

Planning Committee Development Management Report

Committee Date: 13th October 2026

Application ID: LA04/2026/0129/F

Proposal: Erection of 29no. dwellings with associated car parking, private and communal amenity space, landscaping, site works and access arrangements from Mount Eagles Avenue

Location: Lands north of Barnfield Road and south and southwest of Mount Eagles Avenue, Belfast.

Referral Route: Scheme is for over 12 units and objections received which conflict with officer recommendation to approve.

Recommendation: Approval subject to conditions and Section 76 planning agreement

Applicant Name and Address:

Toland House Properties Ltd.
21-23 Chapel Hill
Lisburn
BT28 1EP

Agent Name and Address:

Turley
Hamilton House
3 Joy St
Belfast
BT2 8LE

Date Valid: 28th January 2026

Target Date: 13th May 2026

Contact Officer: Ciara Reville, Principal Planner (Development Management)

Executive Summary:

The application proposes the erection of 29no. dwellings with associated car parking, private and communal amenity space, landscaping, site works and access arrangements from Mount Eagles Avenue

In accordance with Policy HOU5 20% of the scheme will be affordable housing, with 6no. units to be delivered as intermediate housing for sale.

The key issues for consideration of the application are set out below.

- Principle of housing in this location
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Design and Placemaking
- Impact on amenity
- Flood risk and drainage
- Waste-water infrastructure
- Climate change
- Access and transport
- Health impacts

- Environmental protection
- Trees and landscaping
- Waste management
- Section 76 planning agreement

In the draft plan (v2004), the site is located within the development limit and zoned as committed housing land (Zoning: ML 02/16) to reflect that outline planning permission that was granted on the site prior to the release of draft BMAP. As such, there are no Key Site Requirements attached to the zoning. In the unlawfully adopted plan (v2014) the site is also zoned as committed housing land (Zoning: ML 03/01).

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

Following advertisement in the local press as well as neighbour notification, objections have been received from 157 local residents, raising issues which are detailed in the main report. Three comments (neither supporting nor objecting) was also received and 4 letters of support.

The Section 76 planning agreement required to secure the development as 20% social housing has been agreed in principle.

Recommendation

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

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

Case Officer Report

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Site Layout



Streetscape:



Proposed Streetscape Along Plots 1-9 (exploded)
Scale: 1:200



Proposed Streetscape Along Plots 10-17
Scale: 1:200



Proposed Streetscape Along Plots 18-25 (exploded)
Scale: 1:200



Proposed Streetscape Along Plots 26-29
Scale: 1:200

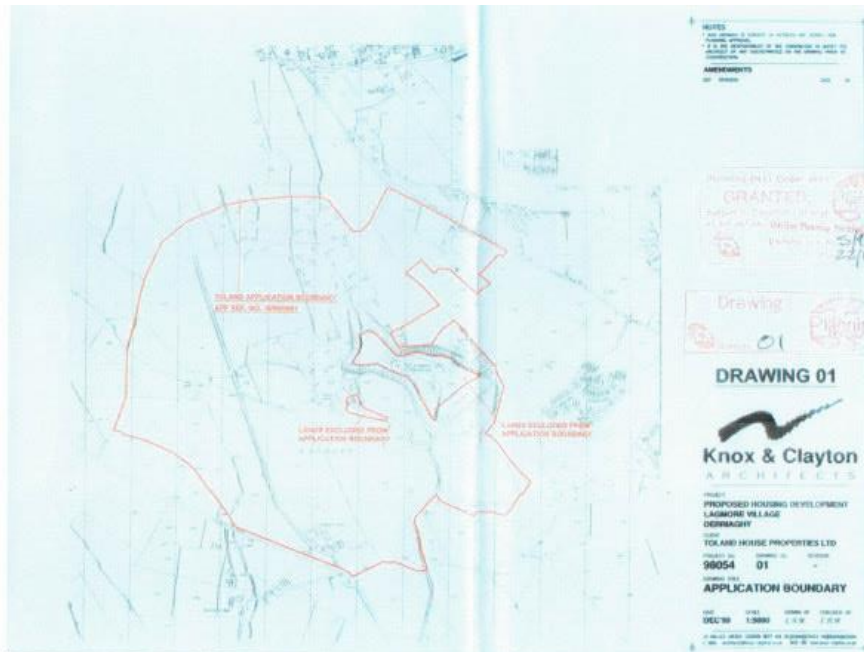
1.0	Characteristics of the Site and Area
1.1	The subject site comprises agricultural lands located to the south-western extent of a large residential development known locally as Mount Eagles.
1.2	Topographically, the lands fall to the south-east by approximately 8m. The site is defined to the north and north-east by Mount Eagles Avenue which provides the primary access to the site. The existing properties along Mount Eagles Park and Mount Eagles Close define the western site boundary. The eastern and southern site boundaries are delineated by mature vegetation, marking the transition into the open countryside. A secondary access is also located along the southern site boundary from the Barnfield Road.
1.3	The established built context of the site is predominantly residential, characterised by the detached and semi-detached two storey residential dwellings of the aforementioned residential developments.
1.4	Description of Proposed Development The application seeks full planning permission for the erection of 29no. dwellings with associated car parking, private and communal amenity space, landscaping, site works and access arrangements from Mount Eagles Avenue.

2.0	Relevant Planning History
2.1	S/2005/1667/F - Application under article 28 to carryout housing development at Mount Eagles Lagmore with variation of conditions 4 & 6 attached to previous outline permission (Ref: S/1996/0601/O). Granted 14/08/06
2.2	S/2001/0682/RM - Construction of mixed housing, retail and office accommodation with community centre and associated roads and landscaping at lands surrounding the former Lagmore Reservoir at Lagmore/Barnfield Road, Derriaghy. Granted 19/11/01
2.3	S/1996/0601/O - Residential development at lands surrounding the former Lagmore Reservoir, Lagmore Barnfield Road, Derriaghy. Granted 23/12/99
3.0	PLANNING POLICY 3.1 Development Plan – local development plan <u>Belfast Local Development Plan, Plan Strategy 2035</u> <i>Strategic Policies:</i> Policy SP1A: Managing growth and supporting infrastructure delivery Policy SP2: Sustainable development Policy SP3: Improving health and wellbeing Policy SP5: Positive placemaking Policy SP6: Environmental resilience Policy SP7: Connectivity Policy SD2: Settlement Areas <i>Operational Policies:</i> Policy HOU1: Accommodating new homes Policy HOU4: Density of residential development Policy HOU5: Affordable housing Policy HOU6: Housing Mix Policy HOU7: Adaptable and accessible accommodation Policy DES1: Principles of urban design Policy RD1: New residential developments Policy TRAN1: Active travel – walking and cycling Policy TRAN2: Creating an accessible environment Policy TRAN4: Travel Plan Policy TRAN6: Access to public roads Policy TRAN8: Car parking and servicing arrangements Policy ENV1: Environmental quality Policy ENV2: Mitigating environmental change Policy ENV3: Adapting to environmental change Policy ENV4: Flood Risk Policy ENV5: Sustainable drainage systems (SuDS) Policy HC1: Promoting healthy communities Policy OS3: Ancillary open space Policy TRE1: Trees

	<u>Supplementary Planning Guidance</u> Affordable Housing & Housing Mix Residential Design Placemaking & Urban Design Sustainable Urban Drainage Systems Transportation
3.2	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)
3.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
3.4	Other Material Considerations Developer Contribution Framework (2020) Belfast Agenda (Community Plan)
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	Statutory Consultees DFI Roads – No objection subject to conditions NI Water – No objection DfI Rivers – No objection Northern Ireland Housing Executive – No objection
4.2	Non-Statutory Consultees Environmental Health – No objection subject to conditions. BCC Trees - No objection subject to conditions.
4.3	Representations
4.4	The application has been advertised in the newspaper and neighbours notified. Objections were received from 157 local residents, raising issues which are detailed in the main report raising the following issues below (summarised). Three comments (neither supporting nor objecting) was also received and 4 letters of support. • More development in already overdeveloped area • Potential for anti-social behaviour • Increase in already congested traffic and lack of road infrastructure to accommodate additional dwellings. • Impact on community infrastructure and services • Lack of parking • Environmental impact • Loss of open space • Loss of privacy and overlooking from proposed dwellings along boundary • Loss of light and overshadowing to those neighbouring buildings along boundary • Overbearing and dominance from proposed dwellings along boundary

4.5 4.6 4.7 4.8	• Area needs green spaces and shops • Public transport inadequate • Impact on property values • Design is out of keeping with the established area • Noise pollution due to additional residents • Disruption from the build. Noise/vibration/air quality • Difficulty for people to secure school places nearby • Impact on quality of life for existing residents • Roads safety • Loss of biodiversity A number of representations simply stated that they objected to the proposal but did not outline reasons why. All relevant planning issues will be considered within the main assessment below. A number of the issues raised are not planning considerations however and are therefore outside the remit of planning legislation and guidance. These include alleged impact on property prices. The proposal development does not fall under the category of major development and therefore the applicant is not under statutory duty to consult with the public prior to making any application. Neighbour notification and advertisement was carried out in accordance with relevant legislation and guidance.
5.0 5.1 5.2	Planning Assessment The main issues relevant to consideration of the application are summarised below. • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and Placemaking • Impact on amenity • Flood risk and drainage • Waste-water infrastructure • Climate change • Access and transport • Health impacts • Environmental protection • Natural heritage • Trees and landscaping • Waste management • Section 76 planning agreement Development Plan Context Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	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.
5.5	Operational Policies
5.6	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.
5.7	Proposals Maps
5.8	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.9	In the Belfast Urban Area Plan 2001 (BUAP); and both version of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2024), the site is within the development limits of the city and is un-zoned “white land.”
5.10	Principle of housing in this location
5.11	In the draft plan (v2004), the site is located within the development limit and zoned as committed housing land (Zoning: ML 02/16) to reflect that outline planning permission was granted on the site prior to the release of draft BMAP. As such, there no key site requirements were attached to the zoning. In the unlawfully adopted plan (v2014) the site is also zoned as committed housing land (Zoning: ML 03/01). The site is located within the development limit in the various relevant Development Plans.
5.12	The site is included within the outline approval S/1996/0601/O. Planning permission S/1996/0601/O was granted subject to an Article 40 Agreement between the developer (Toland House Properties Ltd), the Department of the Environment and Northern Ireland Housing Executive. The Article 40 Agreement sets out a number of covenants for the development of the master planned area which remain live and relevant for all future development proposals on the subject lands.
5.13	Section 11 of the Article 40 agreement is titled Community Facilities and relates to the proposal site and states:
5.14	“THP (Toland House Properties) covenants with the Department to set aside a 2 hectare site for a 3 class entry primary school in the location on the CMP and marked as ‘setaside for school.” Following assessment, the Department have now confirmed in writing to the Council

	and stated in accordance with the enclosed letter:
5.15	“The Department has had the opportunity to consider the physical attributes of the land as well as the Department’s current and projected future requirements in this location. We can advise that the constrained physical nature of the site in terms of size, topography and the presence of below ground infrastructure means that it is not viable for either new school or pitch provision. The Department can therefore confirm that this land holds no current or future value for the Department’s estate.”
5.16	As the land is not presently developed for community infrastructure and the Department have definitively confirmed that the land is not required now or in the future for educational purposes, there is nil diminution of community infrastructure provision for the local area. It is our assessment that the proposed scheme is therefore compliant with the provisions of Policy CI1 and the principle of developing the land for housing is accepted.
5.17	The master plan site boundary approval is shown below: 
5.18	The proposal is located within the settlement development limits of Belfast. The site is a sustainable location for new housing with good access to amenities, shops, services, employment and public transport, walking and cycling infrastructure.
5.19	In respect of the above, the principle of residential development of the site is considered acceptable and in accordance with Policies HOU1 and HOU2 of the Plan Strategy, and SPPS.
5.20	Housing density
5.21	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations. In accordance with Policy HOU4 and Criterion g) of Policy DES1, the proposed density of 20.4dph is appropriate to the site’s location at the edge of the settlement development limit. Having regard to these considerations, the density is considered acceptable.

5.22	
5.23	Affordable housing
5.24	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. In accordance with Policy HOU5 20% of the scheme will be affordable housing, with 6no. units to be delivered as intermediate housing for sale. The Northern Ireland Housing Executive (NIHE) were consulted and in their consultation response dated 11th March 2026, supported this 20% intermediate housing provision. This will be secured by way of a s.76 agreement.
5.25	Housing mix
5.26	Policy HOU6 requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis. The scheme is providing six house types in suitable mix of 2 bed, 3 bed and 4 bed semi-detached and detached dwellings to promote choice and assist in meeting local community needs.
5.27	The proposed mix is considered to provide a satisfactory range of size and type. The proposed housing mix is considered acceptable having regard to Policy HOU6.
5.28	Adaptable & accessible accommodation
5.29	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a.) to (f.) to be met in order to help deliver adaptable and accessible homes. The policy also requires that at least 10% of units in residential developments of 10 units or more to be wheelchair accessible and provides an additional nine criteria (g.) to (o.) which these units must meet. With the scheme proposing 29 no. units, 10% would equate to 3 accessible units, which the proposal provides at plots 17,19 and 20, by way of three detached dwellings.
5.30	All units have been designed with flexibility in mind for various stages of life. Criteria (a) to (f) of Policy HOU7 has been met in that all parking spaces are on a firm hardstanding surface which is either level or gently sloping. All main entrances display overhead shelter and all living, dining and kitchen space, as well as a WC, are proposed at entrance level. There is clear outlook from the main living spaces and an accessible bathroom is proposed on the same floor as the principle bedroom for each unit. Each wheelchair accessible unit is then designed to comply with criteria (g) to (o) of Policy HOU7 also.
5.31	Design & placemaking
5.32	The proposal has been assessed against Policies SP5, DES1, and RD1 of the Plan Strategy, the SPPS and Creating Places. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, (a.) to (k.).

5.33	The proposed scheme consists of 29 no. dwelling units, including 8no. 6P/4B detached dwellings, 3no. 5P/3B, detached dwellings, 12no. 5P/3B semi-detached dwellings and 6no. 3P2B semidetached dwellings
5.34	The proposed dwellings are reflective of the pattern of development in the surrounding context and have been designed with cognisance of surrounding scale, form and material treatments. The proposed development utilises the existing ground levels to minimise the impact of level differences with the adjacent properties. The orientation of fenestration and separation distances are acceptable and this is explored in more detail when assessing the impact on neighbouring amenity.
5.35	The proposal includes the following house types; - 5 person 4 bed. The space standard for this type is 100sqm of internal space. All proposed units of this type consist of internal space of 132sqm and above. - 5 person 3 bed. The space standard for this type is 90sqm of internal space. All proposed units of this type consist of internal space of 92sqm and above. - 3 person 2 bed. The space standard for this type is 70sqm of internal space. All proposed units of this type consist of internal space of 75sqm and above.
5.36	The internal space standards of each unit are compliant with those set out in appendix c of the development plan and therefore compliant with Policy RD1(f).
5.37	It is considered that the scale, massing and design of the building are appropriate to the site and surrounding buildings and the proposal accords with RD1 and DES1 of the Plan Strategy.
5.38	Impact on amenity
5.39	<i>Open space and amenity space:</i> 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.
5.40	Further to the above requirements, 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.
5.41	The proposal is for 29 units. A total of 0.22ha is set aside for the delivery of public open space comprising 4 dedicated areas of open space as integral parts of the development which range from approximately 278sqm to 980sqm. This equates to approximately 15% of the site area which is in excess of the standards set out in Creating Places and Policy OS3. Accordingly, in accordance with Criterion d) of Policy RD1, an appropriate level of open space is provided.
5.42	All proposed units are afforded private amenity space in the form of private gardens. Creating Places, published in 2000, recommends that private communal open space be of a minimum 70sqm. The proposed private amenity space provision for each plot ranges from 72sqm to 232sqm. Therefore, the proposed amenity provision is considered generous.

5.43	A number of objections received stated that overlooking from the proposed units would occur on the privacy of their side/rear windows and rear garden amenity space. The following will assess separation distances and consider window locations on the north (Mount Eagles Park) and north west (Mount Eagles Close) that have the closest neighbouring properties to the proposed scheme.
5.44	North – Mount Eagles Park – Proposed units 1-7 form the northern part of the scheme and back onto neighbouring properties located on Mount Eagles Park. The closest separation distance being from units 3 and 4 that back onto no.13 Mount Eagles Park. From the rear elevation of plot 4 to the rear side elevation of no.13 it measures approximately 15m. From the rear elevation of plot 3 to the immediate rear amenity space of no.13 it measures approximately 20m.
5.45	Whilst creating places states that separation distances of around 20m are acceptable for opposing windows and garden areas, considerations must be also given to reflect existing building separation distances within the area. In this particular case the topography of the land is a consideration. Whilst the above separation distance from plot 4 to no.13 would fall below the guidance, consideration would be given to the fact that this is to the side gable wall and also that no.13 FFL is approximately +114m and plot 4 FFL is at +111m. Therefore, the sloping topography of the land in which the proposed dwellings sit below the gardens of those properties on Mount Eagles Park would result in no unacceptable overlooking due to the height differences the properties sit on. The proposed boundary to these units is a 1.8m high timer fence which will also alleviate concerns. All other plots along this northern boundary are separated by at least 20m or more to the nearest properties on Mount Eagles Park.
5.46	North West – Mount Eagles Close – Proposed unit no.9 is separated from the gable wall of no.20 Mount Eagles Close by approximately 20m. The proposed upper floor gable window to plot 9 is a bathroom window and will be obscured which will prevent any overlooking.
5.47	Due to the topography of the land, separation distances and fenestration there will be no unacceptable impact on residential amenity due to overlooking. The proposal would not cause an unacceptable degree of overshadowing to neighbouring dwellings, unacceptable loss of outlook, overbearing or other harmful impacts on amenity.
5.48	In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.
5.49	Flood risk and drainage
5.50	DfI Rivers has reviewed the proposal and have indicated that it does not lie within a flood plain. They have reviewed the drainage assessment by McCloy Consulting, dated Jan 2026 and comments as follows:
5.51	‘The Drainage Assessment indicates that flood risk to and from a portion of the development will be managed using a SuDS. Commenting on the efficacy of the proposed SuDS is outside Rivers Directorate’s area of knowledge and expertise. Consequently, Rivers Directorate cannot advise that the potential flood risk to the development, and from the development to elsewhere, has been satisfactorily addressed, or that the proposal is acceptable as required under policy.’
	The council are of the opinion that the drainage assessment has been undertaken by a reputable and qualified consultant, and have no reason to disagree with the conclusions

5.52	of it. Therefore, the proposal complies with Policy ENV4 and relevant provisions of the SPPS.
	Waste-water infrastructure
5.53	Policy SP1A requires that necessary infrastructure is in place to support new development. NI Water has no objection to the application on grounds of network drainage capacity concerns.
5.54	
	Climate change
5.55	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.56	
	In accordance with Policies ENV2 and ENV3 the proposed development incorporates a number of sustainable design features to mitigate and adapt to environmental change.
5.57	
	The proposed dwellings will be designed to exceed the prevailing Building Control Regulations in respect to energy efficiency and building performance. The buildings are orientated to maximise solar gain and solar PV panels are provided to enable a level of energy self-sufficiency and reduce reliance on electricity from the grid.
5.58	
	The scheme is being brought forward applying the principles of a 'fabric-first' approach to construction delivery & energy efficiency. Increased insulation will be provided, and the buildings are designed to achieve low air permeability, which alongside maximising natural ventilation, will attain energy performances above standard Building Control compliance.
5.59	
	Glazing and ventilation systems are to be designed to ensure adequate temperature control measures are available for residents to ensure all dwellings do not overheat and therefore no air conditioning systems should be required. All dwellings have been designed with large windows to maximise natural light and solar gain to habitable rooms. The buildings are also designed with high thermal mass to absorb the heat produced by the building and release it over a period of time. The proposal is considered to accord with Policies ENV2 and ENV3.
5.60	
	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.
5.61	
	The proposals drainage strategy incorporates a range of 'hard' and 'soft' Sustainable Drainage Systems (SuDS) measures. These include the use of a swales to collect and treat surface water runoff, with a filter strip provided between the swale and adjacent footpaths. Surface water flows will also be attenuated using underground tanks, oversized manholes and pipes alongside a hydro-brake which will restrict storm discharge to the equivalent greenfield runoff rate of 10l/s.
5.62	
	The attenuation system has been conservatively sized and makes no allowance for storage or water loss through evapotranspiration or infiltration from the swale or other green areas. Under extreme conditions, it is assumed that all runoff is directed to the attenuation network.
5.63	

5.64	The SuDS measures proposed are appropriate to the site and will effectively manage surface water to reduce runoff and ensure that there is no increased risk to flood outwith the site. Accordingly Policy ENV 5, is satisfied.
5.65	Access and transport The site is accessible and provides good opportunities for active travel, including walking and cycling, through excellent linkages with the surrounding area. Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The proposal contains in curtilage parking for each unit which is considered acceptable.
5.66	Road safety and traffic are concerns raised by objectors. DfI Roads Service are the authoritative body to advise on road safety and traffic and they responded to consultation with no objection subject to conditions should approval be granted. The access to public roads would not prejudice road safety or significantly inconvenience the flow of road users in accordance with Policy TRAN 6.
5.67	A Travel Plan has been submitted and found to be acceptable by DfI Roads; it will further promote alternatives to the private car. The Travel Plan includes the provision of Travel Cards for a period of three years and each dwelling shall be subject to a 50% subsidy for Car Club membership. This will be secured via the Section 76 Planning Agreement.
5.68	
5.69	The scale of development and transport implications of the proposal were assessed by DfI Roads and considered to be acceptable. The proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN6, and TRAN 8, and relevant provisions of the SPPS Health impacts
5.70	Policy SP3 requires new development to maximise opportunities to improve health and wellbeing. Policy HC1 seeks to ensure that all new development maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.71	
5.72	The site is a sustainable location with good access to public transport. The proposed buildings are considered to be of a high-quality design with good quality hard and soft landscaping. The proposal would promote green travel. It is considered compliant with Policy HC1 and SP3. Environmental protection
5.73	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, odour and noise.
5.74	

5.75	Natural heritage
5.76	The site predominantly comprises undeveloped lands, composed of neutral grassland, scrub and low diversity species of common flora. A Biodiversity Checklist has been prepared by Blackstaff Consulting which has been informed by a site walkover and is submitted in support of this application. A visual inspection of the site for its suitability to support roosting bats was also undertaken as part of the survey.
5.77	The Ecologist statement confirmed that the site is not in or within 100m of any nationally or internationally designated sites of ecological importance nor is it in or within 50m of any local site of nature conservation importance. No impact on protected areas is predicted as a result of the development with NI priority habitat limited to roadside hedgerow which will be retained and supplemented as shown on the proposed Landscape Plan. The presence of Japanese knotweed on site is acknowledged and specialist treatment will be undertaken to prevent spread.
5.78	While no activity of protected or priority species was identified within the Checklist and all existing trees on site are to be retained, the subject site was visually inspected for the presence of features suitable for supporting roosting bats. No trees within the site boundary were deemed to hold bat roost potential. No field evidence was identified to suggest the presence of badger and no other habitats or features with the potential to support protected or priority species were identified on site.
5.79	Overall, the Checklist confirms that the site is of low ecological value and proposes a number of general mitigation measures including giving consideration to any potential construction work during bird breeding season (1st March - 31st August). Therefore, in accordance with Policy NH1 the proposed development will not cause any harm to any local, national or international heritage resources.
5.80	Trees and landscaping
5.81	No trees are proposed to be removed on site. The councils tree team were consulted and have assessed the landscaping proposals and are content subject to conditions. The proposal is considered compliant with TRE1 of the Plan Strategy.
5.82	Waste management
5.83	In accordance with Policy RD1, new residential development should be provided with adequate space for daily segregation of recyclable materials and waste before it is moved to the communal waste storage area. Bin storage is shown to the side and rear of each plot. The bin storage allocation should be in line with the Local Government Waste Storage Guide for NI 2010 and BS 5905:(2005).
5.84	Section 76 Planning Agreement
5.85	A draft Section 76 planning agreement to secure the following planning obligations has been agreed in principle with Legal Services. These are considered necessary to make the proposed development acceptable.
5.86	• Intermediate housing for sale –20% (6no.) of the residential units constructed at the property shall be secured; • Green travel measures – secure implementation of Travel Plan and green travel measures (travel cards and car club).
	The Section 76 planning agreement has been agreed in principle.

5.87	
6.0	Recommendation
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other matters that arise provided that they are not substantive.
7.0	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. The development hereby approved shall not be occupied unless the climate change measures described in the application have been implemented. The climate change measures shall be retained in accordance with the approved details at all times. Reason: To mitigate and/or adapt to climate change. 3. The development hereby permitted shall not be occupied unless the SuDS measures [[described in the application] have been implemented. The SuDS measures shall thereafter be retained and maintained. Reason: In the interests of minimising impact on climate change. 4. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No DWG 200 Issue no.4 published on the Planning Portal on 25 August 2026, prior to the commencement of any other works or other development hereby permitted. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. 5. No dwelling shall be occupied until related hard surfaced areas have been constructed in accordance with the approved Drawing No. DWG 200 Issue no.4 published on the Planning Portal on 25 August 2026, to provide adequate facilities for parking. These spaces shall be permanently retained. Reason: To ensure adequate parking in the interests of road safety and the convenience of road users. 6. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining

	carriageway before the development hereby permitted is commenced and such splay shall be retained and kept clear thereafter. Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users. 7. The access gradient(s) to the dwelling(s) hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. 8. The access gradient(s) shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. 9. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No DWG 200 Issue no.4 bearing the Department for Infrastructure determination date stamp 29 September 2026. Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980. 10. The development hereby permitted shall not be commenced until any retaining wall / inspection chamber requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG 300 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges. Reason: To ensure that the structure is designed and constructed in accordance with CG 300 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges. 11. The development hereby permitted shall operate in accordance with the approved Travel Plan. Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles. 12. No dwelling(s) shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of (each phase / the development.)
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	Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling. 13. The waste water pumping station (WWPS) shall be designed, installed and maintained as such that the rating level (dBLAr,T) from the operation of the pumping station, associated with the hereby permitted development, does not exceed the existing daytime and night-time background sound level at the nearest noise sensitive receptor, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'. Reason: Protection of residential amenity 14. Prior to the occupation of any dwelling within the hereby permitted development, a 1.8m high VCB Timber (Type2) acoustic barrier shall be erected and maintained between the proposed wastewater pumping station and dwelling No.29 in the location presented on Figure 1, dated January 2026 and referenced: Site Layout Drawing and Proposed Wasterwater Pumping Station (WWPS) location in the Proposed Residential Development on lands approx. 80m south-west of 11 Mount Eagles Avenue, Dunmurray, Belfast. Reason: Protection of residential amenity 15. The wastewater pumping station (WWPS) shall be designed, operated and maintained so that the odour concentration attributable to the development does not exceed 1.5ouE/m³ as a 98th percentile of hourly average concentrations at any the nearest odour-sensitive receptor. Reason: Protection of residential amenity 16. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards. In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards. Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health. 17. Construction dust management measures shall be developed in accordance with the provisions of the Institute of Air Quality Management publication Guidance on
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	the Assessment of Dust from Demolition and Construction (2024 V2.2). These dust management measures shall be implemented throughout the duration of the construction phase of the development. Reason: Protection of human health. 18. All hard and soft landscaping works (including all boundary walls and fences) shall be carried out in accordance with the approved details on Landscaping Plan, Drawing Number 17a, received on 12 05 26. The works shall be carried out prior to the occupation of the proposal 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. 19. 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 and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site. Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands. 20. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period. Reason: To avoid compaction within the RPA.
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