p><i>The proposed residential floor space is broken down as follows:</i></p> <p>House Type A (3 bed) – 94m² House Type B (3 bed) – 93m² House Type C and C1 (3 bed) – 93m² and 108m² House Type D (3 bed) – 93m² House Type E (2 bed) – 81m² E1 (3 bed) – 108m² Listed building apartments: Lower Ground floor (2 bed) – 80m² Upper Ground Floor (2 bed) – 81m² and 79m² First Floor (2 bed) - 81m² and 79m²</p>
9.29	The proposed residential units are all therefore in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.
9.30	<p><u>Open space</u></p> <p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit. The proposal includes both private and communal spaces.</p>
9.31	The amenity space for the private garden areas associated with the townhouses provides a total of 883m ² , resulting in an average of 44.15m ² per dwelling. The private patios of the apartments totals 54m ² and ranges in size from 13m ² to 15m ² , resulting in an average private amenity space for the apartments at 9m ² .
9.32	The total amenity provision on site would measure 1107m ² , taking account of the private amenity spaces of the townhouses and apartments along with the communal amenity area which measures 170m ² . This averages at 42.5m ² per dwelling within the development which is compliant with the amenity standards recommended in <i>Creating Places</i> .
9.33	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.

9.34	Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.
9.35	In this case, no public open space is proposed within the site. Policy OS3 accepts that on-site provision for open space can be reduced where the site is close to or would benefit from ease of access to areas of existing public open space. In this regard, the site is a 1.1km walk from Ormeau Park and a 600m walk from the Lagan towpath. The extant approval is also a material consideration in this regard.
9.36	Having regard to these considerations and the location of the site and provision of private amenity space, the approach to open space is considered acceptable.
9.37	<p><u>Access and transport</u></p> <p>The site has good accessibility being in close proximity to the City Centre and the Lanyon Place train station. It is also close to local centres on the Woodstock Road and Albertbridge Road (located at commercial nodes on arterial routes). Exact locations and associated boundaries of the centres will be detailed as part of the LPP. Prior to the adoption of the LPP, the existing draft BMAP boundaries will be used.</p>
9.38	Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes 12 designated parking spaces, 3 of which will be for disabled users.
9.39	<p>Policy TRAN 4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. This includes the following green travel measures:</p> <ul style="list-style-type: none"> • One travel card offered per dwelling for a period of 3 years.
9.40	The travel plan measures are considered acceptable having regard to Policy TRAN4.
9.41	Upon completion of the development the Developer will appoint a Travel Co-ordinator to put in place measures that will actively encourage the tenants and residents of the apartments to use more sustainable and environmentally friendly modes of transport.
9.42	Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. Parking standards requests a total of 44 parking spaces for a development of this scale. This has been achieved through the 12 in curtilage spaces and 31 on-street spaces which have been demonstrated through the submitted Parking Survey. The Travel Plan states that due to the public transport facilities serving Castlereagh Street and the easy access to safe cycle paths and walkways, commuting without the use of a private car is a feasible option at this location. Given the accessibility of the site and travel plan commitments, this level of parking is considered acceptable. The proposal is considered to accord with Policy TRAN8.
9.43	DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. DfI is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. The proposal is considered acceptable having regard to Policies TRAN1, TRAN4 and TRAN 8.

9.44	<p><u>Impact on heritage assets</u></p> <p>The proposal includes the redevelopment of a vacant listed building to provide 6 residential apartments. The proposed change of use of the listed building would secure its upkeep and survival. The character, architectural and historic interest of the building would be enhanced through the redevelopment.</p>
9.45	<p>The HED consultation response dated 14th May 2025 states that the proposal will recover the buildings which are at risk degree 'Critical.' The re-use of the listed building is noted to be a valuable opportunity. The listed building will be enhanced through the external restoration and the original terrace form will be largely retained. The HED database records this as having a '<i>significant historical importance due to its association with the Pottinger family and remains one of the oldest surviving examples of terraces housing in the townland.</i>'</p>
9.46	<p>HED are welcoming of the sympathetic materials shown on revised materials to the E-E1 block adjacent to the listed building.</p>
9.47	<p>There would be no archaeological implications. The proposal is considered compliant with Policies BH1 and BH5.</p>
9.48	<p>The completion of the restoration works to the listed building have been secured through a Section 76 Planning Agreement.</p>
9.49	<p><u>Climate change</u></p> <p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.</p>
9.50	<p>The proposal includes various sustainable design features which seek to mitigate environmental change. These measures include high efficiency boilers with zoned thermostatic controls to avoid unnecessary energy usage; inclusion of large glazed areas to maximise natural day light; high performance insulation and energy efficient windows. All of the units have dual or triple aspects which will receive sunlight at various points throughout daylight hours.</p>
9.51	<p>Policy ENV2 also states that development proposals, where feasible, should seek to avoid demolition and should consider how existing buildings or their main structures could be reused. The existing listed building on site is to be retained and redeveloped as part of the proposal.</p>
9.52	<p>The proposal is considered compliant with Policy ENV2.</p>
9.53	<p>Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.</p>
9.54	<p>The applicant has demonstrated that the proposal is compliant with criteria a to i. The implementation of SuDs is welcomed through the provision of green spaces and the planting of 54 trees and 85 plants for hedging purposes.</p>
9.55	<p>The proposal is considered compliant with Policy ENV3.</p>
9.56	<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</p>

	and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include planting and green areas to prevent run off.
9.57	<p><u>Health impacts</u></p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
9.58	<p>The proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within walking distance of the city centre and its amenities. It is within short walking distance of Ormeau Park and the Lagan Towpath. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. A sufficient amount of amenity space would be provided within the development including private and communal gardens. The proposal would provide quality housing for people in housing stress and housing need.</p>
9.59	<p>The proposal is considered to satisfy the requirements of Policy HC1.</p>
9.60	<p><u>Environmental protection</u></p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.</p>
9.61	<p><u>Contaminated land</u></p> <p>Environmental Health (EH) has reviewed a number of documents submitted by the application in relation to contaminated land and have considered that contamination risks can be dealt by way of conditions.</p>
9.62	<p><u>Air quality</u></p> <p>EH has not raised any concerns with regards to air quality and in this regard, the proposal is considered compliant with Policy ENV1.</p>
9.63	<p><u>Noise</u></p> <p>EH has not raised any concerns with regards to noise and in this regard, the proposal is considered compliant with Policy ENV1.</p>
9.64	<p><u>Flood risk and drainage</u></p> <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>

9.65	DfI Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. In their response dated 20 th June 2024 DfI Rivers requested the submission of a Schedule 6 consent in order to fully assess the drainage assessment. This was submitted and uploaded to the public portal on 30 th July 2025. DfI Rivers considered the information and returned a response of no objection subject to condition.
9.66	<p><u>Waste-water infrastructure</u></p> <p>Policy SP1A requires that necessary infrastructure is in place to support new development. NI Water has been consulted in relation to the proposal and has recommended approval. Their consultation response dated 7th June 2024 states that there is available capacity at the Waste Water Treatment Works and a combined sewer traversing the development. The proposal is in compliance with policy SP1A.</p>
9.67	<p><u>Natural heritage</u></p> <p>Policy NH1 relates to the protection of natural heritage resources. In assessing new development proposals, the council will seek to ensure the protection of the district's natural heritage and biodiversity. New development will not have an unacceptable effect, either directly, indirectly, or cumulatively, on sites, habitats, species or ecosystems and networks that are important for their nature conservation, biodiversity or geodiversity value.</p>
9.68	<p>NIEA Water Management Unit advised that if NI Water were content that both the receiving Waste Water Treatment Works (WWTW) and the associated sewer network for this development could take the additional load with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unity has no objection to this aspect of the proposal.</p> <p>Regulation unit have provided similar conditions to that of Environmental Health relating to contamination.</p>
9.69	Natural Environment Division has 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.
9.70	<p><u>Section 76 planning agreement</u></p> <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"> • Affordable Housing – 26 units shall be occupied as social rented housing. • Listed Building Restoration Works – works to be completed within 2 years of the commencement of the development. • Green travel measure – travel plan and travel cards. • Open Space Management Plan

10.0	Recommendation
10.1	The proposal would provide valuable social housing for which there is a significant unmet need in the city and would assist the further regeneration of the area. The design of the proposed housing is considered on balance acceptable. Sufficient parking would be provided and the proposal would not be detrimental to highway safety. The proposal would restore and bring a listed building back into use which is welcomed. It is recommended that planning permission is granted.
10.2	Having regard to the Development Plan and material considerations, it is recommended that planning permission should be granted subject to conditions and a Section 76 planning agreement.
10.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other matters that arise, provided that they are not substantive
11.0	DRAFT CONDITIONS: Full
11.1	<p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>All external facing and roofing materials of Block E-E1 shall be carried out as specified on the approved plan 20A including:</p> <ul style="list-style-type: none"> - Blue black slate roofing - Aluminium rainwater goods - Painted timber sliding sash windows - Clipped or shallow brick corbel eaves. <p>Reason: to ensure the use of sympathetic and complementary materials and detail in the setting of the listed building.</p>
11.3	<p>No external roofing for Block E-E1 shall be constructed or applied unless in accordance with a written specification and a physical sample of the slate roof covering, details of which shall have first been submitted to and approved in writing by the Council for agreement with HED.</p> <p>Reason: to ensure the use of sympathetic and complementary materials and detail in the setting of the listed building</p>
11.4	<p>No external brickwork 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 in agreement with HED.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials.</p> <p>Reason: to ensure the use of sympathetic and complementary materials and detail in the setting of the listed building</p>

11.5	<p>No new mechanical services (including for example pipes, soil-stacks, flues, vents or ductwork or other fixtures) shall be fixed on the external faces of the listed building other than those shown on the drawings approved.</p> <p>Reason: to ensure the use of sympathetic and complementary materials and detail in the setting of the listed building.</p>
11.6	<p>No new or electrical services (including grilles, security alarms, lighting, security or other cameras or other fixtures) shall be fixed on the external faces of the listed building other than those shown on the drawings hereby approved.</p> <p>Reason: to ensure the use of sympathetic and complementary materials and detail in the setting of the listed building.</p>
11.7	<p>If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
11.8	<p>Prior to the occupation or operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the O'Sullivan Macfarlane Ltd report entitled 'Lambert Smith Hampton, Proposed residential development site, Lands at the Mount, Ballymacarret, Belfast, Co. Down, P320 Contaminated Land Assessment: Preliminary Risk Assessment, Generic Quantitative Risk Assessment and Outline Remediation Strategy' (dated 03 July 2019), uploaded to the public portal on 3RD June 2024, have been implemented.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be prepared in accordance with up-to-date Environment Agency, British Standards and CIRIA industry guidance. In particular, the Verification Report must:</p> <p>Include all identified potential source-pathway-receptor contaminant linkages and the remedial measures required to break them;</p> <p>Contaminating activity removal/treatment (if required) e.g. all fuel storage tanks, and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27) (or any standard that reproduces or replaces this standard).</p> <p>Soil source removal or treatment (if required). All remaining soils (or base and side-walls of all excavations) to be proven suitable for the proposed end-use.</p>

	<p>Pathway interruption methods (if required).</p> <p>Gas protection measures (if required) as per BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard), which must include (level of detail required may depend on Characteristic Situation).</p> <p>Gas protection measures must be verified in line with the requirements of CIRIA C735 (or any standard that reproduces or replaces this standard). VOC vapour protection measures shall be installed and verified in accordance with the requirements of CIRIA C748 (or any standard that reproduces or replaces this standard).</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p>
11.9	<p>In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environmentagency.gov.uk/scho0501bitt-e-e.pdf.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.10	<p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p>
11.11	<p>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.</p> <p>Reason: To ensure safe and convenient access to the development.</p>
11.12	<p>The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.</p> <p>Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.</p>
11.13	<p>The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan dated May 2024 and uploaded to the Public Portal on 3rd June 2024.</p> <p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking.</p>

11.14	<p>All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity.</p>
11.15	<p>All soft landscaping works shall be carried out in accordance with the approved details shown on drawing 35, uploaded to the public portal on 17th September 2024. 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.</p> <p>Reason: In the interests of the character and appearance of the area.</p>
11.16	<p>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 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>
11.17	<p>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>
11.18	<p><u>Informatives</u></p> <p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.</p>
11.19	<p>Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Section Engineer whose address is 1A Airport Road, BELFAST, BT3 9DY. A monetary deposit will be required to cover works on the public road.</p>

11.20	All construction plant and materials shall be stored within the curtilage of the site.
11.21	Provision shall be made to the satisfaction of DfI, to ensure that surface water does not flow from the site onto the public road.
12	DRAFT CONDITIONS: Listed building consent
12.1	The works hereby granted must be begun within five years from the date of this consent. Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.
12.2	All new external finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the council. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011. Replacement render shall be lime based and vapour permeable.
12.3	Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011. Any repointing to the substrate shall be in lime mortar.
12.4	Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.
12.5	The external details shall be as specified in the 'Listed Building Booklet drawings and schedules' document, uploaded to the public portal on 03 June 2024 and as follows: a. Window surrounds at first floor to be as shown on 'Detail Q' (repair), of drawing no.13, uploaded to the public portal on 03 June 2024. b. Front door portico to be as shown on 'Detail P' (repair), of drawing no.13, uploaded to the public portal on 03 June 2024. c. Communal doors (front and basement level) as historic detail from salvage Conservation Schedule DG01 d. Front windows to be as shown on 'Detail B & C' (repair and replacement), of drawing no. 09, uploaded to the public portal on 03 June 2024. e. External cast iron railings to be as shown on 'Detail N' (repair and reinstatement), of drawing no. 13, uploaded to the public portal on 03 June 2024. f. Eaves cornice detail to be as shown on 'Detail O' (repair), of drawing no. 13, uploaded to the public portal on 03 June 2024. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.
12.6	The internal details shall be as specified in the 'Listed Building Booklet drawings and schedules' document, uploaded to the public portal on 03 June 2024 and as follows:

	<p>a. Cornice detail to be as shown on 'Detail M' (replacement) of drawing no. 12, uploaded to the public portal on 03 June 2024 and drawing no. 48, uploaded to the public portal on 27 June 2025.</p> <p>b. Front windows to be as on 'Details B & C' (repair and replacement) of drawing 09, uploaded to the public portal on 03 June 2024 and on drawing 49, uploaded to the public portal on 27 June 2025.</p> <p>c. Rear window assembly to be as shown on Details B (replacement) of drawing no. 09, uploaded to the public portal on 03 June 2024 and on drawing no. 49, uploaded to the public portal on 27 June 2025.</p> <p>d. Shutter boxes to be as shown on Details I (replacement) of drawing no. 10, uploaded to the public portal on 03 June 2024 and drawing no. 48, uploaded to the public portal on 27 June 2025.</p> <p>e. Window architrave, reveals and window aprons to be as shown on Details A and D of drawing no. 09, uploaded to the public portal on 03 June 2024 and the first floor front windows shown on drawing no. 48, uploaded to the public portal on 27 June 2025.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p>
12.7	<p>Roofing for the Listed Building shall be constructed as follows:</p> <p>a. blue-black natural slate</p> <p>b. Red clay hip and ridge tiles</p> <p>A physical sample shall be submitted to and approved in writing by the Council for agreement with HED prior to procurement.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p>
12.8	<p>Rainwater goods (gutters, downpipes, hopperheads and soil pipes) shall be in cast-iron or cast aluminium (heavy section).</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p>
12.9	<p>Chimneys shall be retained and repaired with historic detailing as shown on drawing no. 49, uploaded to the public portal on 27 June 2025.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p>
12.10	<p>There shall be no new plumbing, pipes, soil-stacks, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings submitted.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p>
12.11	<p>There shall be no new grilles, security alarms, lighting, security or other cameras or other fixtures shall be mounted on the external faces of the building other than those shown on the drawings hereby submitted.</p>

12.12	<p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p> <p>Prior to the commencement of development or any other works on, or in proximity to, the listed building at no. 34-36 The Mount, Belfast, a Construction Method Statement will be submitted to the Council and agreed in writing in consultation with HED. The CMS will specifically detail how the stabilisation of the listed building will be secured immediately before and during the work to, or in proximity to the building. The CMS will be implemented in full, or as otherwise required, prior to any works being undertaken on or in proximity to the listed building.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 80 of the Planning Act (Northern Ireland) 2011.</p>
12.0	Representations from elected members: N/A