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

5th December, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 10th December, 2024 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

1. **Routine Matters**
   - (a) Apologies
   - (b) Minutes
   - (c) Declarations of Interest
2. **Committee Site Visits (Pages 1 - 2)**
3. **Notification of Provision/Removal of Accessible Parking Bays**
   - (a) Provision at 79 Cavendish Street (Pages 3 - 6)
   - (b) Provision at Cuba Walk adjacent to Scotch Row (Pages 7 - 10)
4. **Planning Appeals Notified (Pages 11 - 12)**
5. **Planning Decisions Issued (Pages 13 - 40)**
6. **Live Applications for Major Development (Pages 41 - 44)**

7. **Committee decisions that have yet to issue (Pages 45 - 54)**

8. **Miscellaneous Reports**

   (a) **WITHDRAWN**: ~~Draft Planning Committee Operating Protocol~~

   (b) Advanced Notice of Listed Buildings - 14 Carolan Road, 86 Lisburn Road, 88 Lisburn Road and 50 Windsor Avenue (Pages 55 - 64)

   (c) Delegation of Local applications subject to a NIW objection (Pages 65 - 70)

9. **Planning Applications previously considered**

   (a) **LA04/2020/0568/F** and **LA04/2020/0569/LBC** - Demolition of building and structures at rear, refurbishment and alteration of frontage building and erection of 9 storey extension to rear to form hotel (74 bedrooms) with associated restaurant, bar & ancillary facilities and works (amended description). Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description). - 21 Queen Street. (Pages 71 - 112)

   (b) **LA04/2022/2103/F** - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. - 1 and 2 Duncrue Pass. (Pages 113 - 182)

   (c) **LA04/2019/0081/F** - Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout) - Lands at former Maple Leaf Club, 41-43 Park Avenue. (Pages 183 - 220)

   (d) **LA04/2020/2325/F** - Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information) - Lands at former Maple Leaf Club, 41-43 Park Avenue (Pages 221 - 252)

   (e) **LA04/2024/1020/F** - Proposed change of use from dwelling (C1) to 3 Bedroom HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description). - 6 Paxton Street (Pages 253 - 266)

   (f) **LA04/2024/1623/F** - Change of use from 4 bed dwelling (C1) to 5 bed House of Multiple Occupancy (Sui Generis) - 49 Woodcot Avenue. (Pages 267 - 280)

   (g) **LA04/2023/2557/F** - 260 no. dwellings, children's play area and other ancillary and associated works - Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove (Pages 281 - 312)

10. **New Planning Applications**

(a) **LA04/2024/0626/F** - Erection of 104no. residential units across two detached blocks [ranging between 3 and 5 storeys] including 84 no. Social Rented Housing Units (comprising a mix of General Social Housing and Category 1 over 55's accommodation), landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works - 1 Havelock House Havelock Place. (Pages 313 - 366)

(b) **LA04/2024/1138/F** and **LA04/2024/1141/DCA** - Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description) - Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street (Pages 367 - 408)

(c) **LA04/2023/4405/F** - Redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories - Westland House, 40 Old Westland Road (Pages 409 - 428)

(d) **LA04/2024/0122/F** - Proposed mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works. - Former Belfast Metropolitan College Campus, Whiterock Road. (Pages 429 - 452)

(e) **LA04/2024/0475/F** - Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas. - Ulidia Resource Centre, Somerset Street. (Pages 453 - 464)

(f) **LA04/2024/1591/F** and **LA04/2024/1593/DCA** - Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works. - 20 Deramore Park. (Pages 465 - 478)

(g) **LA04/2024/1744/LBC** - Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall - Belfast City Hall, 2 Donegall Square North (Pages 479 - 486)

(h) **LA04/2023/3691/F** - Public realm scheme: Reconfiguration of Little Patrick Street to single lane carriageway, including localised shared space, traffic calming and restricted access to enable servicing / emergency access. Traffic calming measures provided to Little York Street. Other works to include installation of planters with integrated seating, tree planting, rain gardens, bespoke lighting pillars, catenary lighting and surface improvements. (Amended Plans and Information Received) - Little Patrick Street and Little York Street. (Pages 487 - 500)

(i) **LA04/2024/1046/F** - Erection of a store to be used as a workshop for Eurobins. - Duncrue Complex, Duncrue Road (Pages 501 - 506)

(j) **LA04/2024/2016/F** - Erection of a life-sized statue of Rory Gallagher on the existing patio area to the side of Ulster Hall - Ulster Hall 30 Bedford Street (Pages 507 - 514)

11. **Restricted Items**

(a) Quarter 2 Finance Report (Pages 515 - 522)

Planning Committee

PLANNING COMMITTEE SITE VISITS – NOTE OF MEETING

Wednesday 4th December, 2024

1. **LA04/2024/1138/F and LA04/2024/1141/**DCA - Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses - Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street;

   Members Present: Councillor Carson (Chairperson); and
   Councillors S. Douglas, Ferguson, Hanvey and Garrett.

   Officers in Attendance: Mr. E. Baker, Planning Manager;
   Ms. U. Caddell, Principal Planning Officer;
   Mr. M. McBride, Planning Officer; and
   Ms. C. Donnelly, Committee Services Officer.

   The Members and the officers convened at Castle Street (12.15 p.m.) the for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

   The Members viewed the site with the proposed plans.

   The visit concluded at 12:30 p.m.

2. **LA04/2024/1020/F** - Proposed change of use from dwelling (C1) to 3 Bedroom HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description). - 6 Paxton Street

   Members Present: Councillor Carson (Chairperson); and
   Councillors S. Douglas, Ferguson and Hanvey.

   Officers in Attendance: Ms. U. Caddell, Principal Planning Officer; and
   Ms. C. Donnelly, Committee Services Officer.

   The Members and the officers convened at Paxton Street (12:40 p.m.) for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

   The Members viewed the site with the proposed plans.

   The visit concluded at 12:50 p.m.

3. **LA04/2024/1623/F** - Change of use from 4 bed dwelling (C1) to 5 bed House of Multiple Occupancy (Sui Generis) - 49 Woodcot Avenue.

Members Present:	Councillor Carson (Chairperson); and Councillors S. Douglas, Ferguson and Hanvey.
Officers in Attendance:	Ms. U. Caddell, Principal Planning Officer; and Ms. C. Donnelly, Committee Services Officer.

The Members and the officers convened at Woodcot Avenue (1:00 p.m.) for the purpose of undertaking the site visit in respect of the above application and to allow the Members to acquaint themselves with the location and the proposal at first hand.

The Members viewed the site with the proposed plans.

The visit concluded at 1:10 p.m.

Network Traffic

Eastern Division

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Being Dealt With By: Mr Alfie O'Hare
Direct Line: 02890526241

Mr John Walsh
Chief Executive
Belfast City Council
City Hall
BELFAST
BT1 5GS

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: TM 2

Date: 11 November 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 79 CAVENDISH STREET, BELFAST

I am writing to advise you that we propose to provide an accessible/disabled parking bay at the above location. (see attached plan)

We would welcome your comments on this proposal.

Yours sincerely

PP Alfie O'Hare
Noel Grimes
Traffic Management

ENC

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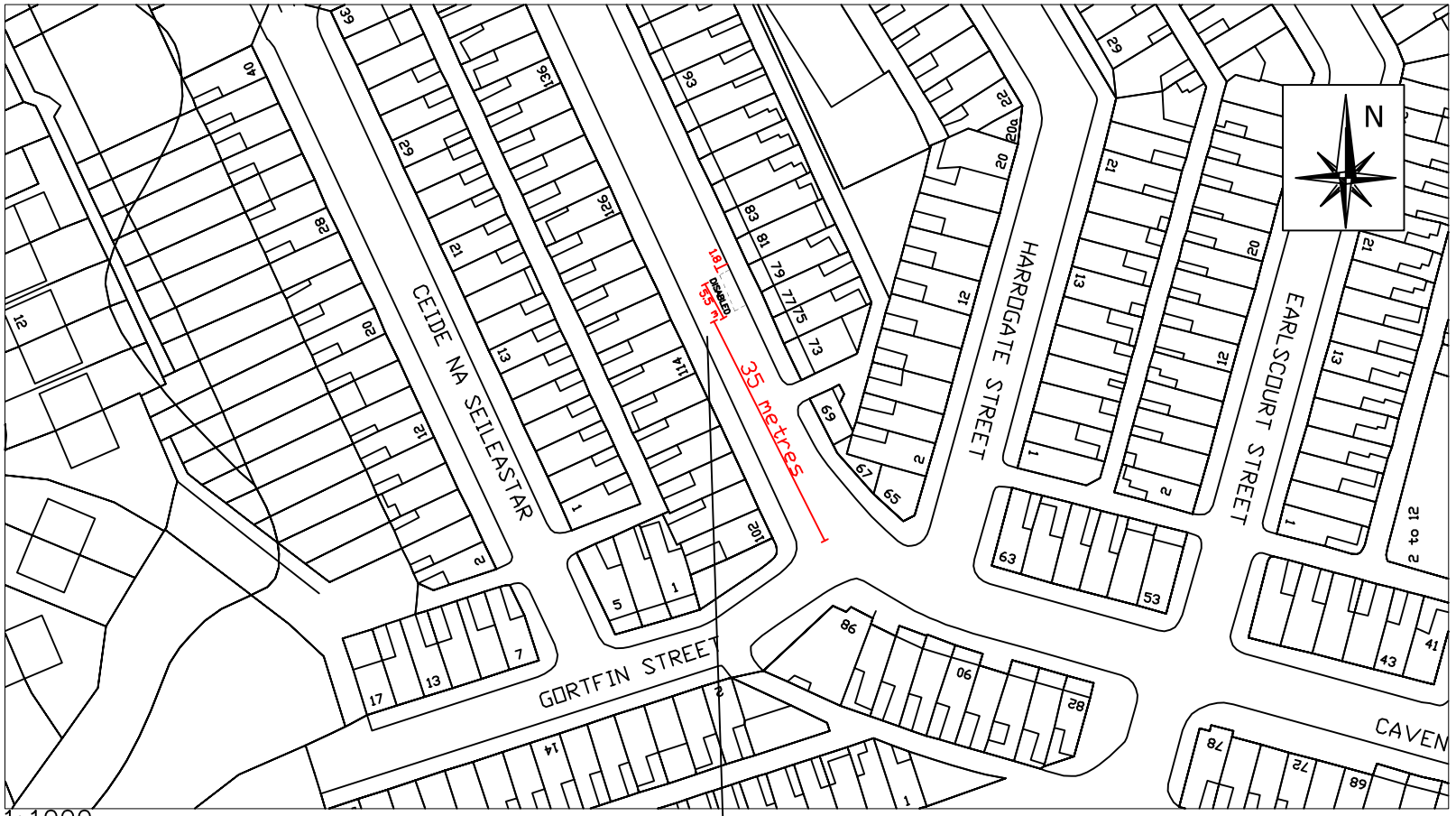
Drg. No.

Cavendish Street, Belfast (north–east side) – from a point 35 metres north–west of its junction with Gortfin Street, for a distane of 5.5 metres in a northerly direction.



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NO.	REVISION	DATE

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Project

PROPOSED ACCESSIBLE/ DISABLED PARKING BAY

Title

79 CAVENDISH STREET BELFAST

FILE NO.		DESIGNED	AO'H date NOV'24
DRAWN		CHECKED	date
TRACED		APPROVED	date

Drg. No. TM2/BEL/NOV/24/59/A

Revision

Scales AS SHOWN

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Direct Line: 02890526241

Mr John Walsh
Chief Executive
Belfast City Council
City Hall
BELFAST
BT1 5GS

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: TM 2

Date: 11 November 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT CUBA WALK ADJACENT TO SCOTCH ROW, BELFAST

I am writing to advise you that we propose to provide an accessible/disabled parking bay at the above location. (see attached plan)

We would welcome your comments on this proposal.

Yours sincerely

PP Alfie O'Hare
Noel Grimes
Traffic Management

ENC

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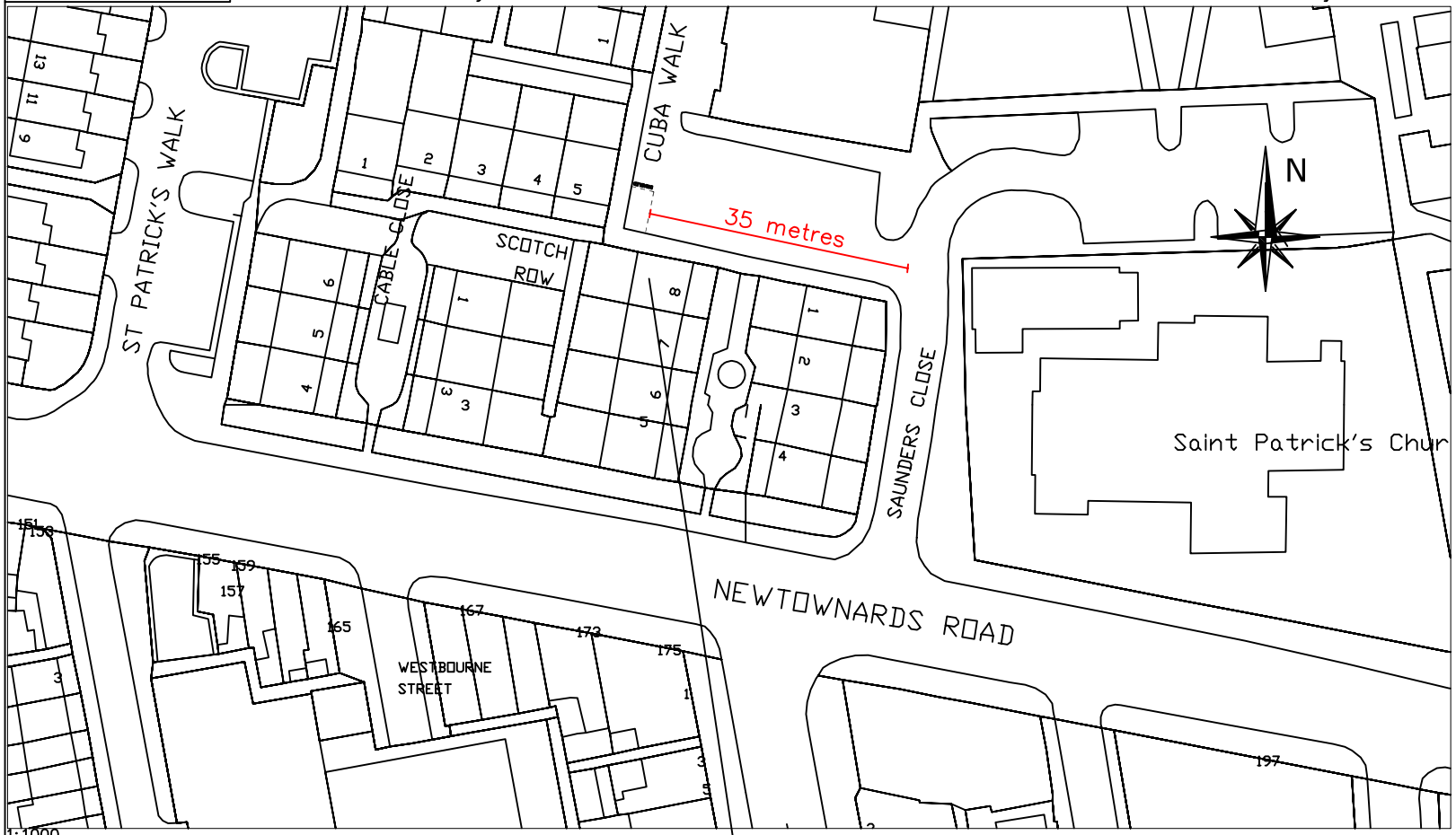
Drg. No.

Cuba Walk, Belfast (south side of parking area adjacent to No. 5 Scotch Row) – from a point 35 metres west of its junction with Saunders Close, for a distance of 3 metres in a westerly direction.



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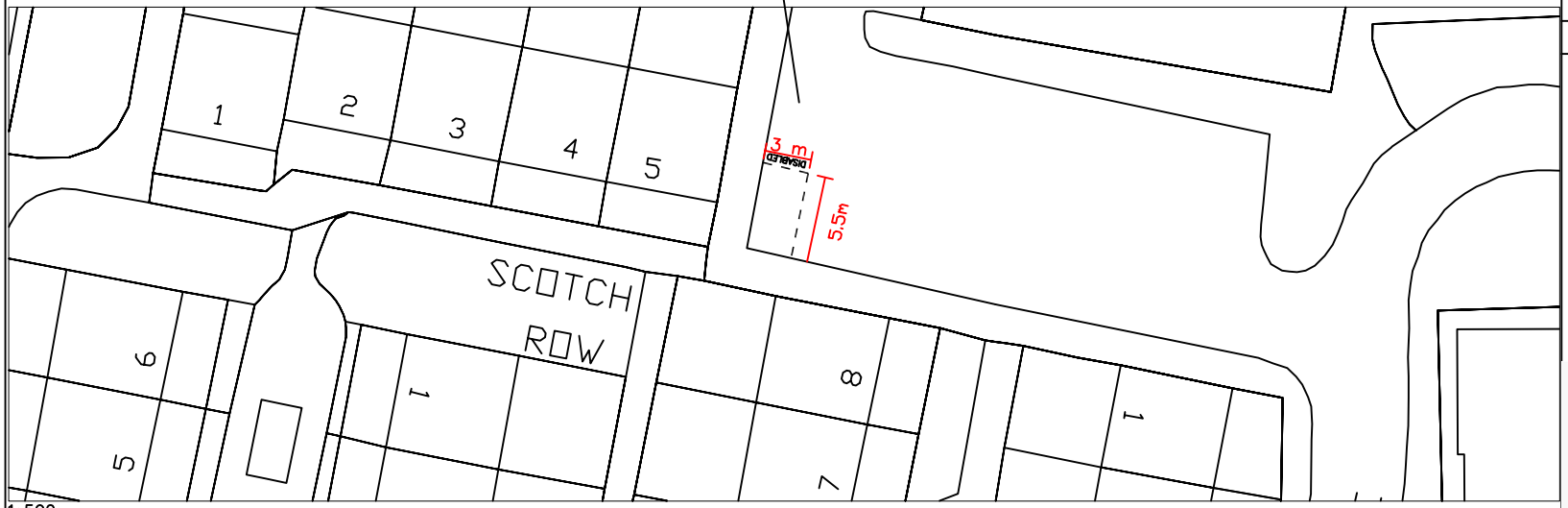

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NO.	REVISION	DATE

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Project
CUBA WALK ADJACENT TO SCOTCH ROW
BELFAST

Title
PROPOSED ACCESSIBLE DISABLED PARKING BAY

FILE NO.		DESIGNED	AO'H	date NOV'24
DRAWN		CHECKED		date
TRACED		APPROVED		date

Drg. No.
TM2/BEL/NOV/24/58/A

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Department fur Infrastructure

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PLANNING COMMITTEE – 10 DECEMBER 2024

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO	1	PAC REF	2024/A0080
PLANNING REF:	LA04/2023/4281/O		
APPLICANT:	Mr Brian Crawford		
LOCATION:	47 Kennedy Way, Belfast, BT11 9AP		
PROPOSAL:	Erection of 5 storey building comprising of 36 residential apartments with ground floor residents only gym and associated car parking		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2023/E0003 and 2023/E0005
PLANNING REF:	LA04/2021/0201/CA and LA04/2021/0202/CA		
RESULT OF APPEAL:	DISMISSED – Enforcement Notice Upheld		
APPLICANT:	Mr Glenn Leech		
LOCATION:	Land at 7 Laganview Court, Belfast, BT5 4AR and Land at 23 Laganview Court, Belfast, BT5 4AR		
PROPOSAL:	Alleged change of use from a residential property to short stay holiday let accommodation without the grant of planning permission		

ITEM NO	2	PAC REF:	2022/A0197
PLANNING REF:	LA04/2022/1839/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Seamus Goodwin		
LOCATION:	51 Glandore Avenue, Belfast, BT15 3FD		
PROPOSAL:	Change of House in Multiple Occupancy		

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Decisions issued November 2024 - No 172

Application number	Delegated / Committee	Location	Proposal	Decision
LA04/2022/1699/F	D	78 Parkmount Street Belfast BT15 3DX	Proposed new development of 6no. 1 bedroom apartments	Permission Refused
LA04/2022/1971/F	D	1D Parkgate Avenue Belfast BT4 1JA	Change of use from mechanics garage to gymnasium for small group training (retrospective).	Permission Granted
LA04/2023/2297/F	D	On footpath adjacent to Wandsworth Drive, c.27m East of No. 186 Belmont Road, Belfast, BT4 2AD.	17.5m telecommunications column with 6No. antennae, 3No. RRU's, 2No. radio dishes & 1 No. equipment cabinet and associated ancillary works.	Permission Refused
LA04/2023/2338/F	C	Site of the former Finlay's Factory south east of Ballygomartin Road, north of Moyard Crescent, northwest of Springfield Heights and Springfield Park, Belfast BT13 3QZ	Single storey building adjacent the new 'Peace IV Blackmountain Shared Space Project'. It comprises 8 office spaces with each space having an accessible WC and kitchenette facility. Offices will provide rental income to facilitate the long term sustainability of the adjacent building.	Permission Granted
LA04/2023/2709/F	C	Lands at Apartment Blocks 1-3 Clonaver Drive Belfast BT4 2FB	Demolition of existing buildings and erection of social housing development comprising 30 no. apartments across 3 buildings with amenity space, landscaping, car parking and associated site works.	Permission Granted

LA04/2023/2702/PAD	D	THE OLD BANK 16-18 ANTRIM ROAD TOWN PARKS BELFAST ANTRIM BT15 2AA	Demolition of existing buildings and erection of 19 No. Cat 1 (active elderly) apartments with balconies or terraces, pedestrian access from Antrim Road, vehicular access from Adela Street, parking for 7No. cars and 20 cycles and repositioning of bus shelter and street furniture.	PAD Concluded
LA04/2023/3024/F	D	APARTMENT 1 & 2 90 BOTANIC AVENUE MALONE LOWER BELFAST BT7 1JR	Change of Use of residential apartments to short term let	Permission Refused
LA04/2023/3238/F	D	89 The Boucher Centre First floor (right hand side), 89 Boucher Road, Belfast, BT12 6HR	Change of use from vacant first floor kitchen showroom to Studio for Dance, Performing Arts and Acrobatic Academy	Permission Granted
LA04/2023/3263/F	D	13 Dundela Crescent, Belfast, BT4 3BN	Proposed subdivision of 13 Dundela Crescent with provision of a two storey rear extension, and infill of yard area, to create two seperate dwellings	Application Withdrawn
LA04/2023/3483/F	C	Land North of Former Corpus Christi College, Accessed off Michael Davitts GAC Grounds, Via St Mary's Gardens, Belfast	Proposed Michael Davitt Heritage & Community Centre, Reception, Toilets and associated Car Parking with Exhibition Signage to existing Trim Trail	Permission Granted
LA04/2023/3649/F	C	Royal Victoria Hospital 274 Grosvenor Road, Belfast, BT12 6BA	New 2 storey regional radiopharmaceutical facility, with associated single storey ancillary services accommodation, bin store, and emergency generator and oil tank storage. Amendment to existing car parking layout.	Permission Granted

LA04/2023/3677/NMC	D	484 Upper Newtownards Road, Belfast, BT4 3GZ	Minor amendments to footprint of house types B and B1 to allow an increased gap between A and B house types for the erection of scaffolding and construction of dwellings. Minor amendments to bay windows and porch features of Z/2014/1341/F	Non Material Change Refused
LA04/2023/3832/F	C	Blacks Gate Development (Former Visteon Factory) Blacks Road Belfast, BT10	Section 54 application to vary condition No. 4 of Z/2013/1434/F (as amended in PAC decision 2016/A0033) to vary trigger point for provision of community centre. Proposed amended text for this condition: In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this	Permission Granted
LA04/2023/3793/F	D	14A Windsor Drive Malone Lower Belfast BT9 7FH	Change of use from residential to short-term let (Retrospective) (Amended Proposal description)	Permission Refused

LA04/2023/4125/PAD	D	Adelaide Business Centre, Apollo Road, Boucher, Belfast, BT12 6HP	Proposed change of use from office space to a Bowling Alley, Restaurant, Indoor Golf, Children's Soft Play, VR Zone & Amusements, Smoking Area, Carparking, Signage and Associated Site Works.	PAD Concluded
LA04/2023/4153/F	C	44 Ponsonby Avenue, Belfast, BT15 2LS	Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property.	Permission Refused
LA04/2023/4143/F		11 Botanic Avenue, Belfast, BT7 1JG	Change of use from office space to tourist hostel accommodation at second floor level.	Permission Granted
LA04/2023/4184/F	D	Translink Short Strand Bus Depot Mountpottinger Road, Belfast, BT5 4BH	Provision of 14No. Electrical Vehicle ('EV') Charging Units, Upgrade of 1No. Existing EV Charger, Erection of 1No. Combined High Voltage ('HV') Switch Room and Transformer Building, and 1No. Replacement Security Hut, along with Associated Site Infrastructure (Including: Cable Trays; Parking Bollards; Bus Wheel Stops; Armco Barriers; Lighting and Pedestrian Guard Rails), Minor Alterations to Existing Bus Parking Area to Provide Modification of Existing Pedestrian Walkway and Reconfigured Bus Parking Bays, and All Associated Site Works.	Permission Granted
LA04/2023/4241/DC	D	342 Woodstock Road, Belfast, BT6 9DP	Discharge of condition 6 LA04/2018/0160/F Noise Verification Report	Condition Discharged

LA04/2023/4243/F		Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4	Proposed Amendment to Reserved Matters Approval Z/2007/2069/RM to include revisions to layout to units 1-9 (to provide 9no detached dwellings)	Application Withdrawn
LA04/2023/4465/F	D	N.I Assembly Parliament Buiding Ballymiscaw, Stormont Belfast BT4 3XX	Reconfiguration of upper east and west car park to provide 9 No. disabled parking spaces.	Permission Granted
LA04/2023/4441/F	D	44 Upper Cavehill Road, Belfast, BT15 5FB	Single storey rear extension	Permission Granted
LA04/2023/4579/F	D	70 High Street, Belfast, BT1 2BE	Change of use from retail to coffee shop & bakery. Alterations to ground floor frontage + additional site works.	Permission Granted
LA04/2023/4550/LBC	D	70 High Street, Belfast, BT1 2BE	Change of use from retail to coffee shop & bakery. Alterations to ground floor frontage + additional site works. (Amended Description).	Consent Granted
LA04/2023/4594/A	D	Level 16 - Roof Plant Deck of City Quays 3, Belfast, BT1 3NH	Illuminated sign	Consent Granted
LA04/2023/4603/O		7 Glencoe Park, Newtownabbey, BT36 7PT	Outline application for detached dwelling adjacent to No. 7 Glencoe Park	Permission Granted

LA04/2024/0025/F		42-50 Ormeau Road, Belfast	Erection of 14no. apartments to be delivered as social housing comprising of 11no. 2 bed apartments and 3no. 1 bed apartments, 2no. of which are wheelchair accessible to include amenity space, bin storage, bicycle parking provision, pedestrian and vehicular access and 2no. disabled parking space and all associated ancillary works.	Permission Granted
LA04/2024/0010/NMC	D	8 Shaneen Park, Belfast, BT14 8JP	Non Material Change to Planning Approval LA04/2020/1294/F. Amendments to guarding of patio and additional windows in storage rooms under patio	Non Material Change Refused
LA04/2024/0072/F	D	167-177 Oldpark Road, Belfast, BT14 6QP	Section 54 application for the variation of Condition Number 3 of planning permission reference LA04/2020/1342/F (allowed on appeal under reference 2021/A0217) to allow discharge of drainage details prior to construction of drainage network rather than prior to commencement of works.	Permission Granted
LA04/2024/0061/F	D	537a Lisburn Road, BT9 7GQ	Change of use from First/Second Floor Hair Salon to 3 No. two-bedroom Residential Apartments, including elevation changes, second floor dormer, removal of the gable chimney stack and re-slating of existing roofs. Proposed extractor fan to rear	Permission Granted

LA04/2024/0084/PAD		9 Middle Braniel Road, Belfast, BT5 7TU	Proposed alterations and change of use of existing detached Granny flat to a dwelling and proposed alterations and refurbishment of existing detached dwelling at no.9 Middle Braniel Road (amended description).	PAD Concluded
LA04/2024/0101/F	D	2 Ballygomartin Road, Belfast, BT13 3LD	1 x Electric Car Charger with Media Screen and 1 x electric car Fast Charger (retrospective).	Permission Granted
LA04/2024/0100/A	D	2 Ballygomartin Road, Belfast, BT13 3LD	Signage associated with EV chargers with media screens (Retrospective)	Consent Granted
LA04/2024/0152/F		15 Shancoole Park, Belfast, BT14 8JQ	Alterations to rear garden to include raised garden area, landscaped slopes and terrace with boundary fencing.	Permission Granted
LA04/2024/0164/F	D	112 Circular Road, Belfast, BT4 2GF	Single storey extensions to the sides & rear to include car port. 2 storey rear extension. Raised ground levels to rear to include covered seating area. New entrance gates & detached garage + additional site works.	Permission Granted

LA04/2024/0344/F	C	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Construction of a new South Wing of the RBAI Campus to include multi-purpose dining hall, 15 general classrooms, a drama suite, a 25m swimming pool, a Board Room suite, living accommodation for the School Steward with PV panels on roof and new, small extension to the Soane Building, to provide improved accessibility and upgraded WC facilities, with associated refurbishment and re-modelling of first and second floor classrooms to the southern end of the Soane Building, the development of landscaped zones including the under-croft area at the Common Hall and new boundary treatment at Durham Street and demolition of the existing dining hall, swimming pool, school steward's house and W-Block.	Permission Granted

LA04/2024/0321/LBC	C	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Construction of a new South Wing of the RBAI Campus to include multi-purpose dining hall, 15 general classrooms, a drama suite, a 25m swimming pool, a Board Room suite, living accommodation for the School Steward with PV panels on roof and new, small extension to the Soane Building, to provide improved accessibility and upgraded WC facilities, with associated refurbishment and re-modelling of first and second floor classrooms to the southern end of the Soane Building, the development of landscaped zones including the under-croft area at the Common Hall and new boundary treatment at Durham Street and demolition of the existing dining hall, swimming pool and W-Block (amended description)	Consent Granted

LA04/2024/0337/NMC	D	Campbell College, Belmont Road, Belfast, BT4 2ND	Non material change LA04/2023/2567/F. 3 no. changes proposed to the phase 2/3 parts of the building currently having planning approval. No.1 Change in floor area. ~ 62m² reduction with removal of western single storey side extension containing the plant room and Gym store. No.2 The reduction in the area of clerestory strip window to the sports hall to smaller individual window units. No.3 Change in proposed finishes; replacing the high level cladding from the sports hall on the south & east façade and substituting it with a coloured render of the same colour.	Non Material Change Granted
LA04/2024/0347/F	D	13 Lothair Avenue, Belfast, BT15 2HU	Change of use from 4-bedroom dwelling to a 5-bedroom HMO.	Permission Granted
LA04/2024/0345/F	D	6 Hawthorn Street, Belfast, BT12 7AQ	Change of use from a residential property into a 5 bedroom house of multiple occupancy	Permission Granted
LA04/2024/0485/CLEUD	D	Unit 5 Loughside Industrial Park Dargan Crescent, Belfast, BT3 9JA	Class B4 warehouse with trade counter and ancillary office.	Permitted Development

LA04/2024/0432/DCA	C	The Royal Belfast Academical Institution College Square East, Belfast, BT1 6DL	Demolition of the school steward's house. The proposed demolition forms part of the overall RBAI Campus Vision proposal which is the subject of a related planning application (ref. LA04/2024/0344/F) and listed building consent application (ref. LA04/2024/0321/LBC) (amended description).	Consent Granted
LA04/2024/0439/DC	D	Lands to NE of 265 Whiterock Road, BT12 7FZ	Discharge condition 10 on LA04/2021/1447/F final drainage assessment	Condition Not Discharged
LA04/2024/0513/DC	D	140 Donegall Street, Belfast, BT1 2FJ	Discharge of Condition 9 LA04/2021/0516/F. Window schedule details	Condition Not Discharged
LA04/2024/0579/F	D	2 Springfield Parade, Belfast, BT13 3QR	Two and single storey rear extension	Permission Granted
LA04/2024/0582/F	D	36 Linden Gardens Belfast BT14 6DD.	Partial wall demolition to faciliate single storey accessible bathroom to rear of existing house with ramp for accessibility to front.	Permission Granted
LA04/2024/0653/DC	D	Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor, Ballymurphy, Belfast, Co. Antrim	Discharge of condition 18 of LA04/2022/0129/F CEMP	Condition Not Discharged
LA04/2024/0660/F	D	Student Roost, 28-30 Great Patrick Street, Belfast, BT1 2LT	Erection of external amenity pods and structures, private terraces, and landscape enhancement works to the internal courtyard space.	Permission Granted
LA04/2024/0642/F	D	35 Lothair Avenue, Belfast, BT15 2HU	Change of use from 4-bedroom dwelling (C1) to 5-bedroom HMO (Sui Generis).	Permission Granted

LA04/2024/0686/F	D	16 Castle Avenue, Belfast, BT15 4GE	Partial demolition to rear wall to facilitate proposed single storey rear kitchen extension with covered patio. Including alterations to existing windows to side elevation.	Permission Granted
LA04/2024/0760/DC	D	29 Springfield Heights, Belfast, BT13 3QZ	Discharge of condition 4 and 8 LA04/2022/0853/F. Rev 3 of our CEMP plan which covers the points raised in the other document attached dated 12/4/24.	Condition Not Discharged
LA04/2024/0803/F	D	Lands to the South of no. 11 Rugby Road, Belfast BT7 1PT and to the East of The McClay Library, 10 College Park, Belfast, BT7 1LP.	Partial demolition of existing buildings. Renovation of existing buildings with new roof, external cladding, roller shutter and pedestrian access doors and internal alterations. The construction of a two storey extension with stores, offices and welfare facilities, construction of a single storey garage and bicycle store and the reconfiguration of the existing recycling facilities and car parking arrangement including new canopy with photovoltaic panels.	Permission Granted
LA04/2024/0812/F	D	12 Shanlieve Park, Belfast, BT14 8JE	Retrospective single storey rear extension with fenestration changes to existing dwelling.	Permission Granted
LA04/2024/0875/LBC	D	Stormont House Annex, Upper Newtownards Road, Stormont Estate, Belfast, BT4 3SH.	Demolition of Stormont House Annex and associated Bungalow totalling approx 2,250 m2. Retention of existing link entrance and lower ground plantroom for access/services to main Stormont House.	Consent Granted

LA04/2024/0805/F	D	1 Beechlands, Belfast, BT9 5HU	Proposed alterations and refurbishment of existing dwelling (previously approved under reference LA04/2021/1927/F) to include a two-storey extension to the side, incorporating a new garage. Provision of vehicular access with removal of existing access (as previously approved under reference LA04/2021/1927/F). Extension of existing curtilage to include area immediately to the South-East of No.1a Beechlands and No.82 Malone Road	Permission Granted
LA04/2024/0883/DCA	D	1 Beechlands, Belfast, BT9 5HU	Proposed alterations and refurbishment of existing dwelling (previously approved under reference LA04/2021/1927/F) involving part demolition of existing dwelling (Amended Description)	Consent Granted
LA04/2024/0839/F	D	29 Pommern Parade Belfast BT6 9FX	Single storey rear extension, with roofspace conversion.	Permission Granted
LA04/2024/0871/F	D	12 Rosapenna Drive, Belfast, BT14 6GT	Proposed single storey extension to side and rear of existing dwelling.	Permission Granted
LA04/2024/0861/F	D	12 Pineview Gardens, Ballygolan, Newtownabbey, BT36 7NU	Replacement of garage with garden room and garden store . Rear dormer to main dwelling. Replacement of utility room roof and minor alterations. Erection of boundary fences and proposed paving.	Permission Granted
LA04/2024/0882/LBC	D	4 Knockbreda Park, Belfast, BT6 0HB	Retention of first floor level internal works to form en-suite and walk-in wardrobe (Retrospective)	Consent Granted

LA04/2024/0905/NMC	D	6 Bloomfield Avenue, Belfast, BT5 5AD	Non material change to Planning Approval LA04/2022/0651/F . Omission of planting boxes to Ground Floor windows. Materiality changes to window head detail, concrete band and eaves detail. Minor alterations to window configuration and materials. Reconfiguration to entrance door width to suit Switch Room Requirements. Addition of vehicle gate and change of estate railings/rear boundary wall height to suit Secured By Design requirements. Reconfiguration of Rainwater pipe positions. Internal and external amendments to bin store room and internal amendements to Apartment 4 to suit Belfast City Council waste management guidance.	Non Material Change Granted
LA04/2024/0963/DC	D	Adjacent to 14 College Square North, Belfast, BT1 6AS	Discharge of condition 16 LA04/2018/1719/F. Sound Insulation Report (Verification).	Condition Not Discharged
LA04/2024/0984/F	D	39 Cedar Grove, Holywood, BT18 9QG	Fenestration changes to dwelling + covered single storey veranda to rear.	Permission Granted
LA04/2024/1022/CLOPUD	D	Friends Meeting House Frederick Street, Belfast, BT1 2LW	Removal of internal non load bearing walls of the rooms to rear of the Meeting House.	Permitted Development

LA04/2024/1084/F	C	Henry Jones Playing Fields, Church Road, Belfast, BT6 9SB	2 no. (35m width x 16m height) ball stop fences. 1.2m height perimeter fencing with 2 no. gate access points. 2 no. (10m width x 4m depth) dugouts + hardstanding path and associated site works.	Permission Granted
LA04/2024/1211/F	D	79 Abbey Park, Belfast, BT5 7HP	Single storey rear extension and external platform lift to front of property	Permission Granted
LA04/2024/1078/CLOPUD	D	4 Cabin Hill Gardens, Belfast, BT5 7AP	Construction of a wooden Garden Room/Shed in the rear garden of the property	Permitted Development
LA04/2024/1085/CLOPUD	D	Cabin Hill House Upper Newtownards Road Belfast BT4.	Lawful commencement of Planning Permission LA04/2018/2863/F and associated Listed Building Consent LA04/2018/2862/LBC by insertion of ground floor window in the south east elevation.	Permitted Development
LA04/2024/1105/F	D	44 Norwood Drive, Belfast, BT4 2EB	Single storey side/rear extension	Permission Granted
LA04/2024/1104/F		36 Jellicoe Avenue, Belfast, BT15 3GA	2 Storey side/rear extension	Permission Granted
LA04/2024/1109/F	C	36 Knutsford Drive, Belfast, BT14 6LZ	Single storey extension to side & rear of dwelling.	Permission Granted
LA04/2024/1153/PAD	D	Europa Bus Station, corner of Glengall St and Durham St Belfast	New meanwhile use Box Park style street market on the site of the vacated Europa Bus Station comprising an Incubator Box Park and Food Court with Entertainment and Arts space	PAD Concluded

LA04/2024/1120/LBC	D	Campbell College, Belmont Road, Belfast, BT4 2ND	Minor change in floor area, reduction in clerestory windows to sports hall, change in proposed finishes to high level rainscreen cladding located over single storey extension to be substituted for colour matched dark grey insulated render	Consent Granted
LA04/2024/1126/LBC	D	45-51 Mater Hospital Crumlin Road, Mater Hospital, Belfast, BT14 6AB	Internal decoration to board room and bishops office, external window replacements	Consent Granted
LA04/2024/1151/A	D	265 Falls Road, Belfast, BT12 6FD	1 Shop sign	Consent Granted
LA04/2024/1168/F	D	265 Falls Road, Belfast, BT12 6FD	Proposal to change existing window on ground floor bay window to new entrance door and block up existing entrance door	Permission Granted

LA04/2024/1165/PAD	D	42-48 King Street, Belfast, BT1 6AD	Refurbishment of existing vacant 1st floor office, 2nd floor studio and 3rd floor vacant entertainment venue as short-term 'aparthotel' studio lets. Alterations to existing ground floor restaurant to facilitate new aparthotel main entrance and visitor lobby to King St frontage. Waste storage to be accommodated in existing rear courtyard. Visitors parking available in city centre parking in close proximity. The anticipated visitor market will predominantly avail of existing nearby public transport infrastructure for access.	PAD Concluded
LA04/2024/1158/F	D	50 Hopefield Avenue, Belfast, BT15 5AP	Demolition of existing rear wall and erection of single storey extension to rear of existing 3 storey townhouse. (AMENDED DESCRIPTION)	Permission Granted

LA04/2024/1187/F	D	5 Ravenhill Park, Belfast, BT6 0DE	Demolition of exisiting single-storey side extension & attached garage, existing two-storey and single-storey extensions to the rear of the existing property, existing outbuilding/shed. Construction of a new two-storey rear extension and single-storey side extension, fenestration alterations to the side and rear of the property, construction of a new outbuilding/shed and the widening of the existing vehicle entrance.	Permission Granted
LA04/2024/1196/DC	D	Lands immediately north and south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park).	Dishcarge condition 14 of LA04/2021/1358/F- Landscape plans	Condition Discharged
LA04/2024/1193/F	D	116 Knockbreda Park, Belfast, BT6 0HG	Single-storey side and rear extension and roofspace conversion to include a dormer to the rear.	Permission Granted
LA04/2024/1248/F	D	9 Rosetta Road East, Belfast, BT6 0LP	Proposed side and rear single storey extension	Permission Granted
LA04/2024/1252/F	D	46 Dunlambert Park, Belfast, BT15 3NL	Loft conversion to include a pitched roof dormer to the side of the property and a flat roof dormer to the rear of the property.	Permission Granted

LA04/2024/1229/PAD	D	Existing telecommunications base station on the rooftop of Dukes at Queens hotel, 65-67 University Street, Belfast, BT7 1HL	Proposed removal, replacement and relocation of existing 6.7M high stub tower, 6no. antennas, 1 no. equipment cabin and all other ancillary works with a new 9.0M high stub tower, 6no. hybrid antennas, 6no. outdoor cabinets and all other ancillary development thereto.	PAD Concluded
LA04/2024/1245/DC	D	97 Larnark Way, Belfast, BT13 3BH	Discharge condition 4 of LA04/2023/3106/F- Noise impact assessment	Condition Discharged
LA04/2024/1269/F	D	61 Marlborough Park South, Belfast, BT9 6HS	Single storey side extension, raised pathway to east side of property and associated site works to include new 2.275m timber fence boundary treatment to part of the side boundary at rear.	Permission Granted
LA04/2024/1266/DCA	D	61 Marlborough Park South, Belfast, BT9 6HS	Demolition of non-original glass block extension and bay window to rear, demolition of rear return side wall on ground floor, demolition and alteration to some internal walls, insertion of 2 windows to ground floor east side elevation and replacement of all existing windows.	Consent Granted
LA04/2024/1308/F	D	75 Donovan Parade, Belfast, BT6 9GE	Single storey rear extension	Permission Granted
LA04/2024/1314/F	D	1 Burmah Street, Ballynafoy, Belfast, BT7 3AN	single storey rear extension with fenestration changes and patio	Permission Granted
LA04/2024/1331/F	D	22 Ravenhill Park, Belfast, BT6 0DE	Demolition of existing garage. Construction of replacement garage.	Permission Granted

LA04/2024/1336/DC	D	Former Visteon Factory, Blacks Road Belfast -	Discharge conditions 20 and 23 Z/2013/1434/F - Verification reports	Condition Discharged
LA04/2024/1338/F	D	27 Dufferin Road, Belfast, BT3 9AA	Installation of Photovoltaic (PV) Panels to roof	Permission Granted
LA04/2024/1348/DC	D	Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurry, Belfast, BT17 0TG	Partial discharge of condition 2 LA04/2023/2890/F - External Facing Product specifications	Condition Partially Discharged
LA04/2024/1357/A	D	156-158 Connsbrook Avenue, Strandtown, Belfast,BT4 1JX	1 Shop sign, 1 Projecting sign, 4 Other - Wall Mounted Info Signs	Consent Granted
LA04/2024/1361/F	D	46 Cyprus Avenue, Belfast, BT5 5NT	Re-roofing and extending small existing outhouse within garden of a residential property. (Retrospective)	Permission Granted
LA04/2024/1364/F	D	49 Ballyhanwood Road, Gilnahirk, Dundonald, Belfast, BT5 7SW	Single storey extension to front and rear of dwelling with balcony and renovations.	Permission Granted
LA04/2024/1376/F	D	23 Oldpark Terrace, Belfast, BT14 6NP	Single Storey Side Extension	Permission Granted
LA04/2024/1394/F	D	40 Sunningdale Park North, Belfast, BT14 6RZ	Single storey extension to rear of dwelling and fenestration changes (Amended Proposal Description) (Retrospective)	Permission Granted
LA04/2024/1388/DC	D	Avoniel Primary School (Formally Elmgrove Primary School) Avoniel Road, Belfast, BT5 4SF	Discharge of Conditon 19 of LA04/2016/2219/F- Drainage Verification Report.	Condition Discharged
LA04/2024/1404/F	D	427 Cregagh Road, Belfast, BT6 0LG	Demolition of existing rear and side extensions and replacement with erection of single-storey side and two-storey rear extensions.	Permission Granted

LA04/2024/1409/F	D	44 Beechmount Pass, Belfast, BT12 7NW	Single-story rear bedroom extension	Permission Granted
LA04/2024/1414/F	D	29A Franklin Street, Belfast, BT2 7GG	change of use from a sports gym (Sui Generis) to an office (Use Class A2)	Permission Granted
LA04/2024/1424/F	D	25b Deramore Park, Belfast, BT9 5JX	Erection of dwelling (change of design and siting in substitution for Z/2014/0468/F) - Retrospective	Permission Granted
LA04/2024/1425/F	D	25a Deramore Park, Belfast, BT9 5JX	Erection of dwelling (change of design and siting in substitution for Z/2014/0468/F) - Retrospective	Permission Granted
LA04/2024/1444/LBC	D	Parliament Buildings, Stormont Estate, Belfast, BT4 3XX	Removal and reinstatement of mechanical and electrical equipment and solar arrays for storage; removal of fixed stainless steel rail, damaged Portland stone parapets. Replacement of roof and Portland stone parapets. Lead capping for parapets, new free standing protection rail and reinstatement of lightning conductors and cameras.	Consent Granted
LA04/2024/1443/F	D	10 Cadogan Park, Belfast, BT9 6HG	Additional window openings to side elevations & alterations to rear window openings	Permission Granted
LA04/2024/1438/F	D	St. Matthews Presbytery Bryson Street, Belfast, BT5 4ES	Amendment to permission LA04/2018/1821/F to include 1no. bin store, ramped access and railing to site boundary.	Permission Granted
LA04/2024/1486/F	C	Green space adjacent to Highfield Community Centre.	Community garden consisting of level changes, paladin fencing, landscaping, raised planter beds, polytunnels, container/storage unit, picnic tables and associated works.	Permission Granted

LA04/2024/1453/F	D	13 Harberton Drive, Belfast, BT9 6PE	Demolition of garage and bay window, Construction of two storey rear extension & single storey side extension. Addition of patio. Widening of access and new pillar.	Permission Granted
LA04/2024/1548/F	D	21 Lagmore Avenue, Belfast, BT17 0TA	Single-story rear extension.	Permission Granted
LA04/2024/1461/F	D	116 Somerton Road Belfast BT15 4DH	Single storey extension to rear and side, and demolition of garage to be replaced with covered patio (Retrospective)	Permission Granted
LA04/2024/1493/DCA	D	13 Harberton Drive, Belfast, BT9 6PE	Demolition of Existing Garage and Rear Bay Window.	Consent Granted
LA04/2024/1467/F	D	Unit 6/7, Ascot House, 24-31 Shaftesbury Square, Belfast, BT2 7DB	Change of Use of Former Restaurant to a Retail Food Shop/Butcher/Deli/Bakery	Permission Granted
LA04/2024/1572/F	D	Queen's University Belfast Medical Biology Centre 97 Lisburn Road, Belfast, BT9 7BL.	Overcladding of two elevations of the lecture hall building	Permission Granted
LA04/2024/1485/F	D	37 Marina Park, Nultyhogy, Belfast, BT5 6BA	Proposed loft conversion into single bedroom with new velux window to front elevation.	Permission Granted
LA04/2024/1499/A	D	69 Rosetta Rd, Belfast BT6 0LR	1 Shop sign, 1 Projecting sign, 2 Other - Wall Mounted Info Signs , 1 Other - Flag Pole Sign	Consent Granted
LA04/2024/1541/F	D	1 Ebrington Gardens, Belfast, BT4 3BY	Single storey rear extension replacing existing lean-to structure and fenestration changes	Permission Granted
LA04/2024/1525/F	D	16 Benbradagh Gardens, Belfast, BT11 8JS	Single storey and 2 storey rear extension (Amended description)	Permission Granted
LA04/2024/1656/A	D	38-40 University Road and 3 Mount Charles, Belfast, BT7 1NH	1 Other - Building plaque	Consent Granted
LA04/2024/1547/NMC	D	7 Luxor Gardens, Belfast, BT5 5NB	Amendments to layout of LA04/2024/0151/F.	Non Material Change Granted

LA04/2024/1554/DC	D	Translink Milewater Service Centre, 25 Duncrue Street, Belfast, BT39AR	Discharge of condition 3 LA04/2023/4274/F - Pre-occupation/pre-operational verification report to be submitted to demonstrate human health contaminant linkages are broken	Condition Discharged
LA04/2024/1561/F	D	26 Harleston Street, Belfast, BT9 5FS	Two storey extension to rear of dwelling (Retrospective)	Permission Granted
LA04/2024/1562/F	D	17 Knockbracken Park, Belfast, BT6 0HL	Single-storey side and rear extension	Permission Granted
LA04/2024/1570/DC	D	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Discharge of condition 11 LA04/2023/3778/F - Programme of Archaelogical work to be sumbitted	Condition Discharged
LA04/2024/1574/F	D	11 Stormount Street, Belfast, BT5 4NX	Change of use from 2 bed dwelling (C1) to 3 bed House of Multiple Occupancy (Sui Generis)	Permission Granted
LA04/2024/1597/F	D	33 Knockbreda Gardens, Belfast, BT6 0HH	Amendments to approval LA04/2022/2154/F (under construction) to remove the approved first floor extension to the rear and minor amendments to the approved ground floor extension.	Permission Granted
LA04/2024/1600/CLOPUD	D	348-350 Ormeau Road, Ormeau, Belfast, BT7 2FZ	For the lawful completion of the approved development for a hotel and licensed restaurant at lands at nos.348 350 Ormeau Road relating to permission LA04/2021/2519/F Appeal ref 022/A0157	Permitted Development
LA04/2024/1618/LBC	D	St. Matthews Presbytery, Bryson Street, Belfast, BT5 4ES	Remedial works to existing spalled/spalling brick. Relocation of bin storage facilities and ramped access associated with the proposed development.	Consent Granted

LA04/2024/1625/DC	D	The King's Hall and RUAS site, south of Upper Lisburn Road/Balmoral Avenue, west of Harberton Park and north-east of Balmoral Golf Club, Belfast, BT9 6GW	Discharge of condition 2 LA04/2022/0311/F - Submission of recon stone (physical sample), curtain walling specification and a slate specification.	Condition Partially Discharged
LA04/2024/1626/LBC	D	Crescent Church, 6 University Road, BT7 1NH	General maintenance repairs to gutters, stonework and pointing. Removal of cement based pointing and replacement with lime based pointing. Repair of damaged dressed stone	Consent Granted
LA04/2024/1643/F	D	40 Osborne Park, Belfast, BT9 6JN	Single storey extension to rear of dwelling.	Permission Granted
LA04/2024/1637/DC	D	149a Westbourne Presbyterian Church Newtownards Road, Belfast, BT4 1AB	Discharge of condition 5 LA04/2024/0397/F - Defects elevation drawings (DF01 to DF04) and photographic record of proposed stone samples	Condition Discharged
LA04/2024/1639/F	D	19 Piney Lane, Belfast, BT9 5QS	Single storey extension to side and rear of dwelling.	Permission Granted
LA04/2024/1636/WPT		Lesley Parklands Apartments, 60-64 Knocknagoney Road Belfast BT4 2FT	Works to trees protected by planning condition	Works to Trees in CA Agreed
LA04/2024/1658/F	D	14 Lagmore View Crescent, Belfast, BT17 0FS	Two storey side extension	Permission Granted
LA04/2024/1653/F	D	2 Owenvarragh Gardens, Belfast, BT11 9BB	Roof space conversion replacing hipped roof with gable and providing dormer to rear of dwelling.	Permission Granted
LA04/2024/1670/F	D	63 Lagmore Meadows, Dunmurry, Belfast, BT17 0TE	Two storey side extension to provide a shower room, utility store and bedroom.	Permission Granted

LA04/2024/1677/WPT	D	20b Eastleigh Drive, Belfast, BT4 3DX	Works to trees protected by planning condition	Works to TPO Granted
LA04/2024/1685/F	D	265 Falls Road, Belfast, BT12 6FD	Proposed ground floor change of use from a coffee shop to a barber shop including sunbed booth	Permission Granted
LA04/2024/1694/DC	D	Railway lands located to the north of Abington Drive, south of Utility Walk, Belfast	Discharge of condition 27 LA04/2017/1388/F- Piling Risk Assessment Report Phase 1-3	Condition Discharged
LA04/2024/1696/DC	D	43a Malone Park, Belfast, BT9 6NL	Discharge of Condition 3 LA04/2023/2490/F- Facade Details	Condition Discharged
LA04/2024/1698/DC	D	43a Malone Park, Belfast, BT9 6NL	Discharge condition 3 LA04/2023/2493/DCA - Submission of a Contract Acceptance letter signed by the Client and the Contractor to allow for the demolition of an existing boiler room, conservatory and carport to existing dwelling.	Condition Partially Discharged
LA04/2024/1714/DC	D	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Discharge of Condition 8 LA04/2023/3778/F- Foul and Surface Water Drainage	Condition Not Discharged
LA04/2024/1717/DC	D	55 Boucher Road, Belfast, BT12 6HR	Discharge of condition 4 LA04/2023/3544/F - Details of foul and surface water drainage, including a programme for implementation of these works to be submitted.	Condition Discharged
LA04/2024/1725/WPT	D	20 Lacefield, Belfast, BT4 3PA	Works to TPO protected trees	Works to TPO Granted

LA04/2024/1726/LBC	D	7 University Road, Belfast, BT7 1NA	Retrospective Listed Building Consent for a canopy on the rear elevation and internal layout changes from those approved in Listed Building Consent LA04/2018/2172/LBC.	Consent Granted
LA04/2024/1731/DCA	D	40 Osborne Park, Belfast, BT9 6JN	Partial removal of rear elevation wall, ground floor windows and door. Demolition of outside WC, rear porch and some internal walls.	Consent Granted
LA04/2024/1737/DCA	D	10 Cadogan Park, Belfast, BT9 6HG	Removal of brickwork to allow for new window openings and alterations to openings to the rear	Consent Granted
LA04/2024/1738/WPT		49 Fortwilliam Grange, Belfast, BT15 4AU	Works to TPO protected trees	Works to TPO Granted
LA04/2024/1742/F	D	38 Ballynahatty Road , Belfast, BT8 8LE	Roofspace conversion with front and rear dormer windows, side and rear single storey extensions.	Permission Granted
LA04/2024/1747/WPT	D	37 Hawthornden Road, Belfast, BT4 3JW	Works to TPO protected trees	Works to TPO Granted
LA04/2024/1748/PRELIM	D	142 Larkfield Road, Belfast, BT4 1QF	A small wooden shed, to be set on tarmac within boundaries. For personal use no commercial use.	PAD Concluded
LA04/2024/1797/F	D	2 Cranmore Gardens, Belfast, BT9 6JL	Alterations to front boundary to provide low brick wall with piers and metal railings and gates; new hard surfacing; and landscaping.	Permission Granted
LA04/2024/1750/DCA	D	2 Cranmore Gardens, Belfast, BT9 6JL	Part demolition of front boundary brick wall (retrospective)	Consent Granted
LA04/2024/1751/DC	D	14 Dublin Road, Belfast, BT2 7HN	Discharge of condition 4 LA04/2023/4373/F- Lighting Strategy	Condition Not Discharged
LA04/2024/1763/CLOPUD	D	89 Knockbreda Park, Belfast, BT6 0HE	Permitted Development erecting a proposed aluminium Pergola at 2.1m in height, close to the boundary line (300mm approx	Permitted Development

LA04/2024/1766/A	D	23 Donegall Road, Belfast, BT12 5JJ	1 Digital Sign	Consent Granted
LA04/2024/1768/LBC	D	Royal Courts of Justice, May Street, Belfast, BT1 3JJ	Alterations to existing corridors to create fire compartmentation incorporating 5No. New hardwood double doors and associated stud walls.	Consent Granted
LA04/2024/1794/DC	D	Former Visteon Factory, Blacks Road Belfast	Discharge of condition 2 LA04/2021/0416/F - Play Park Verification Report	Condition Discharged
LA04/2024/1789/CLEUD	D	19 Melrose Street, Belfast, BT9 7DL	Change of use to House in Multiple Occupation (Existing use)	Permitted Development
LA04/2024/1791/CLEUD	D	23 Melrose Street, Belfast, BT9 7DL	Change of use to House in Multiple Occupation (Existing use)	Permitted Development
LA04/2024/1810/WPT	D	Stranmillis University College Campus, Stranmillis Road, Belfast, BT9 5DY	Works to trees in conservation area	Works to Trees in CA Agreed
LA04/2024/1826/A	D	22 Lower Windsor Avenue, Belfast, BT9 7DW	Community Centre Sign	Consent Granted
LA04/2024/1830/DC	D	38-52 Lisburn Road, Malone Lower, Belfast, BT9 6AA	Discharge of condition 9 LA04/2023/3778/F - Piling Risk Assessment	Condition Discharged
LA04/2024/1852/DC	D	Translink Short Strand Bus Depot Mountpottinger Road, Belfast, BT5 4BH	Discharge of Condition No.3 - Submission of a detailed remediation strategy-LA04/2023/4184/F and Discharge of Condition No.9 - Submission of a piling risk assessment-LA04/2023/4184/F	Condition Partially Discharged
LA04/2024/1879/DC	D	6 Bloomfield Avenue, Apt 1-16, Belfast, BT5 5AD	Discharge of condition 17-LA04/2022/0651/F- Foul and Surface Water Drainage	Condition Discharged
LA04/2024/1880/WPT		23 Myrtlefield Park, Belfast, BT9 6NE	Works to trees in a Conservation Area	Works to Trees in CA Agreed

LA04/2024/1888/DC	D	Remaining vacant 3no. listed pavilions at former Belvoir Park Hospital site. Land 80 - 150m to the east and 170m south east of West House, Belvoir Park.	Discharge condition 12 of LA04/2024/1043/F - Foul Drainage Summary	Condition Discharged
LA04/2024/1885/WPT	D	37 Cranmore Gardens, Belfast, BT9 6JL	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2024/1935/TPO	D	Admin house, 8FS, 6 Lady Ishbel Ave, Belfast BT8 8SJ	Tree works in reference to TPO/2006/0128	Works to TPO Granted
LA04/2024/1944/WPT	D	33-35 Malone Road, Belfast. BT9 6RU	Works to trees in a Conservation Area	Works to Trees in CA Agreed
LA04/2024/1951/WPT	D	Fisherwick Presbyterian Church, 2 Chlorine Gardens, Belfast , BT9 5 DJ	Works to trees in Conservation area	Works to Trees in CA Agreed
				Total Decsions

Live Major Applications not previously considered by Committee @ 03.12.24

Number	Application No.	Category	Location	Proposal	Date Valid	Target Date	Status
1	LA04/2022/0809/F	Major	Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews Belfast.	Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 94 No. dwellings and associated and ancillary works.	21-Apr-22	17-Nov-22	CONSULTATION(S) ISSUED
2	LA04/2023/2633/F	Major	St Teresa's GAC, 2 Glen Road Heights, Belfast BT11 8ER	Proposed extension to existing clubhouse to provide indoor sports hall, changing rooms, reception, and fitness suite. Proposed relocation of grass pitch and new 4G training pitch with integrated ball walls. Proposed annex building with club store and matchday shop. Site works including increased parking, fencing, catch nets, floodlighting, dugouts, paths, and other associated amenities.	14-Mar-23	10-Oct-23	CONSULTATION(S) ISSUED
3	LA04/2023/2922/F	Major	Site bounded by Glenalpin Street, Wellwood Street and Norwood Street, Belfast	Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping.	23-Mar-23	19-Oct-23	PLANNING APPEAL IN PROGRESS
4	LA04/2023/3799/F	Major	Vacant lands (partial site of the former Wolfhill Flax Spinning Mill) located to the south, of Wolfhill Manor, north of Wolfhill Grove and west of Mill Avenue, Ligoniel Road, Belfast, BT14 8NR	New single storey 10-class based primary school, separate nursery school accommodation and school meals accommodation to facilitate the relocation of St. Vincent De Paul Primary School and Nursery from existing site on Ligoniel Road, Belfast. Proposal includes new pedestrian and vehicular accesses onto Mill Avenue, car parking, covered cycle storage area and hard play areas. Hard and soft landscaping including wildlife walkway, fencing, retaining walls, underground drainage system to include the reinstatement of underground storm sewer and headwall into adjacent DFI River wayleave. Includes temporary contractors compound and all associated site works.	09-Oct-23	06-May-24	CONSULTATION(S) ISSUED
5	LA04/2023/4181/F	Major	Lands comprising the existing Sydenham Wastewater Pumping Station west of Park Avenue, Connswater River and King George V Playing Fields, to the south of the Sydenham By-Pass, east of The Oval football stadium, north and east of Parkgate Gardens and north of Parkgate Crescent, Parkgate Parade and Mersey Street, Belfast	Demolition of existing Wastewater Pumping Station (WwPS) with reinstatement of site as a landscaped area. Construction of a replacement WwPS including associated control building and hardstanding, the raising of site levels, in-channel works, provision of new rising main, other ancillary buildings, the creation of an access road on lands within the King George V Playing Fields to serve the facility, landscaping and other ancillary works. Provision of a temporary working area on lands within the King George V Playing Fields, the creation of a temporary access road from Mersey Street to facilitate construction traffic on lands to the rear of 1-35 Parkgate Gardens, the creation of a temporary footway adjacent to 88 Park Avenue and other ancillary development and landscaping restoration works.	14-Nov-23	11-Jun-24	CONSULTATION(S) ISSUED
6	LA04/2023/4405/F	Major	Westland House, 40 Old Westland Road, Belfast, BT14 6TE	Redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories.	20-Dec-23	17-Jul-24	CONSULTATION(S) ISSUED
7	LA04/2024/0015/F	Major	Lands at Cabin Hill, Upper Newtownards Road, Belfast BT4	Erection of 53 residential units (including 43 dwellings and 10 apartments) including creation of access, internal roads, landscaping and associated works (amended description and plans).	22-Dec-23	19-Jul-24	CONSULTATION(S) ISSUED
8	LA04/2024/0122/F	Major	Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG	Proposed mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.	19-Jan-24	16-Aug-24	CONSULTATION(S) ISSUED
9	LA04/2024/0211/F	Major	Existing Football Stadium The Oval Parkgate Drive Belfast BT4 1EW.	Redevelopment of the existing stadium by way of demolition of both existing stands and construction of two new spectator stands with reconfiguration of existing standing terracing at goal ends, new turnstiles and associated siteworks including new floodlighting, additional car parking and improved circulation routes to provide an overall capacity for 6000 spectators on site.	15-Mar-24	11-Oct-24	CONSULTATION(S) ISSUED

10	LA04/2024/0285/F	Major	Ardoyne Youth Club, Old Beltex Mill, Flax Street, Belfast, BT14 7EJ	Demolition of existing building and erection of a new purpose-built youth facility including retention of existing chimney. (Renewal of planning permission refernce LA04/2018/1998/F)	20-Feb-24	17-Sep-24	CONSULTATION(S) ISSUED
11	LA04/2024/0429/F	Major	Lands bound by North Street, Royal Avenue, Rosemary Street and building south of Lower Garfield Street located approximately 400m west of Laganside bus station 300m northeast of City Hall and 1km northwest of Central Train Station.	Renewal of planning permission LA04/2017/2126/F (Phase 1B Tribeca) for redevelopment including the construction of a new six storey building on the existing surface level car park, part change of use to create a mixed use development comprising retail units, restaurants and cafes, residential units, offices, church and related community floor space, new streets and public realm works. Demolition of 53 Royal Avenue and 27-31 Rosemary Street and restoration of Central Halls (37-39 Rosemary Street), Masonic Hall (15 Rosemary Street), 43/43a Rosemary Street and retention of 30-34 North Street.	08-Mar-24	04-Oct-24	VALID
12	LA04/2024/0475/F	Major	Ulidia Resource Centre, Somerset Street, Ballynafoy, Belfast, BT7 2GS	Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas.	18-Apr-24	14-Nov-24	CONSULTATION(S) ISSUED
13	LA04/2024/0570/F	Major	Stormont Hotel, 587 Upper Newtownards Road BT4 3LP and adjacent properties at Castleview Road (nos. 2, 4, 6, 16, 18, 20, 22, 24, 26, 28 & 30), Summerhill Parade (nos. 18, 20 & 22), and Summerhill Park (nos. 37 & 39).	Change of use of from hotel, conference centre and offices (sui generis) to a 97-bed care home (Use Class C3(b)) and 1,559sqm diagnostic medical facility (Use Class D1(a)), associated access, car parking, landscaping and open space.	04-Apr-24	31-Oct-24	CONSULTATION(S) ISSUED
14	LA04/2024/0569/O	Major	STORMONT HOTEL 587 UPPER NEWTOWNARDS ROAD BALLYCLOGHAN BELFAST BT4 3LP	Outline planning permission with all matters reserved for independent living and assisted living retirement apartments (Use Class C3), associated internal access roads, communal open space, revised access from Castleview Road, associated car parking, servicing, amenity space and landscaping.	04-Apr-24	31-Oct-24	CONSULTATION(S) ISSUED
15	LA04/2024/0714/F	Major	Units 2A and 2B at 38 Boucher Road, Belfast, BT12 6HR.	Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development.	14-Jun-24	10-Jan-25	CONSULTATION(S) ISSUED
16	LA04/2024/0626/F	Major	1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB .	Erection of 104no. residential units across two detached blocks [ranging between 3 and 5 storeys] including 84 no. Social Rented Housing Units (comprising a mix of General Social Housing and Category 1 over 55's accommodation), landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works	17-Apr-24	13-Nov-24	CONSULTATION(S) ISSUED
17	LA04/2024/0675/F	Major	The Arches Centre 11-13 Bloomfield Avenue, Belfast, BT5 5AA	Change of Use of first and second floor of The Arches building to provide 39 No. apartments; extension to second floor to provide a further 6 No. apartments and erection of new third floor to provide 19 No. apartments (all social housing dwellings, 64 No. in total), and ancillary/associated works.	13-May-24	09-Dec-24	CONSULTATION(S) ISSUED
18	LA04/2024/0910/F	Major	70 whitewell Road, Newtownabbey, BT36 7ES Site at Hazelwood Integrated College	Redevelopment of Hazelwood Integrated College to include demolition of existing building and development of new school campus, new sports pitch, outdoor play areas, car parking, hard and soft landscaping and retention and refurbishment of the Listed Building (Graymount House) and other associated site works including a temporary mobile village during the construction process.	23-May-24	19-Dec-24	CONSULTATION(S) ISSUED

19	LA04/2024/1138/F	Major	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	16-Oct-24	14-May-25	CONSULTATION(S) ISSUED
20	LA04/2024/1385/F	Major	Olympic House, Titanic Quarter, 5 Queens Road, Belfast, BT3 9DH	Amendment to planning permission Z/2013/0931/F to permit occupation for either Class B1(a) office or Class B1(c) research and development.	09-Aug-24	07-Mar-25	CONSULTATION(S) ISSUED
21	LA04/2024/1458/F	Major	Divis and The Black Mountain National Trust Site, Divis Road, Hannahstown, Belfast, BT17 0NG.	Alterations to the site include refurbishing and repurposing of 3no existing vernacular buildings and replacing 1 shed, a small garage and an agricultural structure with a new amenity building. Enhancements to the existing pond network, introduction of signage interpretation and a suite of site-appropriate furniture. Wider site improvement works are proposed including path enhancements and new routes, installation of site furniture and interpretation signage.	20-Sep-24	03-Jan-25	CONSULTATION(S) ISSUED
22	LA04/2024/1592/F	Major	Marlborough House, (no. 28-32 Victoria Street), and no. 8 Marlborough Street, Belfast BT1 3GG	Residential development comprising the demolition of no. 8 Marlborough Street, partial demolition of existing Marlborough House, and the refurbishment of existing Listed Building (Princes Court) (3 storeys), for the erection of 103 no. apartments (mix of 1-bed, 2-bed and 3 bed units) (7 storeys), with provision of private amenity, and internal and external communal amenity spaces; and associated site and infrastructure works.	20-Sep-24	18-Apr-25	CONSULTATION(S) ISSUED
23	LA04/2024/1635/F	Major	Lands at Nos. 176-184 and No. 202 Woodstock Road and Nos. 2-20 Beersbridge Road, Belfast.	Section 54 application to vary condition 13 of LA04/2022/0209/F regarding vapour protection measures prior to occupation of approved development and refer to the updated Remediation Strategy of September 2024. The removal of the wording of part c of condition 13, which is no longer required.	27-Sep-24	10-Jan-25	CONSULTATION(S) ISSUED
24	LA04/2024/1761/RM	Major	Land forming Plot 9 of the Kings Hall development as approved by LA04/2020/0845/O.	Application for approval of reserved matters application for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details	15-Oct-24	13-May-25	CONSULTATION(S) ISSUED
25	LA04/2024/1836/F	Major	Lands between Ballygomartin Road and Upper Whiterock Road and to the west (rear) of Moyard Parade and New Barnsley Crescent, Belfast Co. Antrim BT13 3QZ	Proposed development of new walking trails linking Black Mountain Shared Space Project building (approved under LA04/2022/0853/F) on the Ballygomartin Road with the Upper Whiterock Road and Moyard Parade. Proposal to include gated accesses, stockproof fencing, seated areas, information signage, landscaping and associated site works.	25-Nov-24	10-Mar-25	CONSULTATION(S) ISSUED

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Planning Applications Discussed at Committee Between 01 Apr 2019 and 03 Dec 2024

(Red issued refusal decision - Amber to be issued - Green issued approval decision)

Decision Description	Totals
To be issued	36
Consent Granted	
Consent Refused	
Permission Granted	1
Permission Refused	
Total	**37**

Application No.	Location	Proposal	Category	Date Valid	Delegated Committe	Committee Date	Weeks between Valid date and Comm date	Weeks Since Committee	Weeks between Comm Date and Issued Date 2	Decision	Issue date	Todays Date	Reason decision not issued
LA04/2021/0547/F	Lands at 124-126 Lisburn Road Belfast BT9 6AH	Demolition of the existing buildings and redevelopment of site for 2 no. commercial units on ground floor; 11 no. 1 & 2 bed apartments; landscaped communal courtyard; and all associated site works.	LOC	30-Mar-21	C	15/02/2022	46	146	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/2059/F	Lands south of 56 Highcairn Drive Belfast BT13 3RU Site located at junction between Highcairn Drive and Dunboyne Park Belfast.	Proposed Social Housing Development Comprising of 12 no. 3p/2b semi-detached dwelling houses with incurtilage parking and associated site works. (amended description and site location plan)	LOC	04-Nov-22	C	29/06/2023	33	74	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/1924/F	160-164 Kingsway Dunmurry BT17 9RZ.	Mixed-use proposal comprising 13 apartments (with 13 car parking spaces) and coffee shop.	LOC	19-Oct-22	C	29/06/2023	36	74	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement

LA04/2023/2324/F	MOUNTAIN VIEW CENTRE NORGLEN GARDENS BALLYMURPHY BELFAST ANTRIM BT11 8EL	Proposed redevelopment comprising demolition of an extant building and development of two apartment blocks (12 units - category 1 over 55s tenure) and change of use/alterations of existing retail unit to apartments (8 units private tenure), communal amenity, parking, site access alterations, landscaping and ancillary site works	LOC	13-Dec-22	C	17/10/2023	44	59	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2019/0081/F	Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.	Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	LOC	04-Oct-24	C	14/11/2023	-46	55	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2020/2325/F	Lands at Former Maple Leaf Club 41-43 Park Avenue Belfast.	Proposed erection 21no. dwellings (social/affordable housing units comprising 17no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	LOC	06-Nov-20	C	14/11/2023	157	55	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/1861/F	1-3 Arthur Street Belfast BT1 4GA.	Replacement facade to active facade to facilitate the display of internally illuminated moving images (Temporary Permission for 3 years)	LOC	04-Oct-22	C	14/11/2023	58	55	No Issue Date	Decision To Be Issued		03/12/2024	Referred to DFI
LA04/2022/1867/DCA	1-3 Arthur Street Belfast BT1 4GA.	Part demolition of facade to facilitate replacement facade.	LOC	04-Oct-22	C	14/11/2023	58	55	No Issue Date	Decision To Be Issued		03/12/2024	Referred to DFI
LA04/2022/1860/A	1-3 Arthur Street Belfast BT1 4GA.	Active facade to facilitate the display of LED internally illumniated moving images (Temporary consent for 5 years)	LOC	04-Oct-22	C	14/11/2023	58	55	No Issue Date	Decision To Be Issued		03/12/2024	Referred to DFI

LA04/2020/1858/F	Hillview Retail Park Crumlin Road Belfast.	Proposed residential development of 18 no. social housing units, comprising two terraces. Development includes associated car parking, gardens, landscaping, site access and all other site works. (amended plans uploaded to the Planning Portal on the 5th April 2023 that revise the proposed access and road layout, including the introduction of a traffic island).	LOC	08-Jan-21	C	14/11/2023	148	55	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2021/2687/F	3 Milner Street Belfast BT12 6GE.	Residential development for 87 no. apartments (1 no. and 2 no. bedroom) of which 18no. units are affordable housing, internal car park, landscaped gardens/ terraces and all associated site works (amended description and plans).	MAJ	02-Nov-21	C	12/12/2023	110	51	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2023/2390/F	Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast	Section 54 application to vary a number of conditions to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road.	MAJ	22-Feb-23	C	12/12/2023	41	51	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement

LA04/2021/2016/F	21-29 Corporation Street & 18-24 Tomb Street Belfast.	Demolition of existing multi-storey car park and the erection of 298no. build for rent apartments (19 storey) including ground floor commercial unit (A1/A2), car/cycle parking provision along with associated development. (Further information received).	MAJ	26-Aug-21	C	16/01/2024	124	46	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/1219/F	177-183 Victoria Street 66-72 May Street and 4-8 Gloucester Street Belfast	Demolition of existing building and erection of 11 storey building (May Street/Victoria Street) and 4 storey building (Gloucester Street) comprising 77 apartments with communal areas, ground floor retail services (A2) unit, cycle and car parking, and vehicular access via Gloucester Street	MAJ	21-Jun-22	C	16/01/2024	82	46	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/0097/F	22-30 Hopefield Avenue Belfast BT15 5AP	Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 - Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings)	LOC	04-Apr-22	C	13/02/2024	97	42	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/1384/F	Lands at 12 Inverary Avenue Sydenham Belfast BT4 1RN	Residential development of 10 no. apartments within a single building, including demolition of existing structures, car parking and relocation of existing access, and all other associated siteworks.	LOC	05-Aug-22	C	19/03/2024	84	37	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement

LA04/2020/2607/F	Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP.	Residential development for the erection of 33 no dwellings (including 5 no affordable units) including public open space, equipped children's play area and associated development as enabling works to deliver the refurbishment of 3 no listed pavilions within the Belvoir Park Hospital complex (previously approved under Y/2014/0401/F and Y/2014/0390/LBC). [amended scheme]	MAJ	16-Dec-20	C	19/03/2024	169	37	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2017/1991/F	Land adjacent to Concourse Buildings Queens Road Belfast BT3 9DT.	Construction of a new 5 storey office development for science and I.T. based business and associated car parking and public realm works.	MAJ	20-Sep-17	C	19/03/2024	338	37	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2020/2105/F	1-5 Gaffikin Street Belfast BT12 5FH	Residential development comprising 55no. apartments comprising 12 no social, and 43 no private apartments and associated site works.	MAJ	21-Oct-20	C	19/03/2024	177	37	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2022/0612/F	Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast.	Residential scheme of 53 no. dwellings comprising 34 no. semi-detached and 4 no. detached) and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed), amenity space, bin and bicycle storage, landscaping, access, car parking and all associated site works.(revised description & amended plans).	MAJ	15-Apr-22	C	18/06/2024	113	24	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2023/4607/F	Parkmore Building, 284A Ormeau Road, Ballynafoy, Belfast, BT7 2GB	Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access.	LOC	20-Dec-23	C	27/06/2024	27	22	No Issue Date	Decision To Be Issued		03/12/2024	

LA04/2023/2557/F	Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove. Belfast.	260 no. dwellings, children's play area and other ancillary and associated works.	MAJ	24-Feb-23	C	27/06/2024	69	22	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2024/0681/F	Lands to the northeast of Olympic House, east of Queen's Road and south of Belfast Metropolitan College, Belfast.	Erection of Purpose-Built Managed Student Accommodation development with additional use of accommodation by further or higher education institutions outside term time, comprising 4 no. blocks of accommodation with building heights ranging from 5 to 9 storeys and up to 35,850sqm gross external floorspace, café, associated communal facilities including landscaped courtyards, internal bin stores and cycle stores, pv array, disabled parking, public realm provision, associated site works and extension of Titanic Boulevard to form new junction with Hamilton Road.	MAJ	18-Apr-24	C	17/09/2024	21	11	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2023/4215/F	141-147 Upper Dunmurry Lane, Dunmurry, Belfast, BT17 0EY	Proposed 3no. residential apartment blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping.	LOC	16-Oct-23	C	17/09/2024	48	11	No Issue Date	Decision To Be Issued		03/12/2024	Deferred for Site Visit

LA04/2024/0483/F	34-44 Bedford Street and 6 Clarence Street, Belfast	Proposed change of use from Office (B1) and restaurant (Sui Generis) to Hotel comprising of 88 no. bedrooms, two storey rooftop extension, restaurant and bar offerings, gym facilities, including new dormer windows on roof, internal and external refurbishment and alterations, and all associated site works.	MAJ	19-Mar-24	C	15/10/2024	30	7	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2024/0480/DCA	34-44 Bedford Street and 6 Clarence Street, Belfast	Part demolition of existing buildings (stripping back of roof, shopfront and other external alterations to facilitate change of use and extension of buildings to hotel use.	LOC	29-Mar-24	C	15/10/2024	28	7	No Issue Date	Decision To Be Issued		03/12/2024	
LA04/2024/0664/F	Lands comprising existing Fanum House, Norwood House and adjacent lands, No's 96-110 Great Victoria Street, Belfast, BT2 7BE	Demolition of the existing buildings on the site and construction of a new Purpose Built Managed Student Accommodation development across 4 blocks of 6 to 18 stories in height, comprising of 560 student rooms, including landscaped roof terraces, associated amenity, site and access works	MAJ	19-Apr-24	C	12/11/2024	29	3	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2024/0755/F	Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known as North Foreshore/Giants Park), Belfast.	Retrospective application for extension to film studio for switch room/dimmer array building with associated external plant deck, installation of a new sliding access gate and reconfiguration of internal access arrangements on site.	LOC	11-Jun-24	C	12/11/2024	22	3	No Issue Date	Decision To Be Issued		03/12/2024	

LA04/2024/1486/F	Green space adjacent to Highfield Community Centre.	Community garden consisting of level changes, paladin fencing, landscaping, raised planter beds, polytunnels, container/storage unit, picnic tables and associated works.	LOC	28-Aug-24	C	12/11/2024	10	3	1	Permission Granted	21 Nov 2024	03/12/2024	
LA04/2024/1623/F	49 Woodcot Avenue, Belfast, BT5 5JB	Change of use from 4 bed dwelling (C1) to 5 bed House of Multiple Occupancy (Sui Generis)	LOC	26-Sep-24	C	12/11/2024	6	3	No Issue Date	Decision To Be Issued		03/12/2024	Deferred for Site Visit
LA04/2024/1020/F	6 Paxton Street, Belfast, BT5 4NU	Proposed change of use from dwelling (C1) to 3 Bedroom HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description).	LOC	11-Jun-24	C	12/11/2024	22	3	No Issue Date	Decision To Be Issued		03/12/2024	Deferred for Site Visit
LA04/2024/0393/F	ECIT Building Queen's Road, Queen's Island, Belfast, BT3 9DT	Proposed 5 storey extension to the East of the ECIT Building (Institute of Electronics, Communications and Information Technology), and 3 storey extension to the West, to provide additional research and development space with associated landscaping and site works	MAJ	21-Mar-24	C	12/11/2024	33	3	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2024/0369/F	Lands at Former Monarch Laundry site, and Broadway Hall Site, No's 451 - 457 Donegall Road, Belfast, BT12 6HD.	Proposed Specialist Nursing and Residential Care Facility comprising approximately 158 no. beds, day/dining rooms, treatment rooms, staff rooms, office/store rooms, including car parking provision, cycle parking, refuse storage, landscaping, and associated site and access works.	MAJ	08-Feb-24	C	12/11/2024	39	3	No Issue Date	Decision To Be Issued		03/12/2024	Awaiting Section 76 Agreement
LA04/2020/0569/LBC	21 Queen Street Belfast.	Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description).	LOC	17-Feb-20	C	12/11/2024	247	3	No Issue Date	Consent Granted		03/12/2024	

LA04/2022/1206/F	Glenwood Primary School 4-22 Upper Riga Street Belfast BT13 3GW.	Demolition of existing 1960s three-storey block and caretakers house and erection of split level two-storey extension and refurbishment of original school building to provide 21no. classrooms, including 4no. support classrooms, a nurture suite and a school canteen. New boundary walls with railings, landscaping, car parking, new access from the Shankill Road and retention of existing access from Upper Riga Street. Works to include 4no temporary classroom units for the duration of construction work. (revised description and plans)	MAJ	05-Aug-22	C	12/11/2024	118	3	No Issue Date	Decision To Be Issued		03/12/2024	
LA04/2022/1458/LBC	Glenwood Primary School 4-22 Upper Riga Street Belfast BT13 3GW	Demolition of existing 1960s three-storey block and caretakers house and erection of split level two-storey extension and refurbishment of original school building to provide 21no. classrooms, including 4no. support classrooms, a nurture suite and a school canteen. New boundary walls with railings, landscaping, car parking, new access from the Shankill Road and retention of existing access from Upper Riga Street. Works to include 4no temporary classroom units for the duration of construction work. (revised description and plans)	LOC	08-Jun-22	C	12/11/2024	126	3	No Issue Date	Decision To Be Issued		03/12/2024	
LA04/2020/0568/F	21 Queen Street Belfast BT1 6EA.	Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities.	LOC	04-Mar-20	C	12/11/2024	244	3	No Issue Date	Decision To Be Issued		03/12/2024	

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Belfast City Council

PLANNING COMMITTEE

Subject:	Listing of various structures
Date:	Tuesday, 10th Dec 2024
Reporting Officer:	Kate Bentley
Contact Officer:	Dermot O'Kane

Is this report restricted?	**Yes**		**No**	X
Is the decision eligible for Call-in?	**Yes**	X	**No**	

1.0	**Purpose of Report or Summary of main Issues**
1.1	Correspondence has been received from the Historic Environment Division (HED) regarding the proposed listing of - 14 Carolan Road, Belfast, BT7 3HE; - 86 Lisburn Rd, Belfast, BT9 6AF; - 88 Lisburn Rd Belfast BT9 6AF; and - 50 Windsor Avenue, Belfast, BT9 7DX
1.2	Article 80 (3) of the Planning Act (NI) 2011 requires the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.
1.3	The structures being considered are considered by HED to fall within the definition of the word 'building'; "*Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (Northern Ireland) 2011: "(7) In this Act "listed building" means a building which is for the time being included in a list compiled under this section.* *"Building" is defined in section 250(1) (interpretation) of the Planning Act (Northern Ireland) 2011. The term "building"* ***includes any structure or erection****, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;* *Under section 80 Lists of buildings of special architectural or historic interest* *80 — (1) The Department—* *(a)shall compile lists of* ***buildings (which means structure/erection)*** *of special architectural or historic interest; and* *(b)may amend any list so compiled.*

2.0	**Recommendations**
2.1	Committee is requested to: Note the contents of Appendix 1 and support the proposed listing of - 14 Carolan Road, Belfast, BT7 3HE; - 86 Lisburn Rd, Belfast, BT9 6AF; - 88 Lisburn Rd Belfast BT9 6AF; and - 50 Windsor Avenue, Belfast, BT9 7DX as detailed in paragraphs 3.5 of this report.
3.0	**Main report**
3.1	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974.
3.2	In considering whether to include a building/structure as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider: ● any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and ● the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.
3.3	Should the Department for Communities decide to list a property/structure, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.
3.4	The summaries set out in Appendix 1 for the proposed listings are taken from the evaluation in the consultation report and details the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed Buildings in Northern Ireland under the ongoing work as part of the Second Survey.
3.5	The Department based on the completion of detailed surveys, is currently considering the listing the following structures and has requested the Council's comments in relation to: - 14 Carolan Road, Belfast, BT7 3HE; - 86 Lisburn Rd, Belfast, BT9 6AF; - 88 Lisburn Rd Belfast BT9 6AF; and - 50 Windsor Avenue, Belfast, BT9 7DX
3.6	<u>Financial & Resource Implications</u> None.
3.7	<u>Equality or Good Relations Implications</u> None

4.0	**Appendices – Documents Attached**
	APPENDIX 1: Structure Evaluations

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APPENDIX 1: Structure Evaluations

Background

The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. This second survey in Belfast was due to be completed in 2017 but is ongoing.

The structures being considered are considered by HED to fall within the definition of the word 'building'.

"Listed building" is defined in section 80(7) (lists of buildings of special architectural or historic interest) of the Planning Act (Northern Ireland) 2011: "(7) In this Act "listed building" means a ***building*** *which is for the time being included in a list compiled under this section.*
"Building" is defined in section 250(1) (interpretation) of the Planning Act (Northern Ireland) 2011. The term "building" ***includes any structure or erection****, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;*

Under section 80 Lists of buildings of special architectural or historic interest
80—(1) The Department—

(a)shall compile lists of ***buildings (which means structure/erection)*** *of special architectural or historic interest; and*

(b)may amend any list so compiled.

In considering whether to include a building as Listed, the Department (NIEA) takes into account the architectural and historic interest of a structure and is also given the power to consider:-

- any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and
- the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.

Should the Department for Communities decide to list, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.

The summaries below are taken from the from the evaluation in the consultation report and details the main features alongside the recommended class of listing.

14 Carolan Road, Belfast, BT7 3HE

HB26/01/007

Evaluation

Two storey, red brick dwelling with tall diagonal brick chimneys and rear return, built 1876 to designs by the partnership of Thomas Jackson & Son in an eclectic mix of Early Arts & Crafts, Tudor elements and mid-Victorian style. Originally detached, it is now abutted on the E side by a later terrace of dwellings (Nos 4-12 Carolan Road, 1904) and is located on the S side of Carolan Road, overlooking the Good Shepherd Convent complex (HB26/01/062A-C) to the N. It was built as a pair with No.1 Rosetta Avenue (HB26/01/003) located to the SE and together they form a distinctive group, standing out in the locality due to the distinguishing, striking chimney stacks. No.14 Carolan Road retains much individuality and authenticity through the retention of original historic character both externally and internally. Of particular note is the craftsmanship in the brick detailing to the chimneys, elongating the proportions of an otherwise modestly-scaled dwelling, retention of original timber sliding sash windows, the etching of the first resident's signature (John Jackson) on a pane of original glass and the secondary staircase in a house of this size. Unusually for a dwelling of this era, the rear return has been designed with as much detail as the front.

Proposed NIEA listing – **B1**

Extent of proposed listing – House and rear boundary wall

Image:

86 Lisburn Rd Belfast BT9 6AF

HB26/28/043 A

Evaluation

Mid Victorian, built circa 1860, no 86 forms the northern part of a group of three buildings which are delineated on the earlier maps as 'Elmwood Terrace'. This group is a fine surviving example of a three storey over basement terrace on one of the main arterial routes into Belfast and on the axial approach to the Queen's Conservation Area. Constructed in brick with decorative diaper pattern to walling below eaves, the terrace is located on the southern side of the Lisburn Road at the junction with Elmwood Avenue. No 86 is of significance for the level of retention of historic fabric, both internally and externally with good brick detailing, original sash windows, staircase, plasterwork, good joinery, basement arrangement with stone steps and original metal railings and front boundary walling in brick with stone dressings to coping. This mid-Victorian terrace, home to the mercantile classes for decades, and latterly converted to commercial premises as the demographic of the Lisburn Road has changed, has survived in an area where several terraces of a similar age have not (e.g. Queen's Elms, Royal Terrace, Cranbrook Terrace, Wilmont Terrace (north)). The terrace is of a style characteristic of its date, the decorative details in the cornices, doorways, and ironwork and the segmental window heads and barrel-roofed dormers distinguishing it from the terraces of an earlier era, while the overall composition is nonetheless restrained when compared to later Victorian designs.

Proposed NIEA listing – **B2**

Extent of proposed listing – Office including steps, railings, retaining wall and front boundary wall

Image:

88 Lisburn Rd Belfast BT9 6AF

HB26/28/043 B

Evaluation

Mid Victorian, built circa 1860, no 86 forms the northern part of a group of three buildings which are delineated on the earlier maps as 'Elmwood Terrace'. This group is a fine surviving example of a three storey over basement terrace on one of the main arterial routes into Belfast and on the axial approach to the Queen's Conservation Area. Constructed in brick with decorative diaper pattern to walling below eaves, the terrace is located on the southern side of the Lisburn Road at the junction with Elmwood Avenue. No 86 is of significance for the level of retention of historic fabric, both internally and externally with good brick detailing, original sash windows, staircase, plasterwork, good joinery, basement arrangement with stone steps and original metal railings and front boundary walling in brick with stone dressings to coping. This mid-Victorian terrace, home to the mercantile classes for decades, and latterly converted to commercial premises as the demographic of the Lisburn Road has changed, has survived in an area where several terraces of a similar age have not (e.g. Queen's Elms, Royal Terrace, Cranbrook Terrace, Wilmont Terrace (north)). The terrace is of a style characteristic of its date, the decorative details in the cornices, doorways, and ironwork and the segmental window heads and barrel-roofed dormers distinguishing it from the terraces of an earlier era, while the overall composition is nonetheless restrained when compared to later Victorian designs.

Proposed NIEA listing – **B2**

Extent of proposed listing – Office including steps, railings, retaining wall and front boundary wall

Image:

50 Windsor Avenue Belfast BT9 7DX

HB26/28/098 A

Evaluation

No.50 Windsor Avenue is a substantial five bay, two-storey Italianate-style semi-detached villa, built c.1865, located on a wedge-shaped plot on a prominent road junction between Windsor Avenue and Windsor Avenue North, just off the Malone Road in South Belfast. It is attached to No.1 Windsor Avenue North (HB26/28/098B) on the N side and the pair were part of the first phase of prestigious suburban development, southwards from the city, in mid-nineteenth century Belfast, providing a high quality residential environment for wealthy citizens. Despite the loss of the original windows to the East return, No.50 otherwise retains original 1/1 timber sliding sash windows with single glazing. It also retains a high proportion of original Victorian detailing and character to the exterior, drawing from the well-rehearsed Italianate repertoire of rusticated stucco, string courses and cornicing, further enriched by a range of projections and bays, and by variations in window profile. The later addition of a decorative iron portico adds to the architectural interest. Original decorative historic detailing remains internally also. This house is of local interest, expressing its significance through its level of authenticity, and the immediate setting is enhanced by its high quality architectural features. In conclusion, this semi-detached mid-Victorian dwelling house constructed for the mercantile classes is consistent with the work of Thomas Jackson. It retains its original form and much of its original detailing including eaves and cornices, window surrounds and ironwork porch. The house makes a prominent contribution to the Victorian character of Lower Malone. Adding to the dwelling's local interest are its associations with Edmund T Chipp, noted organist and composer and Evelyn Greer, prominent figure in the fields of sport and disability, as well as several other notable local figures.

Proposed NIEA listing – **B2**

Extent of proposed listing – Dwelling

Image:

Note:

Listed buildings in Northern Ireland are divided into four categories:

Grade A

Special buildings of national importance including both outstanding grand buildings and the fine, little altered examples of some important style or date.

Grade B+

Special buildings that might have merited A status but for relatively minor detracting features such as impurities of design, or lower quality additions or alterations. Also buildings that stand out above the general mass of grade B1 buildings because of exceptional interiors or some other features.

Grade B1 and B2

Special buildings of more local importance or good examples of some period of style. Some degree of alteration or imperfection may be acceptable.

Belfast City Council

PLANNING COMMITTEE

Subject:	Delegation of Local applications with NI Water objections
Date:	12th December 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

Restricted Reports				
Is this report restricted?	**Yes**		**No**	X
If Yes, when will the report become unrestricted?				
After Committee Decision				
After Council Decision				
Some time in the future				
Never				

Call-in				
Is the decision eligible for Call-in?	**Yes**	X	**No**	

1.0	**Purpose of Report or Summary of Main Issues**
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 17 October 2023, 12 December 2023, 12 February 2024 19 March 2024, 24th May 2024, 27th June 2024 13th September 2024 and 15th October 2025 it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at **Appendix 1**.
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at **Appendix 1** which it may later transpire require to be referred to the Committee for other reason/s (other

	than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	**Recommendation**
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at **Appendix 1**.
3.0	**Main Report**
	Background
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	Scheme of Delegation
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where '*There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve*.' This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee '…*where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'*
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at those previous meetings, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 239 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	Nature of NI Water objections
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development, **and/or** b) There is insufficient network capacity within existing Combined Storm Overflows to support the development, **and/ or**

	c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.
3.9	In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.
3.10	However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.
3.11	Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
3.12	In the case of Waste Water Treatment capacity, NI Water advises that there was an increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.
3.13	The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided..
	<u>Habitats Regulations Assessment</u>
3.14	Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.
3.15	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetic impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a "significant effect" on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case by case basis as required.
	<u>Local applications for which delegated authority is sought to determine</u>
3.16	The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at **Appendix 1**.

3.17	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at **Appendix 1** which it transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	**Financial & Resource Implications**
4.1	The cost, time and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee. The recommended approach set out in this report is considered to be a much more efficient use of resources.
5.0	**Equality or Good Relations Implications / Rural Needs Assessment**
5.1	No adverse impacts identified.
6.0	**Appendices – Documents Attached**
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

Appendix 1 – Local applications with NIW objections

(December 2024)

	DEA	REFERENCE	DATE RECEIVED	PROPOSED	ADDRESS
1	Ormiston	LA04/2024/0552/F	29/02/2024	Demolition of dwelling for replacement with 2No detached dwellings including attached garages and new vehicular accesses	5 Kensington Gardens
2	Titanic	LA04/2024/1552/F	13/09/2024	Proposed mixed use development of 2no. ground floor retail units and 9no. one bedroom apartments.	363-365 Beersbridge, Road and no. 2 Hollycroft Avenue, Belfast, BT5 5DT
3	Ormiston	LA04/2024/0620/F	29/03/2024	Proposed demolition of existing Dental Practice and erection of 3 storey building, comprising of ground floor retail unit and 5 apartments, with PV panels on roof.	58 Belmont Road, Belfast
4	Castle	LA04/2024/1365/F	06/08/2024	Change from office use on 1st, 2nd and 3rd floors to create 3 apartments, dormers to front and rear, and stairwell to rear	259 Antrim Road, Belfast
5	Court	LA04/2023/2914/F	22/03/2023	Proposed new build 10no. 3bedroom houses, 2no. 2 bedroom duplexes, 2no. 1bedroom apartments with associated parking and siteworks	Lands situated on Keswick Street and to the east of Bowness Street
6	Botanic	LA04/2023/4080/F	22/09/2023	Proposed 2no. semi-detached dwellings with associated landscaping and car parking (amended site layout).	Lands off Marlborough Park
7	Black Mountain	LA04/2024/0448/F	04/03/2024	2-storey extension to front of existing office building at 5 Millennium Way, alterations to car parking layout and associated works	5 Millennium Way, Springvale Business Park, Belfast, BT12 7AL
8	Black Mountain	LA04/2024/1432/F	27/08/2024	New dwelling and associated site works	16 Glen Crescent, Belfast, BT11 8FB
9	Stormont	LA04/2024/1899/F	02/12/2024	New dwelling & garage, access, landscaping and associated site Works.	Lands to the rear of 63 Kings Road, Belfast, BT5 7BT
10	Titanic	LA04/2023/4463/F	08/02/2024	Change of use of the site to research and development with ancillary office space.	30m to south of 105 Moscow Road Belfast BT3 9ED

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ADDENDUM REPORT 2

Committee Meeting Date: 10th December 2024

Application ID: LA04/2020/0568/F and LA04/2020/0569/LBC

Proposal:	**Location:**
LA04/2020/0568/F – Demolition of building and structures at rear, refurbishment and alteration of frontage building and erection of 9 storey extension to rear to form hotel (74 bedrooms) with associated restaurant, bar & ancillary facilities and works (amended description) LA04/2020/0569/LBC – Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description).	21 Queen Street Belfast BT1 6EA

Referral Route: Paragraph 3.8.2 (a) (proposed hotel exceeding 30 bedrooms); and paragraph 3.8.2 (j) (partial demolition of a Listed Building) of the Scheme of Delegation for Planning.

Recommendation:	Approval with conditions
Applicant Name and Address: Big Top Productions 13 Union Street Belfast BT1 2JF	Agent Name and Address: Barry Owens Consulting 38 Highfields Avenue Dublin Road Newry BT35 8UG

Valid date: 4th March 2020

Target date (15 weeks): 16th June 2020

Contact Officer: Ed Baker, Planning Manager (Development Management)

Background

1. These applications were approved by the Planning Committee at its 12th November 2024 meeting. The Committee resolved to grant planning permission and gave delegated authority to the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters that arise, provided that they were not substantive.

2. In preparing the decisions for issuing, officers noted that the description of development for the planning application (LA04/2020/0568/F) did not include reference to "demolition". Whilst it was clear to the Committee that the proposal involved demolition of part of the Listed Building, this was referenced in the description of the Listed Building Consent application, but not the application for planning permission.

3. Demolition constitutes development and so the description of development should be updated to reflect this.

4. The original description of development is below.

   'Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities (amended description).'

5. The amended description of development agreed by the applicant is below.

   '*Demolition of building and structures at rear, refurbishment and alteration of frontage building and erection of 9 storey extension to rear to form hotel (74 bedrooms) with associated restaurant, bar & ancillary facilities and works (amended description).'*

6. The application is reported back to the Committee so that it can re-take and confirm its decisions in the light of the change of description.

7. It has not been necessary to re-publicise the description because it was always clear that the proposal involves demolition from the description of the associated Listed Building Consent application. It is considered that the public are not prejudiced by this amendment to the description.

8. This addendum report should be read in conjunction with the previous addendum report (12th November 2024 Committee) and original Committee report (13th February 2024), both of which are appended.

Recommendation

Having regard to the Development Plan, and other material considerations, the proposals are considered to remain acceptable. It is recommended that planning permission and Listed Building Consent are granted subject to conditions (draft conditions set out in the addendum report to the 12th November 2024 Committee, appended).

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

ADDENDUM REPORT 1

Committee Meeting Date: 12th November 2024

Application ID: LA04/2020/0568/F and LA04/2020/0569/LBC

Proposal:	**Location:**
LA04/2020/0568/F – Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities (amended description) LA04/2020/0569/LBC – Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description).	21 Queen Street Belfast BT1 6EA

Referral Route: Paragraph 3.8.2 (a) (proposed hotel exceeding 30 bedrooms); and paragraph 3.8.2 (j) (partial demolition of a Listed Building) of the Scheme of Delegation for Planning.

Recommendation:	Approval with conditions
Applicant Name and Address: Big Top Productions 13 Union Street Belfast BT1 2JF	Agent Name and Address: Barry Owens Consulting 38 Highfields Avenue Dublin Road Newry BT35 8UG

Background

1. At its 13th February 2024 meeting, the Planning Committee resolved to grant planning permission and Listed Building Consent for these applications, subject to conditions. The Committee gave delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that may arise, provided that they are not substantive.

2. Following discussion with the applicant about the precise wording of the conditions, the Council issued the decisions on 27th March 2024.

3. Solicitors acting on behalf of Ulster Architectural Heritage (UAH) then submitted a Pre-Action Protocol letter dated 19th June 2024 to the Council. The letter alleged that in determining the applications the Council had misapplied planning policy; carried out inadequate consultation; and made errors as to fact and/or law.

4. It should be noted that UAH had not engaged with the original planning application process, nor had it objected to the applications.

5. Officers examined the grounds of challenge set out in the UAH's letter and accepted, on balance, that the Council's decisions to grant planning permission and Listed Building Consent should be quashed. The reasoning was that it should have been clearer in the assessment of the applications in the original Committee report that the building and structures proposed to be demolished at the rear are part of the Listed Building and how

relevant planning policy relating to demolition of Listed Buildings had been applied. The decisions have subsequently been quashed by the High Court.

6. This addendum report should be read in conjunction with the original Committee report, appended.

Further advice from DfC Historic Environment Division

7. DfC Historic Environment Division (HED) provided its previous response to the Listed Building Consent application (LA04/2020/0569/LBC) on 29th January 2024. The advice did not specifically refer to the Listed status of the buildings at the rear, nor provide an assessment of why HED considered the partial demolition of the Listed Building at the rear to be acceptable, having regard to the relevant planning policy tests.

8. HED has provided further advice by way of email of 30th August 2024, which is referenced in the updated assessment of the proposal below. A full copy of the further advice from HED is provided at **Appendix 1**.

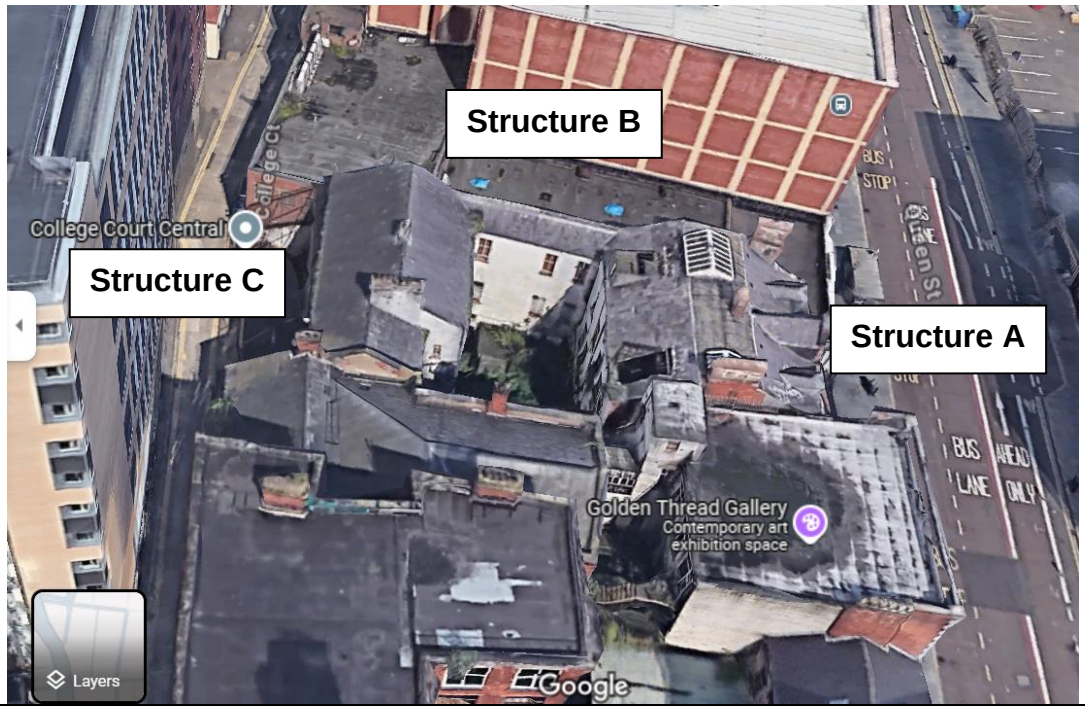
Demolition of the Listed Buildings at the rear

9. Nos. 21 to 27 Queen Street, referred to in the Historic Building Record as "RUC Barracks, Queen Street", is a Grade B1 Listed Building. It was constructed between 1860 and 1879. A copy of the building's database entry is provided at **Appendix 2**.

10. The Listed Building comprises three main elements:

    A. The more formal multi-bay three storey with attic sandstone former hospital, dated 1878 at the front of the site on Queen Street;
    B. A shallow three storey much less formal link structure along the north site boundary to the rear; and
    C. A plain three storey building onto College Court at the rear, connected to the frontage building by the link structure.

    These three elements are shown in the aerial photographic image below:



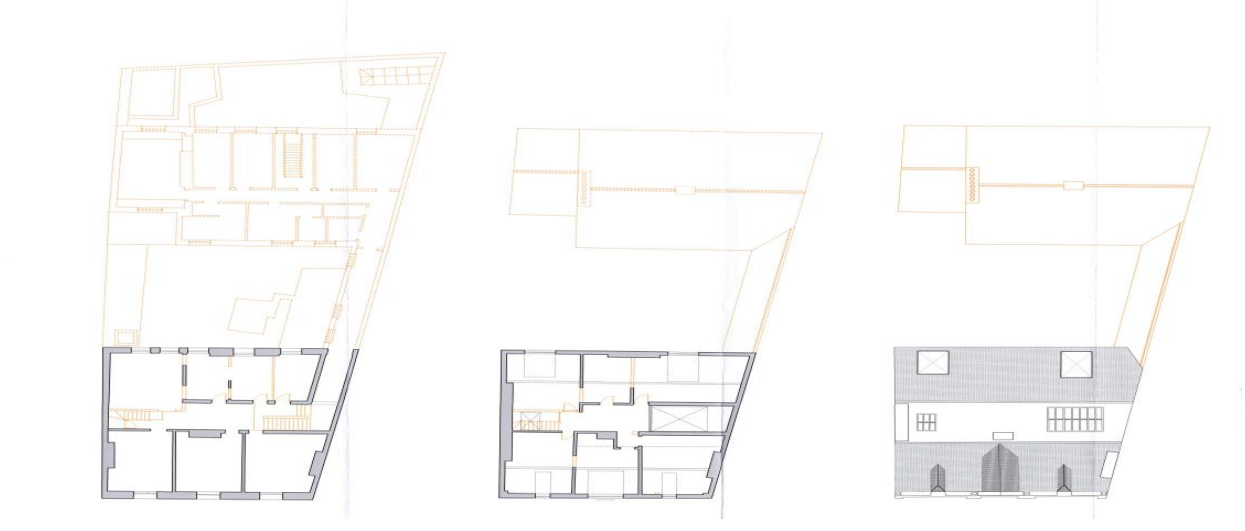
11. The building was previously used as a police station and prior to that a hospital. It has been vacant for some time and is on the Buildings at Risk Register.

12. The proposal involves the retention and restoration of the Listed Building at the front of the site and demolition of the Listed link structure and three storey building at the rear onto College Court. The link structure and three storey building at the rear are contemporary to the main building at the front. The demolition would make way for a new 9 storey extension to form a 74-bedroom hotel, comprising the restored frontage building and new build.

13. The parts of the Listed Building at the rear which are proposed to be demolished are described in the database entry as follows:

    '*The plot of the property stretches westwards into College Court. Here, beyond a courtyard and set back from the line of the neighbouring structures, is a large, generally plain, three-storey block (that is believed to have originally contained the wards) which is linked to the main Queen Street building by means of a very narrow three-storey link which traverses the northern boundary of the site. Both of these sections are contemporary with the main building. The block is of irregular plan, being basically rectangular, but with a large recess to the south-east corner, and has a plain rendered façade and a double-pitched roof covered in natural slate and two rendered chimneystacks (that to the south much larger). The College Court frontage has formal fenestration with the windows to the ground and first floors boarded, and (largely) one over one sash frames to those to the second floor. The central ground floor entrance has a plain sheeted door with boarded-up half-sidelights and a large canopy-like hood over with a sprocketed slated roof. The east façade is less formal with more varied openings, several of which have Georgian-paned sash frames. The exposed section of the south façade could not be seen on site, but appears to be rendered with at least one small second floor window. The narrow link to north has the same plain appearance as the western block, but with a mono-pitched slate roof and fenestration similar to the front of the western block, albeit with less (irregularly-spaced) openings. North side elevation abutted by two-storey infill building. Setting Located on the west side of Queen Street, set back slightly from the street with a double-height steel fence. Roof : Mansard natural slate & lead, two large lantern / rooflights to top of roof and two dormers to the rear, each with sloping roofs RWG: UPVC Walling: Rock-faced uncoursed sandstone ashlar Windows: Single-pane timber sash*.'

14. A copy of the proposed demolition plan is provided below (those elements proposed to be demolished are depicted in an amber colour).



Buildings at Risk Register

15. The building is on the Buildings at Risk Register as confirmed by DfC HED. The proposal would support the restoration and re-use of the main Listed Building at the front of the site, securing its future.

16. The applicant states that the building was last used as a police station and has been vacant since 2000. The applicant acquired the property in 2018. Following engagement with the Council and DfC HED about the condition of the building, the applicant states that they have carried out a number of remedial works including securing safe access from the rear of the building; erection of scaffolding at the rear; new rafters, felt and slates to elements of the building; unblocking gutters; re-decking of flat roofed section and covered with felt; and tree growth removal to the front and rear elevations.

Assessment:

17. Section 91(2) of the Planning Act (Northern Ireland) 2011 states that: '*In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council… must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*.'

18. Policy BH1 of the Plan Strategy states that: '*There will be a presumption in favour of retaining listed buildings. Total demolition of listed buildings will only be permitted in highly exceptional circumstances. Where listed building consent is granted for demolition this will be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition. Partial demolition of parts of listed buildings will be wholly exceptional and only acceptable where an alteration or extension proposal has been agreed and that demolition is required to facilitate i*t.'

19. Paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) for Northern Ireland states that: '*Listed Buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements and the countryside. It is important therefore that development proposals impacting upon such buildings and their settings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses*.'

20. In relation to demolition, paragraph 6.15 of the SPPS goes onto advise: '*Proposals for the total demolition of a listed building or any significant part of it must not be permitted unless there are exceptional reasons why it cannot be retained in its original or a reasonably modified form. Where consent to demolish a listed building is granted, this should normally be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building prior to its demolition*.'

21. The proposal involves partial demolition of the Listed Building, i.e. demolition of the Listed shallow three storey link structure in the rear courtyard and Listed three storey building at the rear onto College Court.

22. DfC advises that: '*In our assessment, HED acknowledged fully that both the front and rear/link buildings are listed; with the latter structures being connected to the main building. The main building has been in a ruinous state of repair for many years, and HED was mindful it is on our Heritage at Risk List. When the planning application was received, HED engaged with your planning colleagues and the owner. It soon became apparent that – because the main building required very extensive works to be saved/conserved and had a small footprint – this could only be enabled through the demolition of the rear buildings which are of lesser special interest. In addition, HED considered that if nothing was done, the front/main building could eventually be lost completely, and quickly*.

    …*Overall, HED considered that the demolition of the return/link buildings to the rear was necessary and appropriate as this would facilitate the construction of a new build behind the main building - the main focus of features of special architectural or historic interest – which would enable the preservation of the main building, which is required urgently*.'

23. Paragraph 7.4.13 of the Plan Strategy, which provides justification and amplification of Policy BH1 states that:

    '*There will be a presumption in favour of retaining listed buildings. Very occasionally demolition of a listed building will be unavoidable although consent will not be given simply because redevelopment is economically more attractive than repair and re-use. Structural issues will not be given substantive weight when making a case for demolition where these have arisen due to neglect of a building through lack of maintenance or failure to secure by current or previous owners. Evidence will also be required that all efforts have been made to retain the building through finding an alternative use, which may not be the preferred use of the developer*.'

24. The building proposed to be demolished at the rear are described in the building's database entry as "plain" and, having regard to HED's advice, the rear and link buildings are considered to possess lesser special interest. The element of the Listed Building with the greater special architectural and historic interest is the more formal frontage building which the building's database entry describes as the "main Queen Street building" and is to be retained.

25. The proposed demolition must be viewed in the context of the architectural and historic merits of those parts of the Listed Building to be demolished, the previous planning applications, that the building has been vacant since 2000, its condition and presence on the Buildings at Risk Register, HED's advice and that the proposal would ensure the restoration and long-term future of this part of the Listed Building at the front.

26. Having regard to these factors, it is considered that there are exceptional reasons why the demolition of the Listed structures at the rear is acceptable with the demolition required to the facilitate the important redevelopment proposals. Regard has also been had to the legislative requirement to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposal is considered compliant with Policy BH1 and relevant provisions of the SPPS.

Conditions

27. DfC HED has recommends the following conditions:

(1) No demolition shall take place before a contract for the carrying out of works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.

(2) Prior to commencement of structural alterations, a method statement shall be submitted and approved in writing by the Council in conjunction with HED demonstrating how the proposed structural works will be undertaken, and outlining how the listed building will be protected, during construction (including foundations and any piling) and demolition work. The work shall be carried out fully in accordance with the details approved.

(3) The new-build hotel accommodation shall not be occupied until the **retained building has been fully conserved** and by written approval of the council in conjunction with HED.

Recommendation

Having regard to the Development Plan, and other material considerations, the proposal is considered acceptable. It is recommended that planning permission and Listed Building Consent are granted subject to conditions.

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

Draft conditions:

LA04/2020/0568/F

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. Notwithstanding the submitted details, no development (other than site clearance, site preparation and demolition) shall commence on site unless a Phasing Plan has been submitted to and approved in writing by the Council. The development shall not be carried out or sequenced unless in accordance with the approved Phasing Plan.

Reason: In the interests of the orderly development of the site and 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 (NI) 2011.

3. The hotel use hereby permitted shall not be carried out or the building occupied until the works to the Listed Building have been fully implemented in accordance with Listed Building Consent LA04/2020/0569/LBC and written evidence of such has been submitted to and approved in writing by the Council. The Council and DfC Historic Environment Division shall at all reasonable times be afforded access to the Listed Building to inspect the works as part of the authorisation process.

Reason: The Listed Building is at risk and the development has been permitted to enable the restoration of the Listed Building.

4. Notwithstanding the approved details, no development shall commence (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of climate change measures to manage and/or mitigate climate change have been submitted to and approved in writing by the Council. The development shall not be occupied unless the approved climate change measures have been implemented. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To manage and mitigate climate change having regard to Policies ENV2 and ENV3 of the Belfast LPD Plan Strategy 2035.

5. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

6. No development or works shall commence on site (other than demolition and works required to fulfil this condition) unless a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council.

Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.

7. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 7.

These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 6 months of the completion of archaeological programme of works.

Reason: To ensure that the archaeological remains and features are properly analysed and recorded.

8. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of windows and external doors have been submitted and approved in writing by the Council. The details shall include cross sections, elevations, cill detail / material, the actual glazing material and panes and colour and finish, with a sample provided for each different window type. The windows and external doors shall not be installed unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

9. No new plumbing, pipes, soil-stacks, flues, vents, ductwork, lighting, security cameras or mechanical and electrical services of any description shall be fixed on the external faces of the building other than those shown on the approved drawings.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

10. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless a detailed specification and samples of all new materials to be used in the elevations of the building, including samples of materials for the rain screen cladding and new window materials, have been submitted to and agreed in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

11. The hotel shall not be operated or occupied unless secure cycle parking facilities have been provided in accordance with the approved plans. The secure cycle parking shall be retained as such at all times.

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

12. The development shall operate in accordance with the Service Management Plan.

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

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

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

14. No development shall commence on site (other than site clearance, site preparation, demolition, the formation of foundations and trenches and such other works to fulfil this condition), unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council.

A detailed site investigation shall be carried out in line with Business Support 10175:2011+A2:2017 (or any standard that reproduces or replaces this standard). Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard).

A satisfactory assessment of the risks (including a Revised Conceptual Site Model), shall be conducted in line with current environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665 (or any standard that reproduces or replaces this standard).

Based on the outcome of this risk assessment, a Remediation Strategy may be required. If necessary, the Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of human health

15. The plant and equipment associated with the development hereby permitted shall achieve a rating level (LAr) no greater than the Background Sound Level, LA90, during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014+A1 2019 Methods for rating and assessing industrial and commercial sound.

Reason: In the interests of residential amenity

16. Deliveries and collections to and from the hereby permitted development are not permitted outside the hours of 07:00 and 23:00hrs.

Reason: In the interests of residential amenity

17. No kitchen or extraction and odour abatement system shall be installed unless it is capable of achieving a ‘very high level’ of odour control in accordance with the measures outlined in Section 2 of the AONA Environmental Consulting Ltd report titled: Updated Odour Impact Assessment. Date: April 2022.

Reason: Protection of amenity against adverse odour.

18. All gas boilers shall meet the technical specification as detailed within the letter Ref.: ENV-6045 Queen Street Hotel Air Emissions, dated 9th October 2020
Reason: Protection of Human Health

19. During the construction phase, dust management measures shall be implemented in accordance with the IAQM Guidance on the Assessment of Dust from Demolition and Construction 2014.
Reason: Protection of residential amenity

LA04/2020/0569/LBC

1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.
Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

2. No demolition shall commence on site unless a contract has been executed for the construction of the site in accordance with planning permission LA04/2020/0568/F [dated] and evidence of that contract has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with planning permission LA04/2020/0568/F.

Reason: As required by Sections 91(6) and 105 of the Planning Act (Northern Ireland) 2011, to safeguard the setting of the remaining Listed Building. Approval is required upfront because if redevelopment of the site does not take place it could leave the vacant site unsightly and harmful to the setting of the Listed Building.

2. Prior to commencement of demolition or any structural alterations, a full survey, including analysis and photographic record of the historic fabric of the building to be demolished has been submitted to and approved in writing by the Council.

Reason: To provide a record of the building/s before demolition.

3. Prior to commencement of demolition or any structural alterations, a method statement that demonstrates how the approved structural works will be undertaken, and outlining how the frontage Listed Building at No. 21 Queen Street will be protected, during construction (including foundations and any piling) and demolition work, shall be submitted and approved in writing by the Council. The work shall be carried out fully in accordance with the details approved.
Reason: In the interests of the special architectural and historic qualities of the Listed Building.

4. No works (including demolition) shall be undertaken until details of an accredited conservation professional who will oversee and certify the hereby approved conservation works have been submitted to approved in writing by the Council. The works shall be overseen and certified by the accredited conservation profession approved by the Council.
Reason: In the interests of the special architectural and historic qualities of the Listed Building.

5. Internal or external historic surviving decorative or functional features, including plasterwork, ironwork, fitted cupboards, bookcases, ceramic tiling, shelving, fireplaces and grates, pelmets, fitted furniture, doors, windows, staircases, staircase balustrading, joinery and decorative ironwork shall not be removed or altered in respect of the frontage Listed Building at Nos. 21 Queen Street unless expressly specified by the approved drawings. Retained features shall be fully protected during the course of any works on site, in accordance with details to be submitted to and approved in writing by the Council. Any missing stairway joinery, skirtings,

cornices, architraves, window panelling and doors shall be copied, and subsequently replaced, to replicate exactly the existing in material and detailing.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

6. 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: In the interests of the special architectural and historic qualities of the Listed Building.

7. No works shall commence on site unless in respect of the frontage Listed Building at No. 21 Queen Street unless details of windows and external doors have been submitted and approved in writing by the Council. The details shall include cross sections, elevations, cill detail / material, the actual glazing material and panes and colour and finish, with a sample provided for each different window type. The windows and external doors shall not be installed unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

8. No works in respect of the frontage Listed Building at No. 21 Queen Street shall be undertaken unless details of the connections and interface between the new build and the existing façades have been submitted and approved in writing by the Council. The details shall be drawn to a minimum scale of 1:20 and shall include dimensioned set-backs, structure, flashings and allowance for movement. The works shall be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

9. No new plumbing, pipes, soil-stacks, flues, vents, ductwork, lighting, security cameras or mechanical and electrical services of any description shall be fixed on the external faces of the building other than those shown on the approved drawings.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

10. No works in respect of the frontage Listed Building at Nos. 21 Queen Street shall be undertaken unless details of building services including mechanical, electrical, and audio installations routeways and installations impacting the architecture and detail of the listed building have been submitted to and approved in writing by the Council. The works shall be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

11. No works in respect of the frontage Listed Building at No. 21 Queen Street shall commence on site unless a detailed specification and samples of all new materials to be used in the elevations of the building, including samples of materials for the rain screen cladding and new window materials, have been submitted to and agreed in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

12. No works in respect of the frontage Listed Building at Nos. 21 Queen Street shall commence on site unless a detailed specification and samples of external paving to ramps, tactile paving, balustrading and external lighting have been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

Appendix 1 – Further advice from DfC HED, 30th August 2024

/Regarding LA04/2020/0568/F and the proposed '*demolition of the part of the Listed Building at the rear, namely the three-storey narrow link structure in the rear courtyard and three storey building onto College Court at the back*, [HED] would highlight firstly the HED's assessment of the main/front building and the link structures.

HED's Evaluation.

HED's evaluation of the main building refers to '*a symmetrical multi-bay three-storey with attic sandstone former hospital, dated 1878, to the designs of Thomas Jackson, latterly used as an RUC barracks. Much historic character and detailing survive, and its history represents both its changing use and the provision of healthcare in the city. It is a good example of a small civic building by an architect of note.'* (Image of left below)

Regarding the rear/link buildings which are proposed to be demolished, HED's evaluation advises that '…*the east façade is less formal with more varied openings, several of which have Georgian-paned sash frames. The exposed section of the south façade could not be seen on site but appears to be rendered with at least one small second floor window. The narrow link to north has the same plain appearance as the western block, but with a mono-pitched slate roof and fenestration similar to the front of the western block, albeit with less (irregularly spaced) openings. North side elevation abutted by two-storey infill building.' (Image on right below).*

HED's Assessment.

In our assessment, HED acknowledged fully that both the front and rear/link buildings are listed; with the latter structures being connected to the main building. The main building has been in a ruinous state of repair for many years, and HED was mindful it is on our Heritage at Risk List. When the planning application was received, HED engaged with your planning colleagues and the owner. It soon became apparent that – because the main building required very extensive works to be saved/conserved and had a small footprint – this could only be enabled through the demolition

of the rear buildings which are of lesser special interest. In addition, HED considered that if nothing was done, the front/main building could eventually be lost completely, and quickly.

Section 91 (2) of the Planning Act (Northern Ireland) 2011 is as follows: *In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council or, as the case may be, the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

Policy BH1 of LDP Plan Strategy refers as follows:
Demolition of a listed building.
There will be a presumption in favour of retaining listed buildings.
Total demolition of listed buildings will only be permitted in highly exceptional circumstances.
Where listed building consent is granted for demolition, this will be conditional on prior agreement for the redevelopment of the site and appropriate arrangements for recording the building before its demolition

New development affecting the setting of listed buildings Planning permission will be granted for new development affecting the setting of listed buildings where the following criteria are met:
a. The development is sympathetic to the essential characteristic, scale, height, massing and alignment of the listed building by way of its scale, form, materials and detailing;
b. The development does not result in the significant loss of key views of the listed building;
c. The nature of the use proposed respects the character of the setting of the building;
d. The development does not have a detrimental impact on the setting of the listed building; and
e. The development has regard to relevant supplementary planning guidance

Overall, HED considered that the demolition of the return/link buildings to the rear was necessary and appropriate as this would facilitate the construction of a new build behind the main building - the main focus of *features of special architectural or historic interest – which* would enable the preservation of the main building, which is required urgently.

HED also sought and obtained revisions to the proposed new build, to ensure it met the criteria above.

In addition, in its assessment/response to BCC for LA04/2020/0569/LBC, HED advised of conditions which included

(4) No demolition shall take place before a contract for the carrying out of works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.
(5) Prior to commencement of structural alterations, a method statement shall be submitted and approved in writing by the Council in conjunction with HED demonstrating how the proposed structural works will be undertaken, and outlining how the listed building will be protected, during construction (including foundations and any piling) and demolition work. The work shall be carried out fully in accordance with the details approved.
(6) The new-build hotel accommodation shall not be occupied until the **retained building has been fully conserved** and by written approval of the council in conjunction with HED.

Appendix 2 – Extract from Buildings database entry

Historic Building Details

HB Ref No:
HB26/50/027

Extent of Listing:
Former Barracks

Date of Construction:
1860 – 1879

Address :
RUC Barracks Queen Street Belfast Co Antrim BT1

Townland:
Town Parks

Survey 2:
B1

Date of Listing:
26/06/1979 00:00:00

Date of De-listing:

Current Use:
Barracks

Former Use
Hospital Building

Conservation Area:
No

Industrial Archaeology:
No

Vernacular:
No

Thatched:
No

Monument:
No

Derelict:

OS Map No:
130-13 SE

IG Ref:
J3360 7421

***Owner** Category*

Exterior Description And Setting

Attached symmetrical multi-bay three-storey with attic sandstone former hospital, dated 1878, to the designs of Thomas Jackson, with a more utilitarian three-storey wing to the rear. The front portion is square on plan facing east onto Queen Street and set back slightly from the street. It is currently empty and boarded up. Natural slate mansard roof, lead-lined to the top with glazed lantern. Profiled sandstone ashlar chimneystacks rising from both gable ends and a further stack to the centre of plan. Central wall-head dormer with sandstone coping surmounted by cross and having a carved Belfast coat of arms to the gable supported on scrolled console brackets with a single square-headed window opening having replacement timber casement window. Diminutive hipped dormers to either side having billeted cornice, lead-lined roofs, single-pane timber sash windows and breaking through a sandstone ashlar blocking course over the crown cornice with ball finials. Plastic guttering to the south end. Uncoursed rock-faced sandstone ashlar walling with smooth pink sandstone pilasters, cornices and friezes framing the upper floors. Square-headed window openings with pink sandstone architrave surrounds and single-pane timber sash windows (boarded up to ground and first floors). East front elevation is three windows wide, paired to the ground floor with a central square-headed door opening. Each window is framed by a pair of sandstone pilasters to first and second floors rising to a stepped and dentilled crown cornice. Full-span sandstone frieze over each floor, punctuated by the pilasters to first and second floors with decorative carved motifs and raised lettering over the central second floor window stating; ‘A.D.1878.’. Second floor windows have a diamond-faced keystone while the paired ground floor windows have deeply set bowtel surrounds, central mullions with stylised console brackets and a continuous moulded sill course. Central door opening also has a bowtel surround with decorative scrolled lateral brackets and replacement steel door opening onto a stone step to enclosed front area. South side elevation abutted by adjoining early twentieth-century building. The rear elevation is plain rendered with unevenly-spaced windows, four to the first floor and five to the second, the ground floor could not be observed clearly. Most of

these have two over two sash timber sash frames, with others boarded. To the far left-hand side the façade is abutted by a narrow link section (see below). The plot of the property stretches westwards into College Court. Here, beyond a courtyard and set back from the line of the neighbouring structures, is a large, generally plain, three-storey block (that is believed to have originally contained the wards) which is linked to the main Queen Street building by means of a very narrow three-storey link which traverses the northern boundary of the site. Both of these sections are contemporary with the main building. The block is of irregular plan, being basically rectangular, but with a large recess to the south-east corner, and has a plain rendered façade and a double-pitched roof covered in natural slate and two rendered chimneystacks (that to the south much larger). The College Court frontage has formal fenestration with the windows to the ground and first floors boarded, and (largely) one over one sash frames to those to the second floor. The central ground floor entrance has a plain sheeted door with boarded-up half-sidelights and a large canopy-like hood over with a sprocketed slated roof. The east façade is less formal with more varied openings, several of which have Georgian-paned sash frames. The exposed section of the south façade could not be seen on site, but appears to be rendered with at least one small second floor window. The narrow link to north has the same plain appearance as the western block, but with a mono-pitched slate roof and fenestration similar to the front of the western block, albeit with less (irregularly-spaced) openings. North side elevation abutted by two-storey infill building. Setting Located on the west side of Queen Street, set back slightly from the street with a double-height steel fence. Roof : Mansard natural slate & lead, two large lantern / rooflights to top of roof and two dormers to the rear, each with sloping roofs RWG: UPVC Walling: Rock-faced uncoursed sandstone ashlar Windows: Single-pane timber sash

Architects

Jackson, Thomas and Son

Historical Information

The former R.U.C. Barracks on Queen Street, a three-storey building in Scrabo sandstone, with a more utilitarian wing to the rear opening into College Court, was originally constructed as a children’s hospital and was designed by Thomas Jackson & Son. Thomas Jackson (1807-1890) went into partnership with his son William Ridgeway Jackson in c. 1855; the pair continued in partnership until the early 1880s making the hospital on Queen Street one of the final commissions undertaken by the family firm. The Irish Builder notes that the hospital replaced the previous hospital located on King Street; the foundations of the new hospital were laid at the end of 1877 and a Mr. William McCammond was contracted as builder to realise Jackson’s design. The cost of construction was estimated at approximately £3,840 (Irish Builder, pp 364-366; Dictionary of Irish Architects). When first completed the children’s hospital, which was exempt from taxation, was valued at £132 in the Annual Revisions. According to a perspective sketch of 1877 the cornice running under the first, second and attic-storey windows was decorated with the following inscription: ‘ERECTED A.D. 1878 BY VOLUNTARY / DONATIONS AND SUBCRIPTIONS / BELFAST HOSPITAL FOR SICK CHILDREN.’ This

original inscription has now been removed apart from the date which is still located below the attic-level dormer window. There was no change to the value of the children's hospital until the Belfast Revaluation in 1900 when the value of the building was increased to £240; the valuer noted that the hospital was leased by Belfast's City Council and was administered by the Trustees of Belfast Children's Hospital. The 1911 Census records that the Belfast Children's Hospital employed a large number of staff and cared for a similar number of afflicted children; the census notes that there were nine nurses, three administrators ('hospital sisters') and four domestic servants employed at the hospital; in that year these staff cared for 26 sick children which consisted of new-born babies to children 12 years of age (the maximum age for admission is not known). The census building return described the building as a 1st class hospital which consisted of 15 inhabited rooms and wards. The Belfast Children's Hospital continued to operate from Queen's Street until 1932 when the organisation was moved to its current premises at the Royal Hospital on the Falls Road. Immediately after vacating the site, the former hospital building was acquired by the Northern Ireland Ministry of Home Affairs who converted the site into a Police Station for the Royal Ulster Constabulary; the value of the building was subsequently increased to £355 under the First General Revaluation of property in Northern Ireland (1935) and it is likely that the original lettering was removed from the façade around that time. The former hospital survived the heavy bombardment of Belfast's City centre during the Blitz of April and May 1941 and in the aftermath of the Second World War the building was included in the second general revaluation which commenced in 1956. The police station continued to be occupied by the R.U.C. until the late-20th century and by the end of revaluation in 1972 the value of the three-storey building stood at £848. Queen Street was developed in the early-19th century and roughly follows the line of the original town defences of Belfast. The street was initially occupied by members of the merchant class and, prior to the erection of the hospital in 1877-78, the current plot was to the immediate north of the site of the Mechanics Institute which was established in c.1822 and demolished in the 1860s (Patton, pp 271-72). The first children's hospital in Belfast was established at No. 25 King Street on 4th August 1873; however within only a few years of opening it was determined that the building could not cope with the influx of patients that resulted from Belfast's huge expansion during the period prior to the granting of city status in 1888. In 1874 alone the original hospital treated 317 intern patients and 5,408 extern patients. The site on Queen Street was purchased in 1877 and Thomas Jackson & Son were commissioned to undertake the design of the new edifice. Brett states that the design was one of the family firm's most successful describing it as 'a distinguished building in a dignified Scottish renaissance style;' Larmour followed by noting 'the style is a form of Early Renaissance, chosen no doubt to recall, in a modest way, the great period of hospital building in Jacobean England' (Brett, p. 55; Larmour, p. 45). Harold Love states that although the cost of construction was estimated at £3,840, the actual cost was upwards of £5,000. The new Belfast Children's Hospital was completed in 1878 but was not officially opened for the admission of patients until 24th April 1879; when completed the hospital was praised for its quality of treatment, erected 'on lines which at that time were considered most modern and adequate,' and possessing a large extern department and 45 hospital beds located within its wards (which are believed to have been largely contained in the wing to the rear). The first Matron was a Miss Lennox who was a former pupil of Florence Nightingale's school in London; Loves stresses that it was 'largely due to her efforts that the difficulties encountered in the early years of the Hospital were successfully overcome.' In 1880, the first full year of opening, the hospital treated 294 intern and 6,831 extern patients; in the year prior to the hospitals closure the building was treating 799 interns and 13,251 externs. The history of the hospital notes that 'this great increase is indicative of the growth of the City of Belfast;' this

stretching of the capacity of the hospital could not be maintained and in the late 1920s a decision was made to relocate the hospital to a new site on the Falls Road. The foundation stone of the new hospital was laid on 5th June 1929; the hospital building on Queen Street was closed prior to the opening of the new facility on 24th November 1932 (Love, pp 2-3). The R.U.C. occupied the former children's hospital between c. 1935 and c. 1993; the building was listed in 1979 and was described by Patton in the following terms: 'three-storey building in slightly rusticated brown (originally pink and white) Scrabo sandstone, set back from the main building line to achieve a sense of airiness. Paired windows on either side of central door with brackets enclosing dentilled head; first floor windows in moulded surrounds with lugged bases' (Patton, pp 271-72). The former hospital and police station was vacated by the Police around 1993 and is still vacant. References Primary Sources 1. PRONI OS/6/1/61/2 – Second Edition Ordnance Survey Map 1858 2. PRONI OS/6/1/61/3 – Third Edition Ordnance Survey Map 1901-02 3. PRONI OS/6/1/61/4 – Fourth Edition Ordnance Survey Map 1931 4. PRONI OS/6/1/61/5 – Fifth Edition Ordnance Survey Map 1938 5. PRONI VAL/12/B/43/E/3-9 – Annual Revisions 1863-1896 6. PRONI VAL/12/B/43/C/20-42 - Annual Revisions 1897-1930 7. PRONI VAL/7/B/9/45 – Belfast Revaluation 1900 8. PRONI VAL/3/B/3/14 – First General Revaluation of Northern Ireland 1935 9. PRONI VAL/4/B/7/42 – Second General Revaluation of Northern Ireland 1956-1972 10. Irish Builder, Vol. 19 (15 Dec 1877) 11. Census of Ireland (1901; 1911) 12. Belfast Street Directories (1901-1918) 13. First Survey Record – HB26/50/027 (1971) 14. First Survey Image – HB26/50/027 (1976) Secondary Sources 1. Brett, C. E. B., 'Buildings of Belfast: 1700-1914' Belfast: Friar's Bush Press, 1985. 2. Larmour, P., 'Belfast: An illustrated architectural guide' Belfast: Ulster Architectural Heritage Society, 1987. 3. Love, H., 'The Royal Belfast Hospital for sick children: A history – 1948-1998' Belfast: Blackstaff Press, 1998. 4. Patton, M., 'Central Belfast: An historical gazetteer' Belfast: Ulster Architectural Heritage Society, 1993. Online Resources 1. Dictionary of Irish Architects - http://www.dia.ie

Criteria for Listing

Architectural Interest

A. Style B. Proportion C. Ornamentation D. Plan Form I. Quality and survival of Interior

Historic Interest

X. Local Interest Y. Social, Cultural or Economic Importance V. Authorship

Evaluation

Attached symmetrical multi-bay three-storey with attic sandstone former hospital, dated 1878, to the designs of Thomas Jackson, latterly used as an RUC barracks. Much historic character and detailing survive and its history represents both its changing use and the provision of healthcare in the city. It is s good example of a small civic building by an architect of note.

General Comments

Date of Survey

07 January 2013

Development Management Officer Report
Committee Application

Summary

Committee Meeting Date: 13th February 2024

Application ID: LA04/2020/0568/F and LA04/2020/0569/LBC

Proposal:	**Location:**
LA04/2020/0568/F – Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities (amended description) LA04/2020/0569/LBC – Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description).	21 Queen Street Belfast BT1 6EA

Referral Route: Paragraph 3.8.2(a) of the Scheme of Delegation for Planning (proposed hotel exceeding 30 bedrooms)

Recommendation:	Approval
Applicant Name and Address: Big Top Productions 13 Union Street Belfast BT1 2JF	Agent Name and Address: Barry Owens Consulting 38 Highfields Avenue Dublin Road Newry BT35 8UG

Executive Summary:

These applications seek full planning permission and Listed Building Consent for change of use, refurbishment, 9 storey rear extension, part demolition and alterations of buildings at the former police station at No. 21 Queen Street to 74-bedroom hotel with associated restaurant, bar and ancillary facilities.

The main issues to be considered are:

- The principle of a hotel at this location
- Impact on the character and appearance of the Conservation Area;
- Impact on the special architectural and historic qualities of the Listed Building
- Archaeology
- Ancillary open space
- Climate change
- Traffic, movement and parking
- Environmental impacts
- Drainage and flood risk
- Natural heritage

The building is Grade B1 Listed and on the heritage risk register. The site is located within the City Centre Conservation Area. The building was previously used as a police station. The proposal seeks to convert and extend the existing building into a hotel. The buildings to the rear are to be demolished to create the space for the new 9 storey new build element.

The site is within the City Centre and the principle of hotel use in this location is considered acceptable. The proposal will help to secure the future of the Listed Building at risk. The alterations to the Listed Building are considered sympathetic. On balance, the scale, height, massing and design of the new build element at the rear are considered acceptable. The special qualities of the Listed Building and its setting would be safeguarded.

Consultees including DfI Roads, DfC Historic Environment Division, DfI Rivers, NI Water and BCC Environmental Health offer no objection. The Urban Design Officer and internal conservation advice express concerns about some aspects of the design.

No objections have been received from third parties.

Having regard to the Development Plan, and other material considerations, the proposal is considered acceptable. It is recommended that planning permission and Listed Building Consent are granted subject to conditions.

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

Case Officer Report

Site location plan:

Example floor plans:

Front and rear elevations:

ELEVATION 1: QUEEN STREET
1:100

ELEVATION 2: SECTION THRO' COURTYARD
1:100

ELEVATION 3: COLLEGE COURT
1:100

ELEVATION 4: COLLEGE COURT
1:100

CGIs:

Ireland's largest range of arts and crafts
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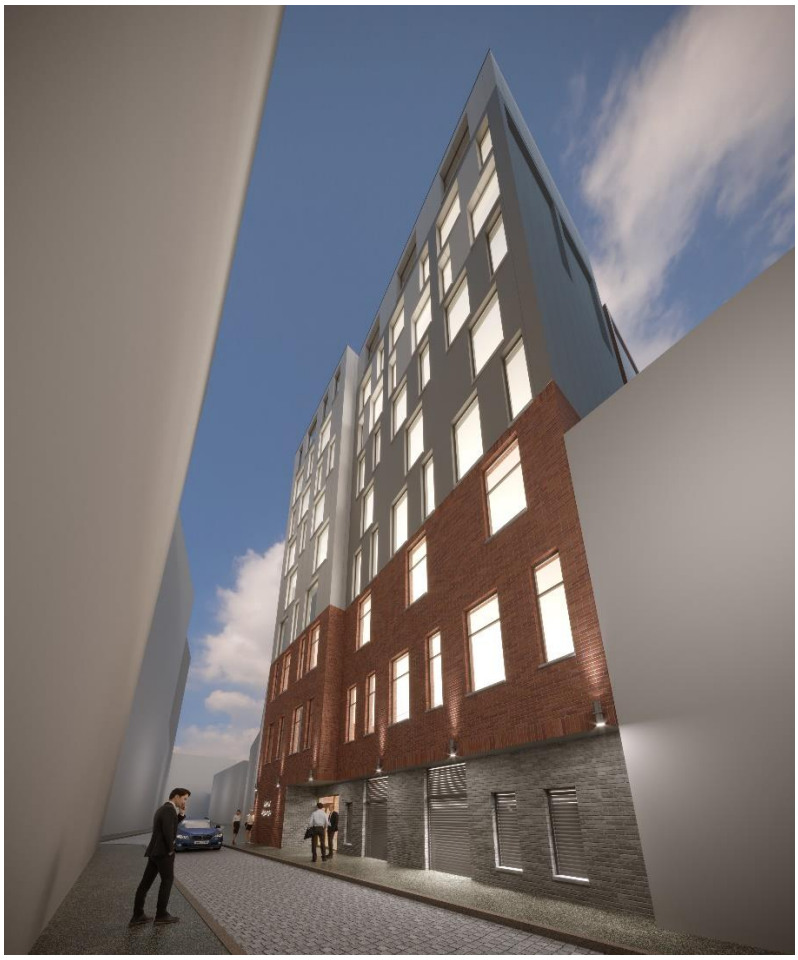
HOTEL



Characteristics of the Site and Area

1.0 **Description of Proposed Development**

1.1 The application seeks full planning permission and Listed Building Consent for the conversion and extension of the former police station at No. 21 Queen Street to a 74 bedroom hotel. The description of each application is set out below:

LA04/2020/0568/F – Change of use (including refurbishment of and 9 storey extension to rear) of former police station to 74 bedroom hotel with associated restaurant, bar & ancillary facilities (amended description).

LA04/2020/0569/LBC – Demolition of building and structures at rear, part demolition to internal features, refurbishment and extension to listed building (amended description).

1.2 Planning permission was previously granted for the conversion and extension of the building, including 7 storey new build element at the rear, to accommodate a 36-bedroom apartment/hotel, bar, restaurant and conference rooms. The new proposal retains the Listed Building at the front whilst incorporating a 9 storey new building element at the rear. Both schemes include demolition of the existing ancillary buildings to the rear.

2.0 **Description of Site and Area**

2.1 The site forms part of the continuous built frontage of the west side of Queen Street, which comprises an eclectic mix of buildings of various ages, height and design. The site comprises a four storey historic building (Grade B1 Listed) at the front with ancillary buildings at the rear. The building was formerly used as a police station.

2.2 To the immediate north on Queen Street is a two storey building used as amusement arcade. To the immediate south is a four storey building with shop at ground floor and faux floors above. The site backs onto the narrow College Court to the rear beyond which is student and residential accommodation to the west. To the opposite side of Queen Street to the east are further commercial buildings.

2.3 The building is Grade B1 Listed and on the heritage risk register. The site is located within the City Centre Conservation area the was previously used as a police station.

Planning Policy and other Material Considerations

3.0 **Planning History**

3.1 Z/2006/1782/F – Refurbishment of existing front building. Demolition of rear building and construction of new apartment/hotel – 36 no. bedrooms, bars, restaurant, lounges, conference rooms and ancillary accommodation. Application approved April 2007.

3.2 Z/2006/1873/LBC – Refurbishment of existing B2 listed building and erection of bedroom/apartment at rear of site. Application approved April 2007.

3.3 Z/2006/0331 – Refurbishment of existing front building. Demolition of rear building and construction of new apartment/hotel – 36 bedrooms, bars, restaurant, lounges, conference rooms and ancillary accommodation. Application approved February 2006.

3.4 Z/2002/1935/F - Refurbishment of existing police station and change of use to retail outlet and restaurant. Application approved March 2003.

3.5	Z/2002/1948/LB – Refurbishment of existing police station and change of use to retail outlet and restaurant. Application approved March 2003.
4.0	**Policy Framework**
4.1	**Development Plan – Operational policies** Belfast Local Development Plan, Plan Strategy 2035
4.2	**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)
4.3	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	**Consultations**
5.1	**Statutory Consultees** **DfI Roads** – no objections in principle, subject to conditions **DfC Historic Environment Division** – no objection **DfI Rivers** – no objection **NI Water** – no objection
5.2	**Non-Statutory Consultees** **Environmental Health** – no objection, subject to conditions **Urban Design Officer** – concerns remain regarding height (see main assessment) **Conservation Officer** – concerns about scale, height, architectural treatment and demolition of the buildings at the rear, which are considered to make a positive contribution to the character and appearance of the Conservation Area (see main assessment).
6.0	**<u>Representations</u>**
6.1	The application has been advertised and neighbour notified. No third-party representations have been received.
7.0	**<u>ASSESSMENT</u>** **Development Plan Context**
7.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
7.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
7.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational

	policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
7.4	**Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
7.5	**Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals 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.
7.6	The site is un-zoned "white land" and within the city development limits in the Belfast Urban Area Plan 2001 and both versions of dBMAP 2015 (v2004 and v2014). The site is within the City Centre in both versions of dBMAP 2015. The site falls within the City Centre Conservation Area. **Relevant Planning Policies and Supplementary Planning Guidance**
7.7	The following policies in the Plan Strategy are relevant to consideration of the applications. Policy SP2 – Sustainable development Policy DES1 – Principles of Urban design Policy DES3 – Tall Buildings Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH5 – Archaeology Policy EC1 – Delivering inclusive economic growth Policy TC1 – Supporting tourism leisure, and cultural development Policy TLC3 – Overnight visitor accommodation Policy TRAN1 – Active travel: walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN 3 – Transport assessment Policy TRAN4 – Travel Plan Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable Urban Drainage Systems Policy OS3 – Ancillary open space Policy NH1 – Natural Heritage
7.8	The following Supplementary Planning Guidance is relevant. Supplementary Planning Guidance – Place making urban design Supplementary Planning Guidance – Tall Buildings

7.9	The main issues to be considered are: • The principle of a hotel at this location • Impact on the character and appearance of the Conservation Area • Impact on the special architectural and historic qualities of the Listed Building • Archaeology • Ancillary open space • Climate change • Traffic, movement and parking • Environmental impacts • Drainage and flood risk • Natural heritage **The principle of a hotel at this location**
7.10	Policy EC1 of the Plan Strategy seeks to support development from business sectors with strong growth potential with hospitality and tourism being one of the key areas listed within the policy. The proposal is consistent with the aims of this policy.
7.11	Policy TLC1 relates to support for tourism, leisure and cultural development. It states that it will support such development that contributes to: a. Extending the offer across the daytime and night-time for a broad range of visitors; and b. Improving the quality, and accessibility of tourism, leisure, and culture facilities and assets to support Belfast's reputation as an attractive tourism destination.
7.12	It is considered that the proposal satisfies the above criteria.
7.13	The proposal satisfies Policy TLC3, which states that planning permission will be granted for development proposals for new overnight visitors' accommodation within the city centre boundary.
7.14	Regard is also had to the previous permission for a hotel on the site granted in 2007 (Z/2006/1782/F).
7.15	Having regard to these factors, the site is considered a suitable location in principle for a hotel. **Impact on the character and appearance of the Conservation Area**
7.16	Section 104(11) of the Planning Act (Northern Ireland) 2011 states that special regard must be had to the desirability of; (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise
7.17	Policy BH2 of the Plan Strategy lists criteria for the consideration of proposals in a Conservation Area, including amongst others that development should preserve or enhance the character and appearance of a Conservation Area. Regarding demolition in a Conservation Area, demolition will only be acceptable where the building makes either a negative or no material contribution to the character of the area and the design quality is considered to enhance the overall character.

	New build, extensions and alterations
7.18	The scheme has evolved with input from the Urban Design Officer and internal conservation advice. This has included requiring further CGIs, VU.CITY images and contextual information, and improvements to the design of the new build rear section including the elevation onto College Street and external cladding materials.
7.19	Notwithstanding, the conservation advice expresses concerns about the scale of the 9 storey new build extension at the rear and the lack of "architectural unity" with the base of the building on the College Court being different to the design of the rest of the rear extension. The conservation advice is that the proposal would result in "substantial harm" to the character and appearance of the Conservation Area. However, the conservation advice also states that should an enabling case be made that the extension is necessary to fund the refurbishment of the Listed Building at risk, then one material is recommended for the middle section of the rear extension which is tonally in keeping with the brick proposed for the base of the building. The upper part of the building should be faced in a material reflective of traditional tones for attic floors within the Conservation Area to assist in visually breaking up the mass of the proposal.
7.20	The Urban Design Officer has a contrary view in terms of the architectural treatment of the rear of the building. They advise that the use of red brick across the lower three floors echoes that of adjacent buildings along College Court and a slight emphasis above 2F strengthens this lower 'shoulder' height which picks up on the eaves heights of buildings either side. Furthermore, the proposed arrangement and proportions of windows across the lower floors to the rear are also welcomed and reflect the hierarchy and rhythm of windows in adjacent buildings.
7.21	However, the Urban Design Officers agrees with the concerns of the conservation advice in relation to the scale and height of the 9-storey new build extension, albeit it is the top upper half floor which tips the balance. The Urban Design Officer advises that the impact of this upper half floor can be seen from views opposite the site along Queen Street where this element breaks the decorative roofscape of the listed asset. The impact of this upper floor is also notable in views from Castle Street south along College Court where again this element dominates the collective roofscape of what should be subservient rear additions. Removal of this top floor would allow the proposed extension to sit more comfortably in its context. They also have concerns in relation to any required rooftop equipment such as lift/stair overruns and air handling units. From experience these elements can often add additional massing at roof level which adds to the overall visual impact of the building in terms of scale, height and massing.
7.22	In terms of materials, the Urban Design Officer was critical of the original vertical column of grey cladding wrapped around from the rear elevation onto the two side elevations (north and south) of the rear extension. However, this has since been changed to a red tone to better complement the predominant red brick in the area.
7.23	The concerns of Urban Design Officer and conservation advice are acknowledged. However, in relation to the scale and height of the rear extension, it would be read against the backdrop of the larger and taller 11 storey buildings to the opposite side of the narrow College Court to the immediate west, and office development under construction on Queen Street to the south. In this context, and on balance, the 9-storey scale of the rear extension is considered acceptable. Whilst the proposed extension is not "subservient", therefore, in conflict with criterion f. of Policy BH2, for the reasons stated its scale and height are considered acceptable.

7.24	In conclusion, it is considered that the character and appearance of the Conservation Area would overall be preserved. The restoration of the Listed Building at risk will also represent an enhancement of the Conservation Area.
	Demolition
7.25	In terms of the demolition, the conservation advice is that the rear block proposed to be demolished makes a positive contribution to the character and appearance of the Conservation Area through age, style and materials, functional use and its narrative quality in that one can read the improvements in glass making technology of its date of construction (1880) with cheaper 6 over 6 sashes to the rear, more expensive full paned sashes restricted to the front elevation; and, reflecting the historic hierarchy of place with civic status of the building. The conservation advice is that the existing buildings make a better contribution to the character and appearance of the Conservation Area than the proposed 9 storey hotel.
7.26	Officers disagree with the views of the conservation advice. The existing buildings at the rear are considered to be of a modest and ordinary design, which makes no material contribution to the character and appearance of the Conservation Area. Moreover, the design quality of the proposed building is considered to enhance the overall character of the conservation area, allowing the retention and restoration of the Listed Building. It is also noteworthy that DfC HED offers no objection to the demolition of these buildings in terms of their value or impact on the setting of the Listed Building at the front. The proposal is considered compliant with Policies BH2, DES1 and DES3.
	Impact on the special architectural and historic qualities of the Listed Building
7.27	The site comprises a Grade B1 listed building of special architectural and historic interest. The building is in poor condition and on the at risk register.
7.28	Following amendments to the proposal and site inspection, DfC HED offers no objection to the applications, recommending conditions in the event that permissions are granted.
7.29	The proposal will facilitate the restoration and re-use of the redundant Listed former police station, a building at risk, which is welcomed. In this regard, a condition is recommended to ensure that the works to the Listed Building are carried out prior to the use of the hotel. A further condition is recommended that requires a phasing plan for the works, again to ensure the appropriate timing of works to the Listed Building. The proposal is considered compliant with Policy BH1 and relevant provisions of the SPPS.
	Archaeology
7.30	DfC HED: Historic Monuments state in their response that the site is adjacent to a 17th century town ditch and recommends archaeology related conditions. These conditions are recommended and the proposal is considered compliant with Policy BH5 and relevant provisions of the SPPS.
	Ancillary open space
7.31	Policy OS3 requires the provision of ancillary open space for all new development to include both hard and soft landscaping areas to serve the needs of the development. It is normally to be expected that 10% of the site is given over to open space. The proposal provides circa 8% (45sq/m) of open space to the front of the listed building. The proposal also provides a first-floor terrace area circa 13% (80sq/m). Whilst the Queen Street frontage area is compromised in terms of its amenity value by reason of it being the main entrance to the hotel from Queen Street, regard is had to the much more significant

	benefits of bringing the Listed Building at risk back into use. The proposal is considered acceptable having regard to Policy OS3.
	Climate change
7.32	Policy ENV2 requires development to incorporate measure to mitigate environmental change and reduce Green House Gases by promoting of sustainable development. The policy requires, where feasible, to avoid demolition and seek structures reuse. In these regards, the demolition of the buildings at the rear is necessary to facilitate the overall hotel concept and bring the Listed Building at risk back into use.
7.33	Policy ENV3 requires the design to minimise the reliance on fossil fuels for heating and minimise building overheating and therefore reduce the need for air-conditioning. The proposal will include insulation measure to the walls, the windows will have low transmitting glazing to minimise air conditioning needs. The proposal will also incorporate solar control principles, low energy lighting and high efficiency heat pumps and so forth, all designed to reduce operating costs but having the additional benefit of reducing the need for energy to maintain comfortable conditions within the hotel. It is recommended that these climate control measures are secure by condition.
7.34	Policy ENV5 requires, where appropriate, sustainable drainage systems (SuDS) to manage surface water runoff and flooding is not increased elsewhere. The site is confined within an existing built-up area limiting the scope to employ SuDS methods. The footprint of the proposed building utilises all available ground space, this space is already covered with existing buildings and hard-standing therefore there will be no increase in the level of hard-standing that would contribute to additional surface water run-off. Whilst no specific SuDS measures are proposed, regard is had to the much benefit of bringing the Listed Building at risk back into use.
	Traffic, Movement and Parking
7.35	No dedicated parking is provided but this is considered acceptable given the sustainable and highly accessible location of the site.
7.36	DfI Roads advises no objections subject to conditions and the proposal is considered acceptable in terms of traffic, moving and parking. The proposal is considered to comply with Policies TRAN 1, TRAN 2, TRAN 3, TRAN 4 and TRAN 8 and relevant provisions of the SPPS, and in these regards is acceptable.
	Environmental impacts
	Contamination:
7.37	The application is supported by a Preliminary Risk Assessment, concluding low risk from contaminants. Following receipt of further information, Environmental Health advises no objection subject to conditions. This includes a Grampian condition to require submission and approval of the Generic Quantitative Risk Assessment (GQRA). Officers note that the existing buildings on the site will need to be removed to allow bore hole testing to take place for the completion of the GQRA.
7.38	The proposal is considered acceptable in respect of land contamination and compliant with Policy ENV1.

	Noise and odour:
7.39	Environmental Health has advised conditions for the control of noise and odour associated with the proposed development. These conditions are recommended. In this regard, the proposal is considered compliant with Policy ENV1.
	Air Quality:
7.40	Environmental Health has reviewed the Air Quality Assessment provided with the application and advises that it meets the relevant requirements. In this regard, the proposal is considered compliant with Policy ENV1.
	Drainage and flood risk
7.41	DfI Rivers has advised that the drainage proposals are acceptable providing the applicant receives discharge permission from NI Water (it is understood that the applicant has entered into a pre-development enquiry with NI Water). No unacceptable drainage or flood risk issues have been identified and the proposal is considered to accord with Policy ENV4.
	Natural heritage
7.42	The applicant has completed a biodiversity checklist which confirms no impacts. It has been unnecessary consult DAERA in this case, however, the applicant will be reminded of their legal responsibilities under the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) by way of an informative.
8.0	**Summary of Recommendation:**
8.1	Having regard to the Development Plan, and other material considerations, the proposal is considered acceptable. It is recommended that planning permission and Listed Building Consent are granted subject to conditions.
8.2	Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters that arise, provided that they are not substantive.
	DRAFT CONDITIONS **Full planning permission (LA04/2020/0568/F)** 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. Notwithstanding the submitted details, no development shall commence on site unless a Phasing Plan has been submitted to and approved in writing by the Council. The development shall not be carried out or sequenced unless in accordance with the approved Phasing Plan. Reason: The Listed Building is at risk and the development has been permitted to enable the restoration of the Listed Building. 3. The hotel use hereby permitted shall not be carried out or the building occupied until the works to the Listed Building have been fully implemented in accordance with Listed Building Consent LA04/2020/0569/LBC and written evidence of such

has been submitted to and approved in writing by the Council. The Council and DfC Historic Environment Division shall at all reasonable times be afforded access to the Listed Building to inspect the works as part of the authorisation process.

Reason: The Listed Building is at risk and the development has been permitted to enable the restoration of the Listed Building.

4. No demolition shall commence on site unless a contract has been agreed for the redevelopment of the site in accordance with planning permission [LA04/2020/0568/F] and evidence of that contract has been submitted to and approved in writing by the Council]. The development shall not be carried out unless in accordance with planning permission LA04/2020/0568/F.

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

5. Notwithstanding the approved details, no development shall commence unless details of climate change measures to manage and/or mitigate climate change have been submitted to and approved in writing by the Council. The development shall not be occupied unless the approved climate change measures have been implemented. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To manage and mitigate climate change having regard to Policies ENV2 and ENV3 of the Belfast LPD Plan Strategy 2035.

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council.

Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.

8. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 7.

   These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 6 months of the completion of archaeological programme of works.

Reason: To ensure that the archaeological remains and features are properly analysed and recorded.

9. No development shall commence on site unless details of windows and external doors have been submitted and approved in writing by the Council. The details shall include cross sections, elevations, cill detail / material, the actual glazing material and panes and colour and finish, with a sample provided for each different window type. The windows and external doors shall not be installed unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

10. No new plumbing, pipes, soil-stacks, flues, vents, ductwork, lighting, security cameras or mechanical and electrical services of any description shall be fixed on the external faces of the building other than those shown on the approved drawings.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

11. No development shall commence on site unless a detailed specification and samples of all new materials to be used in the elevations of the building, including samples of materials for the rain screen cladding and new window materials, have been submitted to and agreed in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

12. The hotel shall not be operated or occupied unless secure cycle parking facilities have been provided in accordance with the approved plans. The secure cycle parking shall be retained as such at all times.

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

13. The development shall operate in accordance with the Service Management Plan.

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

14. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan **[dated stamped on X and uploaded to the Planning Portal on Y]**.

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

15. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council.

    A detailed site investigation shall be carried out in line with Business Support 10175:2011+A2:2017 (or any standard that reproduces or replaces this standard).

Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard).

A satisfactory assessment of the risks (including a Revised Conceptual Site Model), shall be conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665 (or any standard that reproduces or replaces this standard).

Based on the outcome of this risk assessment, a Remediation Strategy may be required. If necessary, the Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of human health

16. The plant and equipment associated with the development hereby permitted shall achieve a rating level (LAr) no greater than the Background Sound Level, LA90, during the daytime and during night-time when measured or determined at the nearest noise sensitive premises. All measurements and calculations must be conducted in line with the methodology outlined in BS4142:2014+A1 2019 Methods for rating and assessing industrial and commercial sound.

Reason: In the interests of residential amenity

17. Deliveries and collections to and from the hereby permitted development are not permitted outside the hours of 07:00 and 23:00hrs.

Reason: In the interests of residential amenity

18. No kitchen or extraction and odour abatement system shall be installed unless it is capable of achieving a ‘very high level’ of odour control in accordance with the measures outlined in Section 2 of the AONA Environmental Consulting Ltd report titled: Updated Odour Impact Assessment. Date: April 2022.

Reason: Protection of amenity against adverse odour.

19. All gas boilers shall meet the technical specification as detailed within the letter Ref.: ENV-6045 Queen Street Hotel Air Emissions, dated 9th October 2020

Reason: Protection of Human Health

20. During the construction phase, dust management measures shall be implemented in accordance with the IAQM Guidance on the Assessment of Dust from Demolition and Construction 2014.

Reason: Protection of residential amenity

Listed Building Consent (LA04/2020/0569/LBC)

1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

2. Prior to commencement of any structural alterations, a method statement that demonstrates how the approved structural works will be undertaken, and outlining how the Listed Building will be protected, during construction (including foundations and any piling) and demolition work, shall be submitted and approved in writing by the Council. The work shall be carried out fully in accordance with the details approved.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

3. No works shall be undertaken until details of an accredited conservation professional who will oversee and certify the hereby approved conservation works have been submitted to approved in writing by the Council. The works shall be overseen and certified by the accredited conservation profession approved by the Council.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

4. Internal or external historic surviving decorative or functional features, including plasterwork, ironwork, fitted cupboards, bookcases, ceramic tiling, shelving, fireplaces and grates, pelmets, fitted furniture, doors, windows, staircases, staircase balustrading, joinery and decorative ironwork shall not be removed or altered unless expressly specified by the approved drawings. Retained features shall be fully protected during the course of any works on site, in accordance with details to be submitted to and approved in writing by the Council. Any missing stairway joinery, skirtings, cornices, architraves, window panelling and doors shall be copied, and subsequently replaced, to replicate exactly the existing in material and detailing.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

5. 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: In the interests of the special architectural and historic qualities of the Listed Building.

6. No works shall commence on site unless details of windows and external doors have been submitted and approved in writing by the Council. The details shall include cross sections, elevations, cill detail / material, the actual glazing material and panes and colour and finish, with a sample provided for each different window type. The windows and external doors shall not be installed unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

7. No works shall be undertaken unless details of the connections and interface between the new build and the existing façades have been submitted and approved in writing by the Council. The details shall be drawn to a minimum scale of 1:20 and shall include dimensioned set-backs, structure, flashings and allowance for movement. The works shall be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

8. No new plumbing, pipes, soil-stacks, flues, vents, ductwork, lighting, security cameras or mechanical and electrical services of any description shall be fixed on the external faces of the building other than those shown on the approved drawings.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

9. No works shall be undertaken unless details of building services including mechanical, electrical, and audio installations routeways and installations impacting the architecture and detail of the listed building have been submitted to and approved in writing by the Council. The works shall be carried out unless in accordance with the approved details..

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

10. No works shall commence on site unless a detailed specification and samples of all new materials to be used in the elevations of the building, including samples of materials for the rain screen cladding and new window materials, have been submitted to and agreed in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

11. No works shall commence on site unless a detailed specification and samples of external paving to ramps, tactile paving, balustrading and external lighting have been submitted to and approved in writing by the Council. The works shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the special architectural and historic qualities of the Listed Building.

Informatives

NOT03 Compliance with planning permission
Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

NOT04 Discharge of condition(s)
This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know

when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

NOT06 Non-planning requirements

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

NOT07 Protected Species

The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:

a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;
b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
c) Deliberately disturb such an animal in such a way as to be likely to:
   (i) affect the local distribution or abundance of the species to which it belongs;
   (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or
   (iii) Impair its ability to hibernate or migrate;
d) Deliberately obstruct access to a breeding site or resting place of such an animal; or
e) To damage or destroy a breeding site or resting place of such an animal.

If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.

ANNEX A

Date Valid	11th February 2022
Date First Advertised	20th March 2020
Date Last Advertised	11th Jan 2024
Date of Neighbour Notification(s)	23rd March 2020 11th Jan 2024
Number of Neighbour Notifications	25 letters issued – full details available on planning portal.
Date of EIA Determination	
ES Requested	No

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Addendum Report 1	
Committee Meeting Date: 10th December 2024	
Application ID: LA04/2022/2103/F	**Target Date:**
Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.	**Location:** 1 and 2 Duncrue Pass Belfast BT3 9BS.
Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation (discretion of the Director of Planning and Building Control)	
Recommendation:	**Approve with conditions**
Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR	**Agent Name and Address:** Jobling Planning & Environment Ltd 1A Nixon Building LEDCOM Business Park 100 Bank Road Larne BT40 3AW

Background

1. This application was to be considered by the Planning Committee at its 17th October 2023 meeting. However, the application was deferred for two reasons. Firstly, in order that Members could undertake a site visit. A Committee site visit subsequently took place on Monday 13th November 2023, but because Members could not access the land during this visit a further site visit took place on 10th January 2024.

2. Secondly, that the issues raised by Shared Environmental Services (SES) in their consultation response could be resolved.

Natural Heritage

Initial submission of further information by applicant:

3. Following the 17th October 2023 Committee meeting, the applicant provided clarification of a number of technical matters. SES subsequently confirmed that it did not require any further information. SES undertook an HRA assessment and advised that the project would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects.

Reconsideration of ammonia impacts:

4. The application was then due to be considered at the 16th January 2024 Committee meeting. However, DAERA NED advised that it had withdrawn its previous standing advice on ammonia impacts and that it would require a re-consultation to reconsider the proposal under its new approach of assessing impacts on a case by case basis.

5. Consequently, DAERA NED was re-consulted on 16th January 2024. It responded on 31st May 2024, advising that it had insufficient information to provide a substantive response. It required an updated air quality impact assessment to include both nitrogen deposition and ammonia emissions as well as clarification of the type of fuel and total thermal input capacity of the proposal.

6. The applicant submitted further information on 17th July 2024 and DAERA NED was re-consulted on the same day.

7. DAERA NED responded to the further additional information on 20th September 2024. Whilst it acknowledged the additional information, DAERA NED remained of the opinion that there was still insufficient information and requested further information regarding the 5-year Process Contributions (PCs) in relation to ammonia and nitrogen oxides.

8. The applicant submitted further information on 23rd September 2024 and DAERA NED was re-consulted the same day.

9. DAERA NED responded on 17th October 2024, confirming that '*the Air Pollution Advisory Framework had been followed and confirmed that the proposal represents a low risk to the qualifying features for which the sites have been designated*.' A full copy of DAERA's latest consultation response is provided at **Appendix 1.**

10. Shared Environmental Services (SES) requested that it is reconsulted when DAERA NED was content. SES was reconsulted again and provided a final response on 29th November 2024, advising that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. A full copy of SES's latest consultation response is provided at **Appendix 2.**

11. As previously requested by the Committee, SES and DAERA have been invited to attend the meeting to field any questions that the Committee may have.

Recommendation

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

13. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS

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

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

2. The vehicular access shall be provided in accordance with the approved drawings, prior to the operation 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.

3. The development hereby permitted shall not become operational until the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated.

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

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawings, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

   Reason: To ensure adequate provision has been made for parking within the site.

5. 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 City Council shall be notified immediately in writing. This new contamination shall be 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 City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

   Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. No piling shall be undertaken unless a piling risk assessment, carried out 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 to and approved in writing by the Council. The methodology is available at: http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf

   No piling shall be undertaken unless in accordance with the approved details.

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

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be submitted to and agreed in writing by the Council.

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

9. After completing the remediation works under Condition 8; and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

10. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 9 will apply.

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

11. The use hereby permitted shall be restricted to the incineration of healthcare and hazardous waste streams.

    Reason: In the interests of environmental protection and public health and to ensure that there is no adverse effect on site integrity of any European designated site.

Development Management Officer Report

Committee Application

Summary	
Committee Meeting Date: 17/10/2023	
Application ID: LA04/2022/2103/F	**Target Date:**
Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.	**Location:** 1 and 2 Duncrue Pass Belfast BT3 9BS.
Referral Route: Referral to the Planning Committee under section 3.8.7 of the Scheme of Delegation	
Recommendation:	**Approve**
Applicant Name and Address: United Energy Waste Management Ltd 21D Enterprise Road Bangor BT20 3SR	**Agent Name and Address:** Jobling Planning & Environment Ltd 1A Nixon Building LEDCOM Business Park 100 Bank Road Larne BT40 3AW

Executive Summary:

This application seeks full planning permission for a proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.

The key issues are:

- Principle of development
- Natural Heritage and Impact on ecology
- Impact on water / marine environment
- Design, Layout and Visual Impact
- Impact on Amenity and Environmental Health (Noise, Air Quality and Land Contamination)
- Access, parking and transport
- Flood risk
- Waste Infrastructure

Recommendation

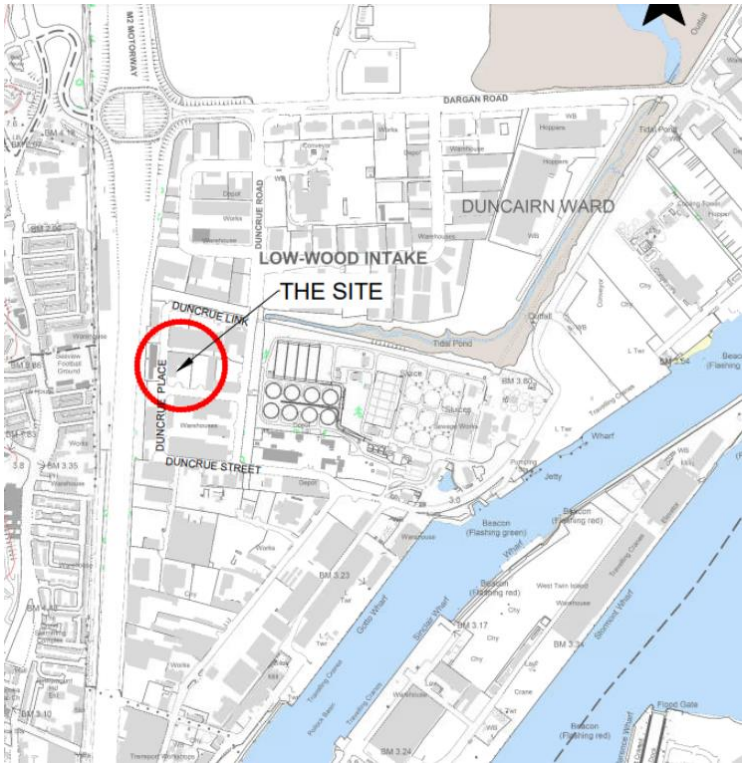
It is considered the proposal complies with the policies of the PS in respect of waste management, environment, ecology, economic development, residential amenity, transport, flood risk and climate change. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and to a positive response from Shared Environmental Services in respect of Habitats Regulations Assessment.

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

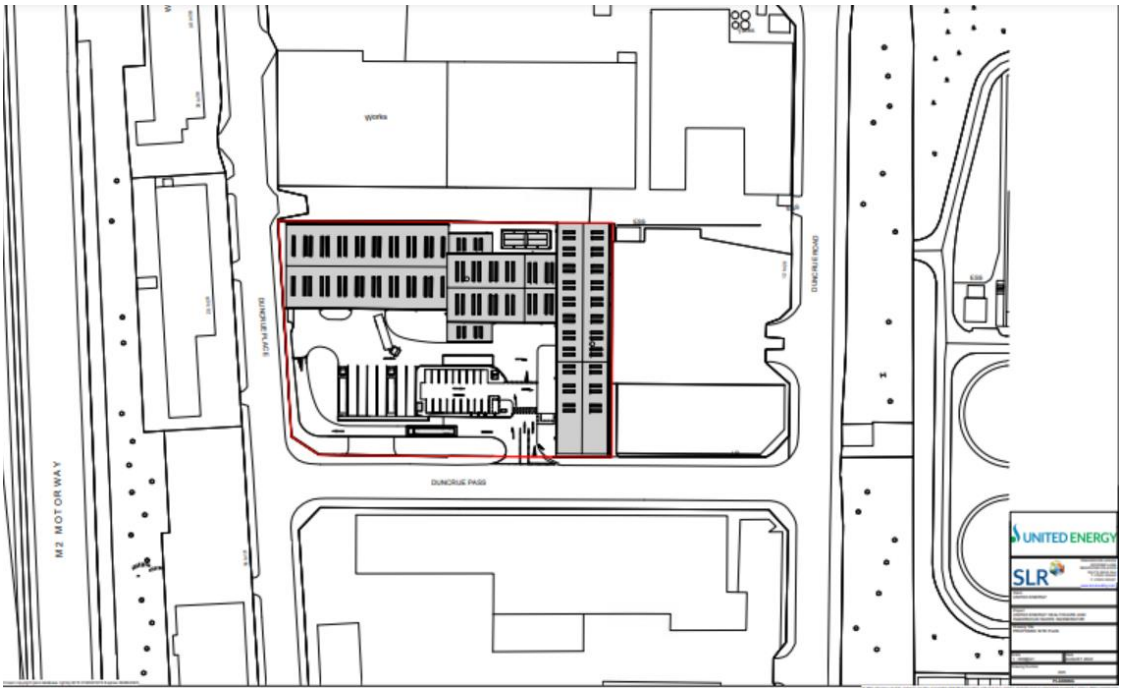
Officer Report

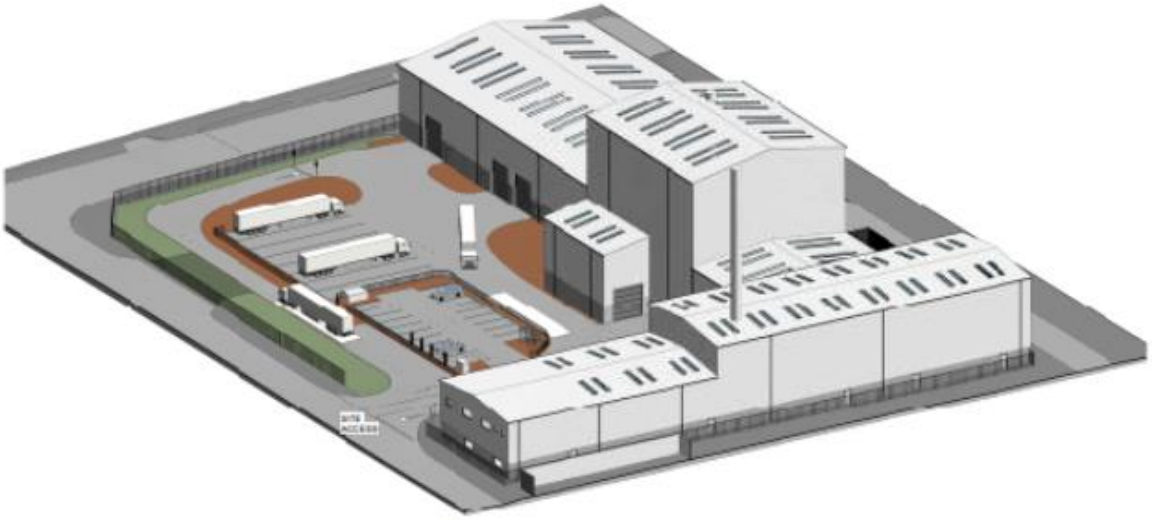
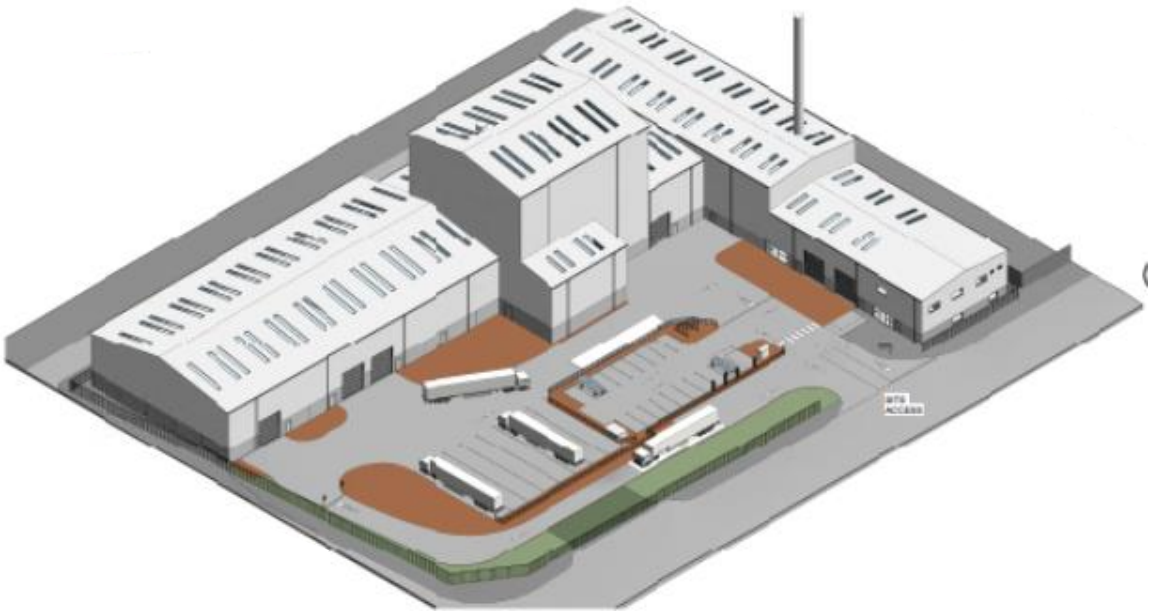
1.0 Drawings

Site Location



Proposed Site layout



	Sketch Views:  
2.0	**Characteristics of the Site and Area**
2.1	The site comprises Units 1 and 2 Duncrue Pass, and it lies within the Belfast Harbour Estate which is predominantly industrial in nature. The site is situated in the west of this industrial estate and is located on the corner of Duncrue Pass and Duncrue Place and extends to approximately 0.99 Ha in area.
2.2	The surrounding land uses comprise a mixture of Class B2 Light Industrial; B3 General Industrial; Class B4 Storage and distribution; and waste management facilities (sui generis). To the south and west, the site is abutted by the two roads, Duncrue Pass and Duncrue Place, which separate it from the adjoining industrial warehouse units. To the north is a former waste Materials Recovery Facility (Irish Recycling Services) which is now dormant. The M2 Motorway is located approximately 75 metres to the west of the site and this physically separates the Duncrue Industrial area from the rest of Belfast.

2.3	Unit 1 currently comprises an existing waste transfer station and materials recovery facility operated by Ace Bates Skip Hire Ltd and planning permission was recently granted to extend this waste management use into the adjoining Unit 2. Unit 2 is currently leased by Speedy Hire, which operates a commercial plant hire business.
3.0	**Description of Proposal**
3.1	The proposal seeks to change the use of the existing sui generis waste management use to create a thermal treatment facility for the incineration of clinical and hazardous waste streams. The proposal will have an annual intake capacity of circa 20,000 tonnes of healthcare and hazardous wastes and will generate an energy output capacity of up to 10MW of heat with potential for conversion to up to 2-3MW of electricity.
3.2	The proposed waste management site operations will involve these 4 key stages; • Reception and secure of incoming waste • Thermal treatment by incineration • Removal of recycle component parts • Energy Recovery
3.3	It is anticipated the facility will accept healthcare waste (hazardous & non-hazardous) from the following streams: • Hospitals • Pharmacies • Dentists • Care Homes • Veterinary • Sanitary wastes • Waste from Shipping / Air Travel industry • Other hazardous waste contractors and waste producers
4.0	**Planning Policy and Other Material Considerations**
4.1	**Development Plan – Operational policies** Belfast Local Development Plan, Plan Strategy 2035
4.2	**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)
4.3	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	**Relevant Planning Site History** Application Site: Z/2006/2897/F - Erection of waste processing plant, with associated car parking and siteworks – Approved Z/2010/0585/F - Proposed extension to existing waste sorting and treatment facility building to provide additional storage and processing area and permit the acceptance of road sweeping wastes – Approved

	Z/2012/1294/F - Proposed modifications to existing WTS/MRF facility to include an extension to the existing building, covered yard area, changes to internal layout and additional processing infrastructure. Including internal storage bays, storage of baled RDF, biomass boiler and the acceptance of additional EWC codes – Approved LA04/2020/0791/F - Proposed extension to existing MRF facility to include extension to existing building no.1. Change of use of adjoining site to provide additional floorspace - Approved LA04/2021/2145/PAN - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works – Decided
5.0	**Consultations and Representations**
5.1	**Statutory Consultations** DfI Roads – No objection, subject to conditions. NI Water – No objection. DAERA NIEA – No objection. DFI Rivers – No objection.
5.2	**Non-Statutory Consultations** BCC Environmental Health – No objection, subject to conditions. Shared Environmental Services (SES) – Response outstanding. NIE – No objection.
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.
5.4	**Representations** The application has been advertised and neighbours notified. The Council has received one non-committal representation dated 24th August from a representative of clients in the vicinity of the proposal. The representation requested assurances that the application will not be determined until they have had sufficient time to the review the proposal and reserved the right to make further representation, either in support of or objection to the proposal.
6.0	**PLANNING ASSESSMENT**
6.01	**Environmental Impact Assessment** An Environmental Statement (ES) was submitted as part of the application in line with the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017. This assessed the environmental impacts of the proposed development.
6.02	**Habitats Regulations** This planning application is being considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

6.03	Shared Environmental Services were consulted on 4th October 2023 and their comments are currently outstanding on date of publication.
	Development Plan Context
6.04	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.05	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.06	The Development Plan is the Belfast Local Development Plan (LDP), which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The LDP is in two parts: Part 1 is the Plan Strategy (PS), which was adopted on 02 May 2023. Part 2 is the Local Policies Plan (LPP), which will provide the zonings and proposals map for Belfast and has yet to be published.
6.07	**Operational policies** – the LDP PS contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.08	**Proposals Maps** – until such time as the LPP is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the BUAP, 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.
6.09	The site is located within the development limits of Belfast and is un-zoned whiteland within the adopted BUAP. dBMAP identifies the site as being located within Belfast Harbour Area (Designation BHA 08-v2004) (Designation BHA 06-v2014) and is classified as a Major Area of Existing Employment/ Industry.
6.10	**Relevant Planning Policies/Guidance** The following policies/guidance in the Plan Strategy are relevant to consideration of the application.
6.11	Regional Development Strategy for Northern Ireland (RDS) 2035 Strategic Planning Policy Statement (SPPS) Policy SP1A – Managing growth and supporting infrastructure delivery Policy SP2 – Sustainable development Policy EC3 – Major employment and strategic employment locations Policy W1 – Environmental impact of a waste management facility Policy W2 – Waste collection and treatment facilities Policy TRAN 3 – Transport Assessment Policy TRAN 6 – Access to Public Roads Policy TRAN 8 – Car Parking and Servicing Arrangements Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV 4 – Flood Risk Policy NH1 – Protection of Natural Heritage Resources
6.12	Supplementary Planning Guidance – Waste Infrastructure

	Principle of development
6.13	The site is located within the development limits of Belfast and is un-zoned whiteland within the adopted Belfast Urban Area Plan 2001. The draft Belfast Metropolitan Area Plan 2015 identifies the site as being located within Belfast Harbour Area (Designation BHA 08-v2004) (Designation BHA 06-v2014) and is classified as a Major Area of Existing Employment/ Industry. Policy EC3 states that appropriate sui generis uses will be directed towards Major employment locations, such as Belfast Harbour. Para 8.1.23 states that such areas are considered suitable for certain 'sui generis' uses as they could potentially harm residential amenity and are therefore considered most suited to an industrial estate.
6.14	There are multiple waste management facilities within the wider Duncrue area, including Irish Waste, McKenzies NI, River Ridge and McKinstry Waste Transfer Station, which are all located in very close proximity to the site. The proposed use is in keeping with the mixed industrial and waste uses within the Belfast Harbour Estate. The Industrial Estate comprises a coarse urban grain, with large, condensed blocks of industrial development, arranged around wide streetscapes, reflective of the industrial nature of the context. The scale and massing of the built form is large and dense and comprises mainly substantial industrial buildings.
6.15	**Regional Development Strategy for Northern Ireland 2023** The RDS identifies the Belfast Harbour Industrial Estate as a location for growth through its Strategic Planning Guidelines and encourages opportunities for job creation.
6.16	Policy RG5 relates to the delivery of a sustainable and secure energy supply. It states that Northern Ireland needs a robust and sustainable energy infrastructure and advises that new generation infrastructure should be designed to avoid adverse environmental impacts, particularly on or near to protected sites.
	Strategic Planning Policy Statement (SPPS)
6.17	The SPPS advises that Planning authorities should take a positive approach to appropriate economic development proposals, and proactively support and enable growth generating activities. Planning authorities should also recognise and encourage proposals that could make an important contribution to sustainable economic growth when drawing up new plans and taking decisions. The proposal represents an economic development proposal, supporting and enabling sustainable growth through job creation and retention within the local area.
6.18	The SPPS position on Waste Management is a key operational policy for this proposal. There is a presumption in favour of development unless it will cause demonstrable harm. The SPPS also acknowledges that the provision of waste facilities and infrastructure can make a valuable contribution towards sustainable development. The aim of the SPPS in relation to waste management is to support wider government policy focused on the sustainable management of waste and a move towards resource efficiency. The key objectives of the SPPS are to promote waste development in appropriate locations, ensure that detrimental impacts on people, the environment and local amenity are avoided or minimised and secure appropriate restoration of sites for after-use.
	General Overview of Development
6.19	This proposal primarily relates to the treatment of healthcare and hazardous waste and a small proportion of other wastes such as those arising from planes and the cruise ship industry. In addition, a small number of hazardous waste streams that are currently collected and exported out of the country shall be treated at this facility.

6.20	This proposed waste management facility will meet a deficit in the infrastructure in Northern Ireland (NI) and Ireland (ROI) and will offer a solution for the Island of Ireland for the treatment of healthcare waste, that is currently shipped to the UK or other parts of Europe for disposal or recovery. There is currently no high temperature incineration facility for healthcare and hazardous waste currently in NI / ROI, other than at industrial sites operated by individual waste producers. A proportion of the less difficult healthcare waste is still currently landfilled in Ireland.
6.21	The proposed facility will deliver a self-sufficient and safe way of disposing of these types of waste within the country of origin, reducing reliance on overseas transport, traditional landfill disposal and will remove the need to export this waste to other countries for treatment, as is currently the practice.
6.22	The proposal will have an annual intake capacity of circa 20,000 tonnes of healthcare and hazardous wastes and will generate an energy output capacity of up to 10MW of heat with potential for conversion up to 1-2MW of electricity. It is proposed that the energy generated onsite will be used to provide the operation of the plant, and other nearby businesses with a source of heat energy and electricity.
	Impact on Water Environment
6.23	DAERA NIEA Marine and Fisheries Division (MFD) note that the proposed development is in close proximity to Belfast Lough, a Shellfish water protected area. DAERA NIEA Water Management Unit (WMU) advise that if NI Water are content that both Belfast WWTW and associated sewer network can take the additional load from the proposal, they will have no objection to that aspect of the proposal. WMU have recommended a condition in relation to sewage disposal agreement in the event of approval. NIW have offered no objection in respect of the proposal.
	Impact on Ecology
6.24	DAERA NIEA Natural Environment Division (NED) note the application site is in close proximity and hydrologically linked to the following national, European and international designated sites: • Belfast Lough Ramsar • Belfast Lough Special Protection Area (SPA) and Belfast Lough Open Water SPA • Inner Belfast Lough Area of Special Scientific Interest (ASSI), Outer Belfast Lough ASSI, Belvoir ASSI and Craigantlet Woods ASSI.
6.25	A Biodiversity checklist and additional environmental information were submitted in support of the proposed development. NED noted potential impacts on the designated sites, specifically contamination of aquatic environment and associated habitats via sedimentation hydrocarbon spills and leachate from building materials and airborne pollutants that can affect aquatic and terrestrial environments. NED also acknowledged that the proposal is located within an existing operational industrial unit. NED concluded that they had considered the potential impacts and are content with the proposal.
6.26	**Impact on Amenity and Environmental Health** 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 development has taken wider health considerations into account through the design process and the effects on wider human health are anticipated to be negligible. The nearest residential properties are located over 250 metres from the application site in the Shore Road area to the west.

	Air Quality
6.27	An Air quality impact assessment (AQIA) has been submitted as part of the Environmental Statement. BCC Environmental Health (EHO) have advised that long and short-term ambient air quality impacts from the development are predicted to result in a 'not significant' effect at considered human receptor locations. Consequently, EHO conclude that the submitted AQIA adequately demonstrates that the proposal will not have an adverse impact upon air quality in the vicinity of the proposal and that relevant human health receptors will not be exposed to air quality concentration exceeding air quality objectives. EHO also advise they have no concerns regarding air quality during the construction phase.
6.28	**Contamination** A Preliminary and Generic Quantitative Risk Assessment (PRA & GQRA) report has been provided in support of the planning application. The GQRA is informed by site investigations and environmental monitoring data. Following consultation with both NIEA Land and Regulation Unit and EHO, it is considered that no unacceptable risks to environmental receptors have been identified for the development. Conditions have been provided in relation to contamination from both consultees, in the event of approval.
	Noise
6.29	A Noise impact assessment (NIA) has been submitted as part of the Environmental Statement. The NIA presents predicted levels and conclusions which suggest that the development is acceptable in principle in terms of noise impact. EHO also note that the proposed process will be subject to the legislative requirements under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 which as a part A process, will be enforced by DAERA. The subsequent application for a Part A permit will require a BS4142 noise assessment to be conducted and submitted to DAERA for review and a decision to issue the permit with or without conditions. Consequently, EHO have not suggested conditions in relation to noise.
	Economic Development
6.30	The proposal represents an economic development proposal, supporting and enabling sustainable growth through job creation and retention within the local area. The proposal would also be compliant with Policy EC3 – Major employment and strategic employment locations. A key priority is to focus economic development in the city's key employment area and directs new employment development towards Belfast Harbour Major Employment Location.
	Design, layout and Visual Impact
6.31	In terms of the physical development, this proposal involves four component parts, relating to Building 1, Building 2 and Yard. The proposal involves the change of use and physical modification of the existing Building 1, to remove existing bay involving a reduction in the total floorspace. The proposal also includes an extension to Building 1, to extend it laterally to connect to building 2. This extension measures 29.36 m to the ridge and forms the highest building within the site. The use of Building 2 is proposed to change from Class B2 & B4 and includes modifications to extend the ridge height of part of the building (to 17.37 m) and the installation of a flue, 36 m in height. The proposal also includes the reconfiguration of the external yard area.
6.32	The scale and massing of the built form of the area is large and dense and comprises mainly substantial industrial buildings. It is acknowledged that the proposed buildings and flue are large, however given the existing character of the surrounding area, it is not considered that the visual impact of the proposal will be detrimental.

	Access, parking and transport
6.33	The proposal has been assessed against Policy TRAN3, TRAN 6 and TRAN8. In assessing the proposal, DFI Roads considered a number of supporting documents, including a Traffic Flow Assessment and Transport section within the environmental statement (Chapter 15). DFI Roads offer no objection to the proposal, subject to conditions.
	Flood Risk, Drainage & Infrastructure capacity
6.34	The application has been assessed against Policy ENV4 - Flood Risk. The application site is not impacted by the floodplain, however a Drainage assessment was submitted as part of the Environmental Statement. DFI Rivers provided comments on the submitted information and accept the logic, therefore offering no objection. The proposal is suitably designed to meet the drainage requirements.
	Mitigating Environmental Change
6.35	The proposal includes the part demolition of some of the existing buildings on site, however the proposal incorporates the re-use of two large buildings on the site, in accordance with policy ENV2 of the PS.
	Waste Infrastructure
6.36	As per policy W1 – Environmental impact of a waste management facility. Planning permission will be granted for a waste management facility when the following criteria are met: *(a) The proposal will not cause demonstrable harm to human health or result in an unacceptable adverse impact on the environment;* All waste storage and thermal treatment will be carried out internally and this will mitigate against any potential risks. A full environmental assessment of this land use has been undertaken and the Environmental Statement accompanies this application. This demonstrates that the proposal will not result in adverse harm to human health or the environment. *(b) The proposal is designed to be compatible with the character of the surrounding area and adjacent land uses;* The proposal is compatible with an approved adjacent land use and the pre-existing use of the Building 1 as a waste management facility and equally the site is compatible with adjacent land uses which comprise a mix of industrial and other waste management uses. *(c) The visual impact of the waste management facility, … is acceptable in the landscape and the development will not have an unacceptable visual impact on any area designated for it landscape quality'* Similar built form is already established. It is acknowledged that the building is significantly higher than existing, however the visual impact is not considered detrimental in the context of the existing built form and will read as part of the pre-established built development. Furthermore, the proposal will not impact visually on any area designated for its landscape quality. *(d) The access to the site and the nature and frequency of associated traffic movements will not prejudice the safety and convenience of road users or constitute a nuisance to neighbouring residents by virtue of noise, dirt or dust;* The annual throughput of waste to be treated at this site is significantly reduced. It is currently licensed to accept 100,000 tonnes per annum and this proposal will reduce that to 20,000 tonnes per annum. This will result in a 59% reduction of daily car/ van movements and 75% reduction of heavy goods vehicles. Therefore, there is a net benefit to road network. Environmental Health have been consulted with regards to noise, dirt and dust and raised no issues.

	e) *The public road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated;* As per point (d), this proposal will result in a net reduction of vehicle movements and the network can therefore accommodate this. DFI Roads were consulted and have no objection. *(f) Adequate arrangements shall be provided within the site for parking, servicing and circulation of vehicles;* Adequate parking, turning and servicing of vehicles is proposed as indicated on the drawings. *(g) Wherever practicable, the use of alternative transport modes, in particular, rail and water, has been considered;* Not applicable to this application. *(h) The development will not have an unacceptable adverse impact on nature conservation or archaeological/built heritage interests;* There are no features of nature conservation or archaeological/built heritage interests in close proximity to the site. This is fully demonstrated through the Environmental Statement and Shadow Habitats Risk Assessment. *(i) The types of waste to be deposited or treated and the proposed method of disposal or treatment will not pose a serious environmental risk to air, water or soil resources that cannot be prevented or appropriately controlled by mitigating measures;* A full environmental assessment of this land use has been undertaken and the Environmental Statement accompanies this application. The Environmental Statement has been assessed by external consultees with no objections, therefore it is considered the proposal will not pose a serious environmental risk to air, water or soil resources. *(j) the proposed site is not at risk from flooding and the proposal will not cause or exacerbate flooding elsewhere;* The site is not within a flood plain and would not be at risk from flooding nor exacerbate flooding elsewhere. *(k) the proposal avoids (as far as practicable) the permanent loss of the best and most versatile agricultural land;* There is no impact on agricultural land. *(l) in the case of landfilling the proposal includes suitable, detailed and practical restoration and aftercare proposals for the site.* The proposal does not involve landfilling.
6.37	As per policy W2 – Waste collection and treatment facilities, planning permission will be granted for a treatment facility where: a. *There is a need for the facility as established through the council's WMP or in consultation with the council in relation to projected need for a particular stream.*
6.38	The need for this facility is established through the WMS and WMP and will offset the need to export the waste for incineration in other jurisdictions. Furthermore, para 9.2.13 states that the targets contained within the WMS require a significant shift away from landfill to enable a move towards a circular economy, which this proposal supports.

6.39	The proposal also complies with criterion b1 of policy W2 as it is located within an industrial / port area and the proposal is appropriate to the character of the area. With regard to criterion c of policy W2: • The location of the proposed facility relates closely to and benefits from easy access to key transport corridors, including road and water. • The building will be modified to meet the specific requirements of the proposed development; • The waste handling, storage, treatment and processing techniques will be managed and appropriate to the waste stream, with heat and electricity recovery appropriately addressed. • The thermal treatment by incineration will maximise energy recovery in the form of heat and electricity and will be used locally to power adjoining users; and, • The proposal has been subject to a robust Environmental Impact Assessment to ensure the scheme will not result in an unacceptable adverse impact.
6.40	In assessment of the above waste policies, the proposal is considered acceptable.
7.0	**Recommendation**
7.1	It is considered the proposal complies with the policies of the PS in respect of waste management, environment, ecology, economic development, residential amenity, transport, flood risk and climate change. Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and to a positive response from Shared Environmental Services in respect of Habitats Regulations Assessment. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS:

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

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

2. The vehicular access shall be provided in accordance with the approved drawings, prior to the operation 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.

3. The development hereby permitted shall not become operational until the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated.

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

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawings, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

REASON: To ensure adequate provision has been made for parking within the site.

5. 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 City Council shall be notified immediately in writing. This new contamination shall be 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 City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

7. 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.environment-agency.gov.uk/scho0501bitt-e-e.pdf.

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

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

9. After completing the remediation works under Condition 8; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

10. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 9 will apply.

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

ANNEX

Date Valid	03/10/2022
Date First Advertised	17/02/2023
Date Last Advertised	17/02/2023

Details of Neighbour Notification (all addresses)

1 DUNCRUE PLACE, LOW-WOOD INTAKE BELFAST, ANTRIM, BT3 9BU
13A DUNCRUE ROAD, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BP
1B DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS
1D DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS
1J DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS
1P DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS
1R DUNCRUE PASS, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS
2-10 DUNCRUE ROAD, LOW-WOOD INTAKE, BELFAST, ANTRIM BT3 9BN (6 Occupiers)
5 DUNCRUE PLACE, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BU
9 DUNCRUE PLACE, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BU
DFP WORKS DUNCRUE LINK, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9DL
MEAT PLANT, 1 DUNCRUE LINK, LOW-WOOD INTAKE, BELFAST, ANTRIM, BT3 9BS

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Environment, Marine and Fisheries Group

& NIEA

Department of Agriculture, Environment and Rural Affairs
www.daera-ni.gov.uk

Planning Response Team
NIEA Lisburn
17 Antrim Road
Tonagh
Lisburn BT28 3AL
Telephone: 028 9056 9604

Date: 17 October 2024

Dear Sir/Madam,

Planning Application Ref.:	LA04/2022/2103/F
Location:	1 and 2 Duncrue Pass Belfast BT3 9BS.

Proposal:

Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.

Thank you for your consultation on the above which was received by the Department on 23/09/2024.

This letter provides a single combined response for your consultation request across all of DAERA's area of environmental responsibility. Summary comments in relation to the reason for consultation are provided in the table below at Annex A, and, where appropriate, more detailed advice is enclosed and attached to this letter.

You should be aware that, in the absence of comment, no inference can be made on DAERA's position with regard to other environmental matters. It is the responsibility of the planning authority to ensure that all risks to the environment and requirements under environmental legislation and planning policy have been considered.

This advice and guidance will enable you to identify and consider if there are other potential risks to the environment due to impacts from the construction and operation of the proposed development and also its location.

In addition, we would also refer you to DAERA's published advice and guidance on development proposals where there is potential for effects on the natural and marine environments and fisheries interests, available at: https://www.daera-ni.gov.uk/topics/environmental-advice-planning.

As the Planning Authority is the competent authority under The Conservation (Natural Habitats, etc.) Regulations 1995 (as amended), this responsibility extends to the carrying out of Habitat Regulations Assessments (HRAs) before a planning decision is made.

Should you require assistance or if you wish to discuss anything further, please do not hesitate to contact the Planning Response Team using the contact details below.

Kind regards.

Planning Response Team

On behalf of DAERA

Email: **planningresponse.team@daera-ni.gov.uk**

Annex A

Advice Provided By:	Summary
Natural Environment Division	NED have taken account of the potential risk associated with the effects from air pollution on designated sites. The Air Pollution Advisory Framework has been followed and indicates that the proposal represents a low risk to the qualifying features for which the sites have been designated.

Section Reference: CB3374-5

Planning Reference: LA04/2022/2103/F

Summary statement

Following the Call for Evidence on the 'Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment' (2023), a new assessment approach has been developed.

This approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).[1] This recommends thresholds based on the best available scientific information and modelling.

NED have taken account of the potential risk associated with the effects from air pollution on designated sites. The Air Pollution Advisory Framework has been followed and indicates that the proposal represents a low risk to the qualifying features for which the sites have been designated.

Considerations

The application site is within 7.5km (NH_3) and 8km (NO_x) to the following nationally, European and internationally designated sites:

- Belfast Lough Ramsar, which is designated under the Convention on Wetlands of International Importance, Ramsar 2.2.1971 (as amended);
- Belfast Lough SPA and Belfast Lough Open Water SPA, which are designated under the EC Habitats Directive (92/43/EEC on the conservation of natural habitats and of wild fauna and flora);
- Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belvoir ASSI, Bellevue ASSI and Craigantlet Woods ASSI, which are declared under the Environment Order (Northern Ireland) 2002

National Site Network considerations

In accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority must assess how these works, either alone or in combination, are likely to have a significant effect on the National site network sites and their selection features.

Explanatory note

NED has considered the proposal and highlights the following as potential impacts on the designated sites;

Designated Site Considerations

In line with DAERA's advisory framework, NED will consider and provide advice on the potential impact of proposals both alone which are assessed against the *De-minimis* Threshold (DMT) and Site Relevant Threshold (SRT) and if required, in combination with other relevant plans and projects on the designated site network.

The applicant has submitted a Technical Memorandum (dated 13/09/2024) which addresses NED's previous consultation response. Tables 1, 2 and 6 detail the modelled ammonia concentration, NO_x

[1] Guidance on Decision-making Thresholds for Air Pollution | JNCC Resource Hub

concentration and nitrogen deposition, i.e. the Process Contribution (PC), from the proposal at the designated sites which are within 7.5 km of the proposal.

For each of these sites the PCs do not exceed the Site Relevant Threshold (SRT) for NH_3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects. Annex 1 below provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition.

The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast lough Open Water SPA exceed the ToLS threshold for NO_x concentration on their own. However, the background NO_x concentration does not exceed the NO_x Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NO_x concentration.

Bellevue ASSI has been designated for its earth science features. It is considered, due to the nature of these features, that it is unlikely to be affected by nitrogen emissions from the proposal.

NED note that an incorrect CLe of 3µg/m^3 has been applied to Belvoir ASSI (should be 1µg/m^3). NED also note that Belfast Lough SPA/Ramsar overlaps with Inner Belfast Lough ASSI at the nearest location to the proposal. NED has therefore applied the PCs for Inner Belfast Lough ASSI to Belfast Lough SPA/Ramsar.

NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.

There is no significant hydrological connection to any designated site, however NED refer to the standing advice for the water environment below for consideration.

The Planning Authority should note that NED's response is based on the implementation of mitigation measures. It is the role of the competent authority to test the efficacy of these measures through Appropriate Assessment, as set out in the CJEU Ruling on the use of mitigation measures in HRA (Case C-323/17).

Other Natural Heritage Concerns

NED has no further comment to make on the impacts to the natural heritage features not already associated with the designated sites.

Please see last consultation response (dated 3 May 2024) regarding NEDs position.

Informative

The applicant is referred to standing advice to protect hydrological connections to designated sites from pollution: Standing advice for the water environment

Note, revised Standing Advice to inform the assessment of air quality impacts on the natural environment will be finalised and uploaded onto the DAERA website as soon as possible.

Annex 1 - Air Pollution Decision and Advisory Framework Assessment (NH_3 and Critical Loads)

Designated Site	PC for NH_3 CLe (µg/m^3)	PC for CL (Kg/ha/yr)	NH_3 PC (CLe) (%)	*De-minimis* Threshold				Site Relevant Threshold		In combination Assessment	
				DMT of CLe (%)	DMT of CL 0.0093 kg N/ha/yr OR 0.013kg N/ha/yr	Exceeds DMT for NH_3 CLe of 0.08%?	Exceeds DMT of CL 0.0093 kg N/ha/yr OR 0.013kg N/ha/yr?	Exceeds SRT for NH_3 CLe 0.75%?	Exceeds SRT for CL 0.088kg N/ha/yr OR 0.13kg N/ha/yr?	≥ ToLS threshold of 1% NH_3 CLe?	≥ ToLS threshold for CL of 0.12kg N/ha/yr OR 0.17kg N/ha/yr?
Outer Belfast Lough ASSI	0.0135	0.086	0.45 %	0.08 %	0.0093	Yes	Yes	No	No	N/A	N/A
Belfast Lough Open Water SPA	0.0135	0.086	0.45 %		0.0093	Yes	Yes	No	No	N/A	N/A
Belfast Lough SPA/Ramsar	0.0155	0.099	0.517 %		0.0093	Yes	Yes	No	Yes	N/A	No
Inner Belfast Lough ASSI	0.0155	0.099	0.517 %		0.0093	Yes	Yes	No	Yes	N/A	No
Belvoir ASSI	0.0009	0.01	0.09 %		0.013	Yes	No	No	No	N/A	N/A
Bellevue ASSI	0.0032	N/A	0.107 %		0.0093	Yes	N/A	No	N/A	N/A	N/A
Craigantlet Woods ASSI	0.0011	0.01	0.037 %		0.013	No	No	No	No	N/A	N/A

Acronym or Term

NH_3 – Ammonia
NO_x – Nitrogen oxides
PC – Process Contribution
CLe – Critical Level
CL – Critical Load
µg/m^3 – micrograms of pollutant per cubic metre
Kg N/ha/yr – Kilograms of Nitrogen per Hecter per Year

DMT – *De-minimis* Threshold
SRT – Site Relevant Threshold
≥ - Greater than or equal to
ToLS – Test of Likely Significance
N/A - Not Applicable i.e. no Air Pollution Information System (APIS) data available or assessment against threshold not required

Applications/PPCs used to determine SRT

Planning Application ID/Agricultural IPRI site PPC Name and number	**Between 2017-2023, below DMT of 0.08% (NH_3 concentration)**
LA04/2022/2103/F – This application	N/A
LA04/2017/0878/F	No
P0310/09A N I Water Ltd	No
P0485/15A MacWill Services	No
P0307/09A Renewable Power Systems (Dargan Road) Ltd	No
P0434/13A Coastal Clear Water Limited	No
PPC0002/08B PUMA ENERGY BELFAST LTD	No
P0565/17A Belfast Power Ltd.	No
P0446/14A Full Circle Generation Ltd.	No
PPC0019/08B Charles Tennant & Co (NI) Ltd	No
P0139/06A Clinty Regen Ltd	No
P0135/06A Bombardier Aerospace	No
PPC0006/08B NuStar Terminals Ltd	No
P0483/15A Clearway Disposals Ltd	No
P0001/03A Harland & Wolff	No
P0465/14B Euro Aggregates Ltd.	No
P0081/05A Veolia Water Outsourcing Limited	No
P0405/12B Larsen Building Products	No
P0102/05A United Feeds Limited	No
P0100/05A John Thompson and Sons Ltd	No
P0161/07A Irish Waste Services Ltd	No
P0124/06A Tennants Textile Colours Limited	No
P0084/05A The Royal Group of Hospitals	No

Applications/PPCs considered for in-combination

Planning Application ID/Agricultural IPRI site PPC Name and number	**Applications above SRT, below ToLS and after January 2021**
In-combination assessment for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar CLs	
LA04/2022/2103/F – This application	Yes
LA04/2017/0878/F	No
T/2014/0114/F	No
P0156/06A Anderson Haulage Ltd	No
P0063/04A Diageo Baileys Global Supply - Belfast	No
P0460/14A Indaver (NI) Ltd	No
P0345/10A Anderson Haulage Ltd	No
PPC0168/08B AFBI - Veterinary Science Division	No
P0098/05A Diageo Global Supply IBC Group	No
P0239/07A N I Water Ltd	No
P0310/09A N I Water Ltd	No
P0485/15A MacWill Services	No
P0307/09A Renewable Power Systems (Dargan Road) Ltd	No

P0434/13A Coastal Clear Water Limited	No
PPC0002/08B PUMA ENERGY BELFAST LTD	No
P0565/17A Belfast Power Ltd.	No
P0446/14A Full Circle Generation Ltd.	No
PPC0019/08B Charles Tennant & Co (NI) Ltd	No
P0139/06A Clinty Regen Ltd	No
P0135/06A Bombardier Aerospace	No
PPC0006/08B NuStar Terminals Ltd	No
P0483/15A Clearway Disposals Ltd	No
P0001/03A Harland & Wolff	No
P0465/14B Euro Aggregates Ltd.	No
P0081/05A Veolia Water Outsourcing Limited	No
P0405/12B Larsen Building Products	No
P0102/05A United Feeds Limited	No
P0100/05A John Thompson and Sons Ltd	No
P0161/07A Irish Waste Services Ltd	No
P0124/06A Tennants Textile Colours Limited	No
P0084/05A The Royal Group of Hospitals	No

Annex 2 - Air Pollution Decision and Advisory Framework Assessment (NO_x)

Designated Site	PC for NO_x CLe ($\mu g/m^3$)	NO_x PC (CLe) (%)	*De-minimis* Threshold		Site Relevant Threshold	In-combination Assessment
			DMT of CLe (%)	Exceeds DMT for NO_x CLe of 0.05%?	Exceeds SRT for NO_x CLe 0.29%?	≥ ToLS threshold of 0.4% NO_x CLe?
Outer Belfast Lough ASSI	0.16	0.533%	0.05%	Yes	Yes	Yes
Belfast Lough Open Water SPA	0.16	0.533%		Yes	Yes	Yes
Belfast Lough SPA/Ramsar	0.19	0.633%		Yes	Yes	Yes
Inner Belfast Lough ASSI	0.19	0.633%		Yes	Yes	Yes
Belvoir ASSI	0.01	0.033%		No	No	N/A
Bellevue ASSI	0.04	0.133%		Yes	No	N/A
Craigantlet Woods ASSI	0.01	0.033%		No	No	N/A

Acronym or Term
NH_3 – Ammonia
NO_x – Nitrogen oxides
PC – Process Contribution
CLe – Critical Level
CL – Critical Load

µg/m^3 – micrograms of pollutant per cubic metre
Kg N/ha/yr – Kilograms of Nitrogen per Hecter per Year
DMT – *De-minimis* Threshold
SRT – Site Relevant Threshold
≥ - Greater than or equal to
ToLS – Test of Likely Significance
N/A - Not Applicable i.e. no Air Pollution Information System (APIS) data available or assessment against threshold not required

Applications/PPCs considered for in-combination

Planning Application ID/Agricultural IPRI site PPC Name and number	**Applications above SRT, below ToLS and after January 2021**
In-combination assessment for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Inner Belfast Lough Open Water SPA NO_x CLes	
LA04/2022/2103/F – This application	Yes – exceeds ToLS on its own

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Shared Environmental Service
Ardeevin
80 Galgorm Road
Ballymena
BT42 1AB

29/11/2024

Planning Reference: LA04/2022/2103/F

Location: 1 and 2 Duncrue Pass Belfast BT3 9BS.

Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.

Consultation: This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project. The assessment which informed this response is attached at Annex A.

Outcome: Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.

SES has assessed the manner in which the project is to be carried out including any mitigation. The appropriate assessment has concluded that the design of the facility and regulatory oversight will ensure no adverse effects on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA in light of the conservation objectives.

Advice for planner: Belfast City Council is advised to review the appropriate assessment provided by SES and if agreed, adopt the appropriate assessment. In recording the appropriate assessment in the planning report, the following statement may then be included:

Belfast City Council *in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 29/11/2024. This found that the project would not have an adverse effect on the integrity of any European site.*

ses@midandeastantrim.gov.uk

ANNEX A

Habitats Regulations Assessment

Carried out by Shared Environmental Service, adopted by Belfast City Council.

Date Completed: 29/11/2024

Planning Reference: LA04/2022/2103/F

Location: 1 and 2 Duncrue Pass Belfast BT3 9BS.

Proposal: Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.

Grid Reference: 334564 377090

Assessment stage completed

☐ 1. Assessment resulting in exemption
☐ 2. Assessment resulting in elimination
☐ 3. Assessment demonstrating no likely significant effect
☐ 4. Interim Assessment to inform e.g. EIA determination, PAD
☐ 5. Further information requested
☐ 6. Draft appropriate assessment referred to SNCB
☐ 7. Appropriate assessment complete, no adverse effect on site integrity without conditions
☒ 8. Appropriate assessment complete, no adverse effect on site integrity with conditions to mitigate
☐ 9. Appropriate assessment complete, adverse effect on site integrity

Summary of findings

Appropriate Assessment Outcome: The appropriate assessment has concluded that the design of the facility and regulatory oversight will ensure no adverse effects on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA.

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Abbreviations/Glossary

AESI	Adverse effect on site integrity	NIW	Northern Ireland Water
DfI	Department of Infrastructure	PAD	Pre-application discussion
EIA	Environmental Impact Assessment	RLB	Red line boundary
HRA	Habitats Regulations Assessment	SAC	Special Area of Conservation
LSE	Likely significant effect	SES	Shared Environmental Service
NA	Not applicable	SPA	Special Protection Area
NIEA	Northern Ireland Environment Agency	SNCB	Statutory Nature Conservation Body

Mitigation For the purposes of this report 'mitigation' includes measures to avoid, cancel or reduce effects

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STAGE ONE ASSESSMENT

Note, in light of the April 2018 ruling of the European Court of Justice Case C323/17 (People over Wind and Sweetman), a cautious approach has been taken. Stage One Assessment does consider essential features and characteristics of the project but does not consider measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the integrity of European Sites. Assessment will therefore progress to Stage Two Appropriate Assessment unless there is certainty that it can be exempted, eliminated or screened out at Stage One. Incorporated and additional measures to avoid or reduce significant adverse effects will be assessed at Stage Two Appropriate Assessment.

A. Description and potential effects of the proposal

Description		
Heading	*Short description*	*Comment*
Proposal	Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works.	This proposal seeks to develop a thermal treatment facility for the safe disposal of healthcare and hazardous waste, by the process of incineration with heat recovery and will provide a safe and sustainable solution for the treatment of these wastes. This facility will receive and treat the following wastes streams: ▪ Healthcare; waste from hospitals, surgeries, clinics, dentists, veterinary practices and pharmacies. ▪ Community healthcare facilities; residential care homes, day centres and care in the community practices. ▪ Hazardous waste producers; industrial and commercial waste producers that hazardous waste contractors currently export for disposal and recovery to other countries. ▪ Travel Industry; waste from ships and planes to control imported waste materials. ▪ Government Controlled Wastes; specialist waste disposal from Government laboratory facilities and for the destruction of confidential goods such as alcohol drugs and tobacco for HMRC.
Location	1 and 2 Duncrue Pass Belfast BT3 9BS.	
Type of Development	Waste Management	
Size and Scale	0.99 ha	P1 Form
Land-take	None in any European Site	
Resource requirements (water etc.)	Mains water supply	

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Emission (disposal to land, water or air)	Foul sewage to mains. Surface water Aerial emissions	P1 Form - Site runoff discharge to existing combined mains sewer at Duncrue Pass, through existing interceptor on site.
Excavation requirements	Will be required to accommodate some aspects related to the site redevelopment. Excavation requirements will not be major in scale.	
Transportation requirements	ES Chapter 15 Traffic and Transport - Operationally there will be a 59% reduction in the number of daily car and van arrival and departures (LGV). There will be a 75% reduction in the number of daily OGV 1 and OGV 2 larger vehicle arrival and departure trip movements, reducing from 111 existing to 28 daily arrivals and 28 daily departures proposed. This reduction will provide environmental benefit as there will be significantly fewer localised daily haul route trips to and from the site.	ES Chapter 15 Traffic and Transport - A wider environmental benefit is traffic associated with up to 20,000 tonnes of clinical waste currently travelling to GB each year by boat can be processed locally, including extracting energy from waste. Assuming a 5-day week and 50 working weeks per year, 28 HGV arrivals and departures equates to 7,000 HGV departing trips and 7000 HGV arriving trips to/from GB that will not be needed.
Duration	Not specified	
Frequency	Not specified	
Timing	Not specified	
Other		
Considerations for Assessment		
Are sea defences proposed/required?	☐ Yes ☒ No	
Will there be in river/sea works?	☐ Yes ☒ No	
Is piling required?	☒ Yes ☐ No ☐ Not applicable	PRA&GQRA, 4.6.4 Updated Conceptual Site Model (ES Appendix 8.1) Table 18 indicates that the engineered design is likely to include piled foundations. The piling will involve limited interaction with groundwater. No risk has been identified to designated sites from contaminated groundwater and/or leachate given the following rational *'limited hydraulic continuity with designated sites given distance from development site'.*

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		No viable pathway has been identified for piled foundations to negatively impact qualifying feature of any European site.
Is site within a flood plain?	☐ Yes ☒ No	ArcMaps flood layers checked. DfI Rivers response dated 13/02/2023 confirms site is not in a flood plain.
Is site within 30m of Otter SAC river bank?	☐ Yes ☒ No	
Could there be contaminated land?	☐ Yes ☒ No	PRA&GQRA (ES Appendix 8.1) states: *'The proposed development is not considered to pose an impact upon the local water environment.* *It is concluded that the proposed development poses a low risk to end users and local environment. No specific remedial measures are deemed necessary for commercial end use based on details of the proposed development and site investigation findings detailed within this Report.'*
Has NIW confirmed capacity for stormwater/sewage to mains?	☒ Yes ☐ No ☐ Not applicable	NIW response 28/02/2023 confirms approval for foul sewage discharge and available capacity at the receiving WwTW.
Potential Effects		
Development Phase	*Type*	*Comment*
Pre-construction	Not applicable	
Construction	4. Marine Impact - Indirect Choose an item. Choose an item.	Potential for construction discharges of silt/sediment; release of toxic contaminates from the storage/handling of waste materials; discharges from dewatering of the excavations and small-scale hydrocarbon leaks/spillage from plant entering the existing storm water sewer and negatively impacting connected European sites.
Operation	4. Marine Impact - Indirect 7d. Development - Air Pollution Choose an item.	Potential for operational discharges entering the existing storm water sewer and negatively impacting connected European sites. The nature of the proposed development will generate aerial emissions at the operational phase. Detailed air quality dispersion modelling has been undertaken to consider the predicted process contribution from the project. Further consideration is required at Stage 2 Appropriate Assessment.
Decommissioning	Not applicable	
Restoration and aftercare	Not applicable	

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Unintended events	Not applicable	
Assumptions		
Assumption/s	*Impact on potential effects*	*Comment*
The site will comply with the terms of a PPC permit.	Operation of facility will be regulated by NIEA.	Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard.
The applicant will comply with the Waste Management Licensing Regulations (Northern Ireland) 2003 and The Waste and Contaminated Land (Northern Ireland) Order 1997 (as amended).	Operation of facility will be regulated by NIEA.	Concerns the prevention, reduction and elimination of pollution of water, the prevention, reduction and elimination of pollution caused by waste, the regulation and control of the transit, import and export of waste (including waste materials).
The Air Quality Impact Assessment has been prepared by a duly competent company.	This will ensure that aerial emissions have been accurately modelled and are a true reflection of emissions generated during the operation of the proposal.	ES Chapter 14 Air Quality (inc. AQ Technical Appendix 14.1 and Technical Memorandum dated 13/09/24). Prepared by SLR Consulting Ltd, an EIA Quality Mark registered company with the Institute of Environmental Management and Assessment (IEMA). The author is a Chartered Environmentalist (CEnv), Member of the Institute of Air Quality Management (MIAQM) and Member of the Institution of Environmental Sciences (MIEnvSc).
Information gaps		
Information gap	*Pathway/Receptor*	*Comment*
None		

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B. Overview of sites potentially affected

Site Selection				
Proposal type				**Site/s potentially affected**
Ammonia livestock emitting project?	☐ Yes ☒ No	If yes is development within 7.5km of European site?	☐ Yes ☐ No	Select Site Select Site Select Site Select Site
Wind turbine/s	☐ Yes ☒ No	If yes is it within NIEA consultation zone for a European site?	☐ Yes ☐ No	Select Site Select Site Select Site
All developments – is it hydrologically connected to a European site?	☒ Yes ☐ No	If yes could it have a conceivable impact on any European site?	☐ Yes ☐ No	Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (Northern Ireland) Marine Proposed SPA
Could project increase disturbance to site selection features?	☐ Yes ☒ No	If yes detail:		Select Site Select Site Select Site
Any other potential impacts on European sites?	☒ Yes ☐ No	If yes detail: Potential for aerial deposition from atmospheric pollutants.		Belfast Lough Open Water SPA Belfast Lough Ramsar Belfast Lough SPA East Coast (Northern Ireland) Marine Proposed SPA

Site name	Relative Location of proposal	Pathway	Comment
Belfast Lough Open Water SPA	c.1.5km to the north-east of the proposed development.	Aerial/Hydrological	Potential for construction discharges of silt/sediment; release of toxic contaminates from the storage/handling of waste materials; discharges from dewatering of the excavations and small-scale hydrocarbon leaks/spillage from plant entering the existing drainage network and negatively impacting connected European designated sites. Potential for operational aerial deposition of atmospheric pollutants resulting in acidification and nutrient enrichment of adjacent European designated sites.
Belfast Lough SPA/Ramsar site	c.560m to the east of the proposed development.		
East Coast (Northern Ireland) Marine Proposed SPA	c.3.6km to the north of the proposed development.		

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Sites considered but excluded from further assessment	
Site name	**Reason excluded**
North Channel SAC	Hydrological connection, SAC boundary c.15.3km north-east of the proposed development, however, due to distance to this site and magnitude of hydrological dilution/dispersion there can be no conceivable effects on associated mobile features. Atmospheric deposition is not likely to impact the qualifying feature.
The Maidens SAC	Hydrological connection, SAC boundary c.37km north of the proposed development, however, due to distance to this site and magnitude of hydrological dilution/dispersion there can be no conceivable effects on associated mobile features. Atmospheric deposition is not likely to impact the qualifying feature.

C. Outcome Stage One

Proposal exempt	
Is the entire project directly connected with or necessary to the management of all the European site(s) potentially affected and listed above?	☐ Yes – project exempt ☒ No – further consideration
If 'Yes' justify	Click here to enter text.
Proposal eliminated	
Can any conceivable effect on any European site be objectively ruled out?	☐ Yes – project eliminated ☒ No – further consideration
If 'Yes' justify why eliminated	Click here to enter text.
Likely Significant Effect	
Considering the project as proposed, and in the absence of any incorporated or additional measures to avoid, cancel or reduce the effects on a European site, could there be a likely significant effect (LSE) on one or more site selection features of any site?	☐ No – assessment completed ☒ Yes – Progress to Stage Two Appropriate Assessment
If 'No' justify why no LSE	Click here to enter text.

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STAGE TWO APPROPRIATE ASSESSMENT

This appropriate assessment further assesses effects on European sites and features and takes account of the evidence listed in the final section 'Evidence Used to Inform Assessment'.

D. Scoping Appropriate Assessment

Sites and Features which will be further assessed			
Site	**Feature/s**	**Development Phases**	**Potential Impacts**
Belfast Lough Open Water SPA	All features	Construction and Operation	Potential for construction discharges of silt/sediment; release of toxic contaminates from the storage/handling of waste materials; discharges from dewatering of the excavations and small-scale hydrocarbon leaks/spillage from plant entering the existing drainage network and negatively impacting connected European designated sites. Potential for operational aerial deposition of atmospheric pollutants resulting in acidification and nutrient enrichment of adjacent European designated sites.
Belfast Lough SPA/Ramsar site			
East Coast (Northern Ireland) Marine Proposed SPA			

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E. Assessment of Mitigation Measures

Detail of mitigation measures included in proposal
Environmental Statement - 10.8 Implementation of Mitigation Measures Mitigation measures to reduce or eliminate impacts on ecological receptors are, for the most part, integral to the operations required to carry out demolition of existing buildings, site preparation and construction of the incinerator facility. Mitigation of atmospheric emissions are inherent to the design of the flue gas treatment and continuous environmental monitoring equipment that will be installed as part of the plant. Mitigation measures that reduce or eliminates impacts on ecological receptors during operation of the incinerator are integral to the operation and function of the new facility. The measures included in the proposal are required or are already existing under the proactive regulatory oversight in place for this type of waste facilities which are discussed in more detail in Section F - Assessment of Sites and Features.

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F. Assessment of Sites and Features

Belfast Lough Ramsar		**Pathway/s:** Hydrological/Aerial		
Overall Objective		Not published - assumed to be to maintain or enhance the population of the qualifying species, to maintain or enhance the distribution, extent, structure, function and supporting processes of the qualifying habitats.		
Criterion	**Qualifying Feature**	**Construction**	**Operation**	**Other**
6	Common redshank , *Tringa totanus tetanus* Black-tailed godwit , *Limosa limosa islandica*	**Potential impacts**		
		The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat. <u>Water Quality</u> There are no known waterways in the immediate vicinity of the site, and direct discharge of site waters during construction is therefore unlikely. Surface water from the site during construction of the site will be discharged to the existing combined sewer drainage system. The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area.	The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat. <u>Water Quality</u> This type of operational activity involves waste products that could pose a risk to the aquatic environment over a long period if not appropriately managed. Supporting information details the design of the facility with features which are integral to this type of development. All waste delivered to the site will be treated indoors and will be isolated from groundwater by the concrete platform construction of the facility. There will be no contact between waste liquids and any watercourse. It is stated in the ES, *'During the operational phase there may be an increased risk of pollution to water resources due to the use of temporary fuel storage containers and increased plant and equipment that will be used in the construction activity. Sensitivity of the controlled waters in the vicinity is low, given there is no direct connection to the Premier Drive Stream other than through the combined foul and storm water sewage network. The existing site has 3 no. oil interceptors installed, which will remain in place during the construction activity. This will limit the potential risk to stormwater from the accidental release of fuels*	NA

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		Summary The existing site drainage infrastructure in place as required under the proactive regulatory oversight of the facility will ensure no adverse effect to the integrity of any European site from the construction phase of the proposal.	*and chemicals. They will also serve to detain silt arising from rainfall run off on the hard standing yard areas.'* The site has a trade effluent discharge consent ref. TE340220 for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. If permission is granted for this application, a new discharge consent or a review of the existing discharge consent will be required. The site will operate under a Waste Management Licence. A Waste Management Licence ref. LN/18/01 is currently in place. NIEA are responsible for granting waste licences, setting conditions on licensing activities and monitoring sites to ensure compliance with licence conditions. The site will be subject to the conditions of this licence which will confirm the types of waste that can be accepted and agree a working plan to include a management system detailing the operation, control, monitoring, and maintenance of all specified waste management operations. If permission is granted for this application, a new waste authorisation or a review of the existing waste authorisation will be required. Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated	

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			Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard. <u>Aerial Emissions</u> The waste incineration process will result in the production of waste gases, which will be directed to the facility gas-cleaning equipment to reduce emissions to air. Acidic gases derived from chlorine and sulphur compounds present in the incinerated waste have the potential to have effects on vegetation, habitats, receiving waters and aquatic organisms. Proposed gas-cleaning equipment neutralises acidic gases and filters out particulate matter and adsorbing heavy metals, dioxins and furans to prevent these from being emitted to atmosphere. Equipment will conform with the most stringent environmental limits set out in the 2019 BREF document (Chapter 2). A Continuous Emissions Monitoring System will continuously monitor flue gas contaminants prior to flue gas discharge to air via a stack (at this site 36m in height). Dispersion of treated flue gases is likely to result in no discernible effect on semi-natural habitats, fauna or ecological features of protected sites. The clean air emissions system and the Combined Heat and Power Plant will be installed internally into the Building 2 and a new flue will be added. Flue Gas Treatment will include dry reagent dosing and filtration to achieve emissions limits in line with requirements. A Continuous Emissions Monitoring System will be installed to continuously monitor flue gas contaminant concentrations for reporting to the NIEA. Flue gas will be exhausted via a stack of up to	

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			approximately 30m in height. Measures to address atmopspheric emissions are inherent to the design of the flue gas treatment and continuous environmental monitoring equipment that will be installed as part of the plant. NIEA have advised Planning Authorities of an interim assessment approach based on the concepts detailed within the Decision-Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC Report No. 696). This recommends thresholds based on the best available scientific information and modelling. ES Chapter 14 Air Quality, AQ Technical Appendix 14.1 and Technical Memorandum (TM) 13/09/24 provide details of air dispersion modelling results at European sites in the vicinity of the proposal. Table 1 of the TM confirms the maximum NH_3 process contribution from the proposal at this site to be 0.0151 µg/m^3. This equates to 0.517 % of the sites assigned Critical Level (CLe) 3 and exceeds the Decision-Making Threshold (DMT) of 0.08%. Where the DMT is exceeded a Site Relevant Threshold (SRT) can be applied. The SRT represents a simple refinement to the Universal DMT made on the basis of development pressure. Annex 1 of NIEA consultation response 17/10/24 provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition. NED 17/10/24 advise that… *'the PCs do not exceed the Site Relevant Threshold (SRT) for NH3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance*	

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			threshold (ToLS) for CLs when considered in-combination with other plans/projects. *The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast lough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration.'* *…for each of these sites the Process Contributions (PC's) meet the thresholds within the advisory framework. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.'* <u>Summary</u> The maximum process contributions from the facility do not exceed the advisory thresholds set by NIEA. Measures and features inherent to the design of the facility are required under the proactive regulatory oversight in place as part of the sites operational procedures and will ensure no adverse effect to the integrity of any European site from operational aspects of the proposal in light of the conservation objectives.	
		Impact of mitigation on potential effects		
		NA	NA	NA
		Residual Impacts		
		No AESI	No AESI	NA

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Belfast Lough SPA			**Pathway/s:** Hydrological/Aerial		
Overall Objective		To maintain each feature in favourable condition			
Feature	**Status**	**Feature Objective**	**Construction**	**Operation**	**Other**
Qualifying Feature	Cited feature	To maintain or enhance the population of the qualifying species. To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and to ensure that the following are maintained in the long term: • Population of the species as a viable component of the site; • Distribution of the species within site; • Distribution and extent of habitats supporting the species; • Structure, function and supporting processes of habitats supporting the Species.	**Potential impacts**		
Redshank wintering population			The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat. <u>Water Quality</u> There are no known waterways in the immediate vicinity of the site, and direct discharge of site waters during construction is therefore unlikely. Surface water from the site during construction of the site will be discharged to the existing combined sewer drainage system. The site has a <u>trade effluent discharge consent ref. TE340220</u> for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. <u>Summary</u>	The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat. <u>Water Quality</u> This type of operational activity involves waste products that could pose a risk to the aquatic environment over a long period if not appropriately managed. Supporting information details the design of the facility with features which are integral to this type of development. All waste delivered to the site will be treated indoors and will be isolated from groundwater by the concrete platform construction of the facility. There will be no contact between waste liquids and any watercourse. It is stated in the ES, *'During the operational phase there may be an increased risk of pollution to water resources due to the use of temporary fuel storage containers and increased plant and equipment that will be used in the construction activity. Sensitivity of the controlled waters in the vicinity is low, given there is no direct connection to the Premier Drive Stream other than through the combined foul and storm water sewage network. The existing site has 3 no. oil interceptors installed, which will remain in place during the construction activity. This will limit the potential risk to stormwater from the accidental release of fuels and chemicals. They will also serve to detain silt arising from rainfall run off on the hard standing yard areas.'*	NA

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			The existing site drainage infrastructure in place as required under the proactive regulatory oversight of the facility will ensure no adverse effect to the integrity of any European site from the construction phase of the proposal.	The site has a trade effluent discharge consent ref. TE340220 for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. If permission is granted for this application, a new discharge consent or a review of the existing discharge consent will be required. The site will operate under a Waste Management Licence. A Waste Management Licence ref. LN/18/01 is currently in place. NIEA are responsible for granting waste licences, setting conditions on licensing activities and monitoring sites to ensure compliance with licence conditions. The site will be subject to the conditions of this licence which will confirm the types of waste that can be accepted and agree a working plan to include a management system detailing the operation, control, monitoring, and maintenance of all specified waste management operations. If permission is granted for this application, a new waste authorisation or a review of the existing waste authorisation will be required. Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended)	

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				applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard. <u>Aerial Emissions</u> The waste incineration process will result in the production of waste gases, which will be directed to the facility gas-cleaning equipment to reduce emissions to air. Acidic gases derived from chlorine and sulphur compounds present in the incinerated waste have the potential to have effects on vegetation, habitats, receiving waters and aquatic organisms. Proposed gas-cleaning equipment neutralises acidic gases and filters out particulate matter and adsorbing heavy metals, dioxins and furans to prevent these from being emitted to atmosphere. Equipment will conform with the most stringent environmental limits set out in the 2019 BREF document (Chapter 2). A Continuous Emissions Monitoring System will continuously monitor flue gas contaminants prior to flue gas discharge to air via a stack (at this site 36m in height). Dispersion of treated flue gases is likely to result in no discernible effect on semi-natural habitats, fauna or ecological features of protected sites. The clean air emissions system and the Combined Heat and Power Plant will be installed internally into the Building 2 and a new flue will be added. Flue Gas Treatment will include dry reagent dosing and filtration to achieve emissions limits in line with requirements. A Continuous Emissions Monitoring System will be installed to continuously monitor flue gas contaminant concentrations for reporting to the NIEA. Flue gas will be exhausted via a stack of up to approximately 30m in height. Measures to address atmopspheric emissions are inherent to the design of the flue gas treatment and continuous environmental	

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				monitoring equipment that will be installed as part of the plant. NIEA have advised Planning Authorities of an interim assessment approach based on the concepts detailed within the Decision-Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC Report No. 696). This recommends thresholds based on the best available scientific information and modelling. ES Chapter 14 Air Quality, AQ Technical Appendix 14.1 and Technical Memorandum (TM) 13/09/24 provide details of air dispersion modelling results at European sites in the vicinity of the proposal. Table 1 of the TM confirms the maximum NH_3 process contribution from the proposal at this site to be 0.0151 µg/m^3. This equates to 0.517 % of the sites assigned Critical Level (CLe) 3 and exceeds the Decision-Making Threshold (DMT) of 0.08%. Where the DMT is exceeded a Site Relevant Threshold (SRT) can be applied. The SRT represents a simple refinement to the Universal DMT made on the basis of development pressure. Annex 1 of NIEA consultation response 17/10/24 provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition. NED 17/10/24 advise that… *'the PCs do not exceed the Site Relevant Threshold (SRT) for NH3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects.* *The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast*	

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				lough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration.' *…for each of these sites the Process Contributions (PC's) meet the thresholds within the advisory framework. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.'* <u>Summary</u> The maximum process contributions from the facility do not exceed the advisory thresholds set by NIEA. Measures and features inherent to the design of the facility are required under the proactive regulatory oversight in place as part of the sites operational procedures and will ensure no adverse effect to the integrity of any European site from operational aspects of the proposal in light of the conservation objectives.	
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			**Residual Impacts**		
Unfavourable			No AESI	No AESI	NA
Qualifying Feature	Cited feature		**Potential impacts**		
Common tern & Arctic tern Breeding population					NA
			Impact of mitigation on potential effects		
			NA	NA	NA

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Condition Assessment			**Residual Impacts**		
Favourable			No AESI	No AESI	NA
Qualifying Feature	Cited feature		**Potential impacts**		
Bar-tailed godwit (not breeding)					NA
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			**Residual Impacts**		
Favourable			No AESI	No AESI	NA
Qualifying Feature	Cited feature		**Potential impacts**		
Black tailed godwit					NA
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			**Residual Impacts**		
Favourable			No AESI	No AESI	NA

East Coast (Northern Ireland) Marine pSPA (Includes Belfast Lough Open Water SPA)			**Pathway/s:** Hydrological/Aerial		
Overall Objective		To maintain each feature in favourable condition			
Feature	**Status**	**Feature Objective**	**Construction**	**Operation**	**Other**
Qualifying Feature		To maintain or enhance the population of the qualifying species. To maintain or enhance the range of habitats utilised by the qualifying species. To ensure that the integrity of the site is maintained; To ensure there is no significant disturbance of the species and to ensure	**Potential impacts**		
Wintering populations of Great Crested Grebe, Red-throated Diver, Eider Duck			The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat.	The location of the site within a heavily built-up commercial/industrial area restricts the potential for it to support significant populations of qualifying features or supporting habitat. Water Quality	NA

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		that the following are maintained in the long term: • Population of the species as a viable component of the site; • Distribution of the species within site; • Distribution and extent of habitats supporting the species; • Structure, function and supporting processes of habitats supporting the Species.	Water Quality There are no known waterways in the immediate vicinity of the site, and direct discharge of site waters during construction is therefore unlikely. Surface water from the site during construction of the site will be discharged to the existing combined sewer drainage system. The site has a trade effluent discharge consent ref. TE340220 for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. Summary The existing site drainage infrastructure in place as required under the proactive regulatory oversight of the facility will ensure no adverse effect to the integrity of any European site from the construction phase of the proposal.	This type of operational activity involves waste products that could pose a risk to the aquatic environment over a long period if not appropriately managed. Supporting information details the design of the facility with features which are inherent to this type of development. All waste delivered to the site will be treated indoors and will be isolated from groundwater by the concrete platform construction of the facility. There will be no contact between waste liquids and any watercourse. It is stated in the ES, *'During the operational phase there may be an increased risk of pollution to water resources due to the use of temporary fuel storage containers and increased plant and equipment that will be used in the construction activity. Sensitivity of the controlled waters in the vicinity is low, given there is no direct connection to the Premier Drive Stream other than through the combined foul and storm water sewage network. The existing site has 3 no. oil interceptors installed, which will remain in place during the construction activity. This will limit the potential risk to stormwater from the accidental release of fuels and chemicals. They will also serve to detain silt arising from rainfall run off on the hard standing yard areas.'* The site has a trade effluent discharge consent ref. TE340220 for discharge of trade effluent to foul sewer. A second connection found in the Speedy Hire yard discharges mainly stormwater and the domestic sewage from the staff toilet and kitchen. There are 3 interceptors within these two drainage systems. The site discharges rainwater from the site to a combined foul	

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				and stormwater system that ultimately drains to the Dargan WwTW. The Premier Drive Stream provides drainage for stormwater for most of this part of the Duncrue industrial area. If permission is granted for this application, a new discharge consent or a review of the existing discharge consent will be required. The site will operate under a Waste Management Licence. A Waste Management Licence ref. LN/18/01 is currently in place. NIEA are responsible for granting waste licences, setting conditions on licensing activities and monitoring sites to ensure compliance with licence conditions. The site will be subject to the conditions of this licence which will confirm the types of waste that can be accepted and agree a working plan to include a management system detailing the operation, control, monitoring, and maintenance of all specified waste management operations. If permission is granted for this application, a new waste authorisation or a review of the existing waste authorisation will be required. Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration.	

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				Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard. <u>Aerial Emissions</u> The waste incineration process will result in the production of waste gases, which will be directed to the facility gas-cleaning equipment to reduce emissions to air. Acidic gases derived from chlorine and sulphur compounds present in the incinerated waste have the potential to have effects on vegetation, habitats, receiving waters and aquatic organisms. Proposed gas-cleaning equipment neutralises acidic gases and filters out particulate matter and adsorbing heavy metals, dioxins and furans to prevent these from being emitted to atmosphere. Equipment will conform with the most stringent environmental limits set out in the 2019 BREF document (Chapter 2). A Continuous Emissions Monitoring System will continuously monitor flue gas contaminants prior to flue gas discharge to air via a stack (at this site 36m in height). Dispersion of treated flue gases is likely to result in no discernible effect on semi-natural habitats, fauna or ecological features of protected sites. The clean air emissions system and the Combined Heat and Power Plant will be installed internally into the Building 2 and a new flue will be added. Flue Gas Treatment will include dry reagent dosing and filtration	

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				to achieve emissions limits in line with requirements. A Continuous Emissions Monitoring System will be installed to continuously monitor flue gas contaminant concentrations for reporting to the NIEA. Flue gas will be exhausted via a stack of up to approximately 30m in height. Measures to address atmopspheric emissions are inherent to the design of the flue gas treatment and continuous environmental monitoring equipment that will be installed as part of the plant. NIEA have advised Planning Authorities of an interim assessment approach based on the concepts detailed within the Decision-Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC Report No. 696). This recommends thresholds based on the best available scientific information and modelling. ES Chapter 14 Air Quality, AQ Technical Appendix 14.1 and Technical Memorandum (TM) 13/09/24 provide details of air dispersion modelling results at European sites in the vicinity of the proposal. Table 1 of the TM confirms the maximum NH_3 process contribution from the proposal at this site to be 0.0135 µg/m^3. This equates to 0.45 % of the sites assigned Critical Level (CLe) 3 and exceeds the Decision-Making Threshold (DMT) of 0.08%. Where the DMT is exceeded a Site Relevant Threshold (SRT) can be applied. The SRT represents a simple refinement to the Universal DMT made on the basis of development pressure. Annex 1 of NIEA consultation response 17/10/24 provides the results of the Air	

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				Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition. NED 17/10/24 advise that… *'the PCs do not exceed the Site Relevant Threshold (SRT) for NH3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects.* *The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast lough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration.'* *…for each of these sites the Process Contributions (PC's) meet the thresholds within the advisory framework. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal.'* <u>Summary</u> The maximum process contributions from the facility do not exceed the advisory thresholds set by NIEA.	

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				Measures and features inherent to the design of the facility are required under the proactive regulatory oversight in place as part of the sites operational procedures and will ensure no adverse effect to the integrity of any European site from operational aspects of the proposal in light of the conservation objectives.	
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			**Residual Impacts**		
Not assessed to date. (Great Crested Grebe wintering population, unfavourable in Belfast Lough Open Water SPA).			No AESI	No AESI	NA
Qualifying Feature			**Potential impacts**		
Breeding populations of Sandwich Tern, Common Tern, Arctic Tern, Manx Shearwater.			As above	As above	NA
			Impact of mitigation on potential effects		
			NA	NA	NA
Condition Assessment			**Residual Impacts**		
			No AESI	No AESI	NA

G. Assessment of In Combination Effects

Are there any residual insignificant effects on site integrity?	☒ No ☐ Yes	**Comment:** The proposed development has no residual significant or insignificant effects which could contribute to cumulative effects. Therefore, an in-combination assessment is not required.

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H. Outcome of Appropriate Assessment

Site	Residual effect following application of mitigation measures?	Comment
Belfast Lough Open Water SPA Belfast Lough SPA/Ramsar site East Coast (Northern Ireland) Marine Proposed SPA	☒ No adverse effect on site integrity	Regulatory oversight will ensure site integrity of adjacent European sites are not impacted by the proposed development.

Taking account of the assessment above, including any incorporated and additional mitigation measures, could there be an adverse effect on site integrity for any site from the proposal alone or in combination with other projects or plans?	☒ No AESI – summarise outcome and record any conditions required to ensure mitigation is implemented ☐ Yes AESI – detail here.
Recommendation	The appropriate assessment has concluded that the design of the facility and regulatory oversight will ensure no adverse effects on site integrity of Belfast Lough Open Water SPA, Belfast Lough SPA/Ramsar site and East Coast (Northern Ireland) Marine Proposed SPA.
Conditions to ensure mitigation is implemented	
Are any conditions required to ensure that the proposal and mitigation measures are adhered to?	☐ Yes – complete next section and add condition/s ☒No – assessment complete

EVIDENCE USED TO INFORM ASSESSMENT

Title	Date	Source	Comment
Application Documents	29/11/2024	NI Planning Portal	
Conservation Objectives	29/11/2024	NIEA Website	
ArcView Spatial Information	29/11/2024	Spatial NI and NIEA	
Representations	29/11/2024	NI Planning Portal	1 representation received to date – neutral.
Information gap/s		**What is the impact of these?**	
None			
Uncertainties		**What is the impact of these?**	
None			

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Consultation with Statutory Nature Conservation Body (SNCB)	
Was the SNCB consulted?	☒ Yes – provide date and advice below ☐ Not necessary as Stage One found appropriate assessment not required
Date	**Advice**
13/03/2023	**M&F** Shellfish Waters The application site is in close proximity to Belfast Lough, which is a Shellfish Water Protected Area under the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017. The Shellfish Water Protected Area contains commercial shellfish harvesting areas which must meet stringent bacteriological and chemical standards laid down in the Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015 and the Food Hygiene Regulations (EU 2017/625). This must be taken into consideration when assessing any plan/project adjacent to a Shellfish Water Protected Area. MAT MAT would draw attention to the Guidance for Pollution Prevention (GPP) documents available on NetRegs and DAERA standing advice. These include GPP5 "Working and Maintenance In or Near Water" and GPP 21 "Pollution Incident Response Planning". **WMU** Has considered the impacts of the proposal on the water environment and would advise the proposal has the potential to adversely affect the surface water environment. Conditions: Should this application be approved Water Management Unit recommend the following condition is inserted in any decision notice. Condition: No development should take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999. Reason: This condition is both to ensure protection to the aquatic environment and to help the applicant avoid incurring unnecessary expense before it can be ascertained that a feasible method of sewage disposal is available. The applicant should note this also includes the purchase of any waste water treatment system. In addition the recommended conditions and informatives as set out in DAERA Standing Advice Industrial and Commercial Developments are appropriate for this development. All DAERA Standing advice referred to in this response unless otherwise stated can be found at the following link www.daera-ni.gov.uk/water-environment-standingadvice Explanatory Note: If NIW advise the NI Planning Case Officer that they are content that both the Belfast Waste Water Treatment Works (WWTW) and the associated sewer network for this development can 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 Unit has no objection to this aspect of the proposal. If NIW advise it is not possible to connect the proposed development then alternative arrangements will be required and a Discharge Consent issued under the terms of the Water (NI) Order 1999 will be required for the discharge of sewage effluent from the proposed development. The applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice Industrial and Commercial Developments. The applicant must refer and adhere to the relevant precepts contained in DAERA Standing Advice Pollution Prevention Guidance. The applicant should note discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required for site drainage during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The

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	applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice Discharges to the Water Environment. **RU** An Environmental Statement has been provided in support of this planning application. Chapter 8 of which summarises the land contamination issues however Appendix 8.1 which contains the necessary risk assessments (PRA & GQRA) has not been provided for this consultation. Regulation Unit Land and Groundwater Team have not been provided with sufficient information to advise the Planning Authority as to the environmental risks from this development. **IPRI** IPRI has previously commented on the related planning application, LA04/2021/2233/PAD, for the site and has stated that the applicant will require a PPC permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013.
18/04/2023	**RU** A Preliminary and Generic Quantitative Risk Assessment (PRA & GQRA) report has been provided by AMC Environmental in support of this planning application. The GQRA is informed by site investigations and environmental monitoring data. No unacceptable risks to environmental receptors have been identified for the development. There are potential risks through the creation of pathways via piling. Regulation Unit Land and Groundwater Team have no objections to the development provided conditions and informatives are placed on any Planning Decision Notice as recommended. Conditions Wording for proposed Conditions concerning the management of land contamination are provided below and should you wish to discuss or have further clarity then do not hesitate to get in touch with the Land and Groundwater Team in Regulation Unit. In addition to imposing planning Conditions to address contamination and its risks, it is essential to ensure that these planning Conditions are complied with and discharged. 1. 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.environm ent-agency.gov.uk/scho0501bitt-e-e.pdf. Reason: Protection of environmental receptors to ensure the site is suitable for use. 2. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use.

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	3. After completing the remediation works under Condition 1; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed Regulation Unit by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use. 4. Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 2 will apply. Reason: Protection of environmental receptors to ensure the site is suitable for use.
07/08/2023	**NED** Considered the impacts of the proposal and on the basis of the information provided requires further information to be able to determine whether the proposal would have a likely significant effect on a protected site. NED has considered the relevant documents and drawings to date (14/07/2023) uploaded to NIPP for the proposed development regarding proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. The proposed development is located approximately 560m from the nearest point of Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar, 1.34km from Belfast Lough Open Water SPA, 4km S/4.7km SW from Outer Belfast Lough ASSI, 6.8km from Belvoir ASSI and 6.9km from Craigantlet Woods ASSI. The proposed development has a tenuous hydrological connection to Inner Belfast Lough and Belfast Lough SPA/Ramsar (approximately 600m downstream) Belfast Lough Open Water SPA (approximately 1.7km downstream) and Outer Belfast Lough ASSI (approximately 4.8km downstream) via a watercourse located approximately 150m NE of the site. Inner Belfast Lough ASSI is designated for its invertebrate assemblage and for supporting a variety of overwintering bird species. Belfast Lough SPA is designated for supporting several breeding and overwintering bird species. Belfast Lough qualifies under criterion 3c of the Ramsar Convention by regularly supporting internationally important numbers of redshank in winter. Outer Belfast Lough ASSI is designated for Carboniferous, Ordovician and Permian stratigraphy, its terrestrial habitat (maritime cliff and slopes) and for supporting a variety of breeding and overwintering bird species. Belfast Lough Open Water SPA is designated for supporting Great Crested Grebe in winter. Belvoir ASSI is designated for its terrestrial habitat (wood pasture and parkland) and for its invertebrate assemblage. Craigantlet Woods ASSI is designated for its terrestrial habitat (mixed ashwoods). NED note from the P1 Form (date stamped, 26/09/2022) that both surface water and foul sewage will be discharged via the existing combined mains sewer with an existing interceptor for surface water. Due to surface water and foul sewage being disposed of via mains, pollution of the watercourse approximately 150m NE of the site is unlikely and, when taking into account the dilution factor of Belfast Lough, the potential impacts of surface water from the development on the nearby designated sites is considered unlikely. NED note from DfI Flood Maps NI that a significant portion of the site is within the 1 in 100-year pluvial floodplain. Although, the

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	proposed development is to be constructed upon existing hardstanding and will utilise the existing drainage infrastructure and hydrocarbon interceptor. Therefore, the development should not increase the risk of flooding on site. NED refer to the DfI Rivers response regarding the development (dated, 13/02/2023). NED acknowledge the Environmental Statement (dated, 23/09/2022) and welcome the mitigation proposed throughout. However, NED note that ES refers to a Biodiversity Checklist/Survey (Appendix 10.2) and a shadow Habitats Regulations Assessment (Appendix 10.3) although these documents were not made available for NED to review. NED consider these documents should contain useful ecological information along with proposed mitigation measures for the site and therefore should be submitted for review. NED note chapter 14 of the ES (Air Quality) and Appendix 14.1 (Air Quality Technical Appendix, dated, July 2022) the only emissions considered for air dispersion modelling were those from the stack associated with the Combined Heat and Power plant. NED require specification on the wattages of the incinerator and the CHP and clarification that the emissions from the stack are the combined emissions from the incinerator and the CHP. NED refer to RU Land and Groundwater Team's response (dated, 18/04/2023) for comments regarding the PRA and GQRA. NED refer to Marine and Fisheries Division's response (dated, 13/03/2023) for comments on Shellfish Waters. NED refer to NI Water's consultation response (dated, 28/02/2023) stating that there is available capacity at Belfast WwTW to serve the proposal. NED recommends that further information is submitted so that a full assessment of the proposal and any potential adverse impacts on the designated sites can be undertaken. Further Information NED considers the following information should be submitted: 1. NED request that the Biodiversity Checklist/Survey (Appendix 10.2) and the shadow Habitats Regulations Assessment (Appendix 10.3) should be submitted for review. 2. NED require clarification on the wattages of the incinerator and the CHP and clarification that the emissions from the stack are the combined emissions from the incinerator and the CHP.
04/10/2023	**NED** NED has considered the impacts of the proposal and on the basis of the information provided is content with the proposal. Considerations The application site is in close proximity and hydrologically linked to the following national, European and international designated sites: • Belfast Lough Ramsar, which is designated under the Convention on Wetlands of International Importance, Ramsar 2.2.1971 (as amended); • Belfast Lough SPA and Belfast Lough Open Water SPA, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); • Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belvoir ASSI and Craigantlet Woods ASSI, which are declared under the Environment Order (Northern Ireland) 2002. In accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority should ensure an assessment is carried out to determine if the proposal, either alone or in combination, is likely to have a significant effect on a European site and the qualifying features, in line with the site conservation objectives. NIEA Natural Environment Division (NED) acknowledges receipt of the following document(s); • NI Biodiversity Checklist dated 22/05/2022. • Shadow Habitat Regulations Assessment, uploaded to the NIPP 11/08/2023. NED has considered the impacts of

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	the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns. NED has considered the relevant documents and drawings to date (29/09/2023) uploaded to NIPP for the proposed development: proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. NED acknowledge the Biodiversity Checklist (dated 22/05/2022), shadow Habitat Regulations Assessment (date uploaded, 11/08/2023) and the wattage information letter (date received, 14/08/2023). NED note that incorrect % Process Contributions (PC) have been provided for NH3 for ER1 and ER2 (the Designated sites) in Table 14.25 of the Environmental Statement (dated, 23/09/2022). NED advise these values should be 0.33% for both ER1 and ER2 based on a Critical Level (CLe) of 3μg/m3 for NH3. However, NED note that the % PCs are <1% of the CLes for both NOx and NH3 for the designated sites, therefore the proposal is in line with DAERA'S current Operational Protocol. Other Natural Heritage Concerns NED acknowledges that the proposed development is located within an existing and operational industrial unit. Apart from the possibility of some nesting birds, NED is content that site is unlikely to support any other protected species or contain any other priority habitats. NED has no further comment to make in relation to protected/priority species or habitats not already addressed under the designated sites. Informative This facility will require a PPC permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013. The applicant's attention is drawn to the following links, for DAERA's standing advice on protection of the terrestrial and water environment and the NetRegs Guidance for Pollution Prevention (GPP) documents: • https://www.daera-ni.gov.uk/articles/standing-advice-0 • https://www.netregs.org.uk/environmental-topics/guidance-for-pollutionprevention-gpp-documents/
IPRI provided a response directly to SES via email dated 28/11/2023.	**IPRI** Prior to operation the site will also require a PPC Permit regulated by NIEA IPRI. Emissions from the site will be regulated under the Implementing Decision 2019/2020 'Establishing the best available techniques (BAT) conclusions, under directive 2010/75/EU of the European Parliament and of the Council, for Waste incineration'. Implementing Decision 2019/2020 references Best Available Techniques Associated Emission Limits (BAT-AEL) as contained within the Bat Reference Document (BREF) for Waste Incineration. Regulation 43 of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) applies to any permit application/variation and requires that the competent authority "shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of any European Site". IPRI is the competent authority in this regard.
31/05/2024	**IPRI** IPRI has previously commented on the related planning application, LA04/2021/2233/PAD, for this proposal and has stated that the applicant will require a PPC permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013 and will need to apply for such, prior to commencement of operation. **NED** Following the Call for Evidence on the 'Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment' (2023), an interim assessment approach has been developed. This approach will be utilised by NIEA until a new assessment procedure is in place.

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Page 177	This interim approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).1 This recommends thresholds based on the best available scientific information and modelling. NED advises there is insufficient information for NED to provide a substantive response to the consultation, and for the competent authority to undertake a robust Habitats Regulations Assessment. Considerations The application site is adjacent/in close proximity/hydrologically linked to the following National, European and International designated site/s: • Belfast Lough Ramsar, which is designated under the Convention on Wetlands of International Importance, Ramsar 2.2.1971 (as amended). • Belfast Lough SPA and Belfast Lough Open Water SPA, which are designated under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). • Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belvoir ASSI, Bellevue ASSI and Craigantlet Woods ASSI, which are declared under the Environment Order (Northern Ireland) 2002. In accordance with the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority should ensure an assessment is carried out to determine if the proposal, either alone or in combination, is likely to have a significant effect on a European site and the qualifying features, in line with the site conservation objectives. NIEA Natural Environment Division (NED) has concerns with this proposal and considers that, in the absence of further information and/or amendments, the proposal would be contrary to the Habitats Regulations. Designated Site Considerations In line with DAERA's interim advisory framework, NED will consider and provide advice on the potential impact of proposals both alone and in-combination with other relevant plans and projects on the designated site network. Insufficient information has been submitted with the application to enable NED to make a considered response. NED recommends that further information is submitted so that a full assessment of the proposal and any potential adverse impacts on the designated sites can be undertaken. NED acknowledge receipt of the chapter 14 of the ES (Air Quality) and Appendix 14.1 (Air Quality Technical Appendix, dated, July 2022) which has applied a 2 km Zone of Influence (ZoI) to ASSI's. However, as the proposal will produce ammonia (NH3) emissions, a ZoI of 7.5km must be applied to all national, European and/or internationally designated sites. NED also require clarification on the type of fuel and total thermal input capacity of the proposal. The NOx screening distance should be generated by using the Air Pollution Information System (APIS) MCP screening tool (Available: https://www.apis.ac.uk/MCPscreening-tool). Other Natural Heritage Concerns NED notes that the entirety of the site (as defined in Site Location Plan Drawing 005, dated 5 August 022) contains significant industrial infrastructure and is currently operational. Based on the site composition as well as the most recent aerial imagery available, NED is content that the application is unlikely to have any significant impact to any other natural heritage concerns outside those associated with the nearby designated site(s). Further Information

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	NED advises that the following information is supplied to enable a determination of the potential impacts on the designated sites: 1. Updated air quality impact assessment to include both nitrogen deposition (Critical Loads) and ammonia/NOx emissions (Critical Levels). This should determine the potential impacts on all designated sites within 7.5 km of the proposal. 2. Clarification on the type of fuel and total thermal input capacity of the proposal. Additional national, European and/or internationally designated sites may also require modelling depending on the Zone of Influence.
20/09/2024	**NED** Following the Call for Evidence on the 'Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment' (2023), a new assessment approach has been developed. This approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).1 This recommends thresholds based on the best available scientific information and modelling. NED advises there is insufficient information for NED to provide a substantive response to the consultation, and for the competent authority to undertake a robust Habitats Regulations Assessment. NED has considered the proposal and highlights the following as potential impacts on the designated sites; In line with DAERA's advisory framework, NED will consider and provide advice on the potential impact of proposals both alone and in combination with other relevant plans and projects on the designated site network. Insufficient information has been submitted with the application to enable NED to make a considered response. NED recommends that further information is submitted so that a full assessment of the proposal and any potential adverse impacts on the designated sites can be undertaken. NED acknowledge the Agent Cover Email (dated 16/07/2024) and the Technical Memorandum (dated 16/07/2024), addressing NED's previous response. NED acknowledge the updated screening distance and inclusion of several additional environmental receptors as a result of the clarification on the thermal capacity of the incinerator (10MWth) and the type of fuel (higher sulphurous fuel: Solid and liquid heavy fuel oil, including combustion appliances and incinerators). However, NED note that the Process Contributions (PCs) provided for Critical Levels for NH3 and NOx, in addition to Critical Loads for N Deposition, are "based upon an average of the modelled 5-year dataset". NED require that all PCs are based upon the highest yearly average of the 5-year dataset opposed to the average of the 5-year dataset. Therefore, NED request submission of the 5-year PCs for all designated sites for NH3 and NOx CLe and CL (N Deposition) to ensure the highest PCs have been used in the modelling. Further Information NED advises that the following information is supplied to enable a determination of the potential impacts on the designated sites: 1. NED request submission of the 5-year PCs for all designated sites for NH3 and NOx CLe and CL (N Deposition) to ensure the highest PCs have been used in the modelling.
	NED

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Page 179	Following the Call for Evidence on the 'Future Operational Protocol to Assess the Impacts of Air Pollution on the Natural Environment' (2023), a new assessment approach has been developed. This approach is based on the concepts detailed within the Decision Making Threshold (DMT) project, commissioned by the Joint Nature Conservation Committee (JNCC).1 This recommends thresholds based on the best available scientific information and modelling. NED have taken account of the potential risk associated with the effects from air pollution on designated sites. The Air Pollution Advisory Framework has been followed and indicates that the proposal represents a low risk to the qualifying features for which the sites have been designated. Designated Site Considerations In line with DAERA's advisory framework, NED will consider and provide advice on the potential impact of proposals both alone which are assessed against the De-minimis Threshold (DMT) and Site Relevant Threshold (SRT) and if required, in combination with other relevant plans and projects on the designated site network. The applicant has submitted a Technical Memorandum (dated 13/09/2024) which addresses NED's previous consultation response. Tables 1, 2 and 6 detail the modelled ammonia concentration, NOx concentration and nitrogen deposition, i.e. the Process Contribution (PC), from the proposal at the designated sites which are within 7.5 km of the proposal. For each of these sites the PCs do not exceed the Site Relevant Threshold (SRT) for NH3 concentration. Although the PCs for Inner Belfast Lough ASSI and Belfast Lough SPA/Ramsar exceed the SRT for Critical Load (CL), both PCs do not exceed the Test of Likely Significance threshold (ToLS) for CLs when considered in-combination with other plans/projects. Annex 1 below provides the results of the Air Pollution Decision and Advisory Framework Assessment on all sites within 7.5km of the proposal for NH3 concentration and Nitrogen Deposition. The PCs for Inner Belfast Lough ASSI, Outer Belfast Lough ASSI, Belfast Lough SPA/Ramsar and Belfast lough Open Water SPA exceed the ToLS threshold for NOx concentration on their own. However, the background NOx concentration does not exceed the NOx Critical Level (CLe) at the nearest receptor location for each of these designated sites. The Predicted Environmental Concentrations (PECs) for each of these sites were <70% and therefore meet the thresholds within the advisory framework. The rest of the designated sites have PCs which do not exceed the SRT for NOx concentration. Bellevue ASSI has been designated for its earth science features. It is considered, due to the nature of these features, that it is unlikely to be affected by nitrogen emissions from the proposal. NED note that an incorrect CLe of 3µg/m3 has been applied to Belvoir ASSI (should be 1µg/m3). NED also note that Belfast Lough SPA/Ramsar overlaps with Inner Belfast Lough ASSI at the nearest location to the proposal. NED has therefore applied the PCs for Inner Belfast Lough ASSI to Belfast Lough SPA/Ramsar. NED advises that under the Air Pollution Decision and Advisory Framework, there are no air quality concerns with the proposal. There is no significant hydrological connection to any designated site, however NED refer to the standing advice for the water environment below for consideration.

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	The Planning Authority should note that NED's response is based on the implementation of mitigation measures. It is the role of the competent authority to test the efficacy of these measures through Appropriate Assessment, as set out in the CJEU Ruling on the use of mitigation measures in HRA (Case C-323/17). The applicant is referred to standing advice to protect hydrological connections to designated sites from pollution: Standing advice for the water environment. Note, revised Standing Advice to inform the assessment of air quality impacts on the natural environment will be finalised and uploaded onto the DAERA website as soon as possible
Does the HRA outcome fully reflect this advice?	Yes, the PEC from the proposal meets the thresholds within the NIEA advisory framework.

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Development Management Report
Addendum Report 4

Application ID: LA04/2019/0081/F	**Date of Committee**: 10th December 2024
Proposal: Erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works (Amended site location plan / site layout)	**Location:** Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Application previously considered by the Committee.	
Recommendation:	Approval subject to S76 planning agreement
Applicant Name and Address: Latner 10 Developments Ltd Unit 983 Moat House 54 Bloomfield Avenue Belfast BT5 5AD	**Agent Name and Address:** TSA Planning 20 May Street Belfast BT1 4NL
Valid Date: 4th October 2024	
Target Date (15 weeks): 17th January 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	

Background

This application was first considered by the Committee in June 2019 and then resolved to be approved at the December 2019 Committee, subject to completion of a Section 76 planning agreement.

The application was then reported to the March 2022 when the Committee again resolved to grant planning permission subject to a Section 76 planning agreement.

The application remained undetermined at the point of adoption of the Belfast LDP: Plan Strategy in May 2023 because the Section 76 planning agreement had still not been completed. The application was therefore reported back to the Committee at its 20th June 2023 meeting so that it could be reconsidered against the new policies in the Plan Strategy.

The Committee again approved the application subject to completion of the Section 76 planning agreement.

The application is reported back to the Committee for a further time in view of the following:

1. Discovery that the applicant had completed the incorrect ownership certificate at the time of submission of the original application. During the process of preparing the Section 76 planning agreement, it transpired that a small area of land that comprised one of the proposed car parking spaces was not in the ownership of the applicant. The applicant has subsequently chosen to remove the small area of land from the application site, which has resulted in the loss of one of the 12 originally proposed parking spaces (11 parking spaces are now proposed).

Whilst the omission of this land has meant that it is not necessary for the applicant to issue a new ownership certificate, it means that the application as originally submitted was technically invalid. The application is now valid following the change to the proposal. It has not been necessary to re-issue consultations or re-publicise the application.

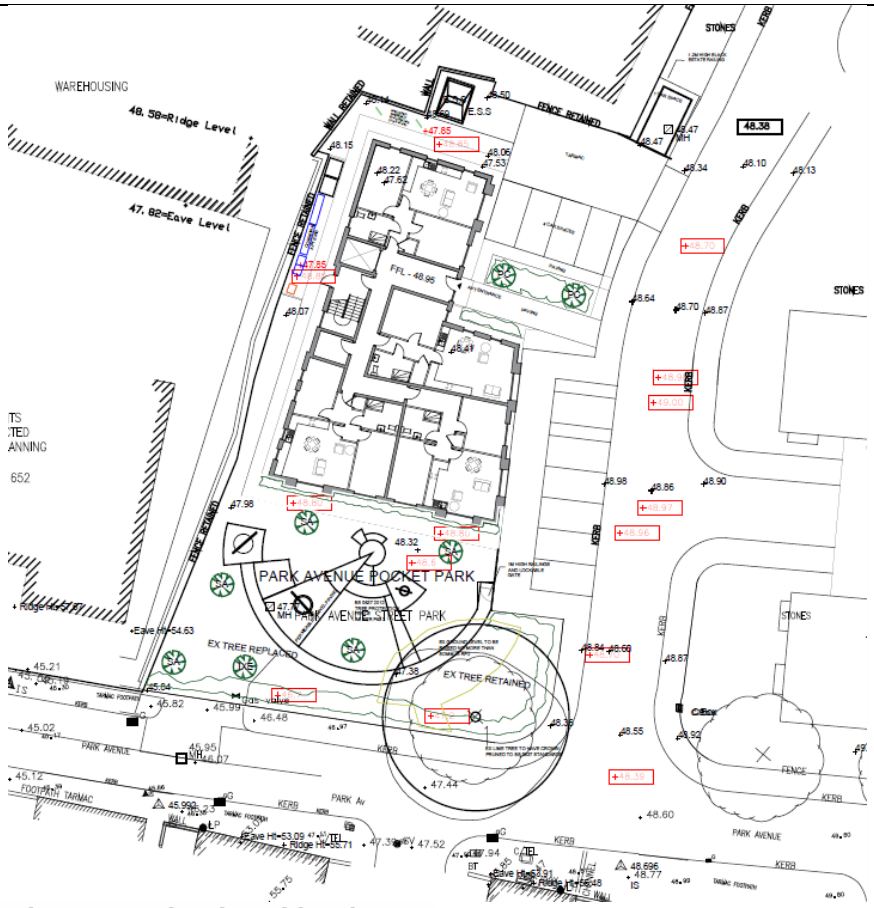
2. The Section 76 planning agreement remains to be completed, some five years after the Committee's original resolution to grant planning permission subject to completion of the Section 76 planning agreement.

This addendum report should be read in conjunction with the previous Committee reports, appended.

Removal of one parking space from the proposed development

Through the Section 76 planning agreement process, it has been established that the applicant does not own a small part of the land, shown black in the plan below, in the original application site. This has necessitated the removal of one of originally proposed parking spaces.

3. The scheme has therefore been reduced from 12 parking spaces to 11 spaces. The revised parking layouts is shown below.



Above: Revised parking layout

4. DfI Roads was reconsulted on the application on 17th October 2024 and its response remains outstanding (and outside the 21-day consultation period). Officers have made various requests for the consultation reply but no response has been provided to date.

5. In any event, the removal of one parking space is considered acceptable. The parking ratio has reduced from 1 space per apartment to 0.92 spaces per apartment. The Department's Parking Standard guidance advises on average 1.5 unassigned spaces per apartment. Whilst the proposed scheme is less than that, regard is had to the sustainable location of the site which is with walking distances of shops, services and public transport, close to the Holywood Road.

6. It is considered that it would be unreasonable to refuse planning permission on the basis of the loss of a single parking space and that it would not be in the public to do so. The proposal is considered to remain acceptable, having regard to Policy TRAN 8 of the Plan Strategy.

Section 76 planning agreement

7. The Section 76 planning agreement remains outstanding after 5 years. The delays have mainly been due to land ownership issues that still require to be resolved.

8. The application cannot remain undetermined indefinitely and the Council must be mindful of its statutory performance targets. It is therefore recommended that should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to the Committee in February 2025 for redetermination.

Other matters

9. Amongst other matters, the Section 76 planning agreement is to seek a Developer Contribution of £65,587 for enhancement works at the King George V playing fields. The value of the Developer Contribution should once again be subject to an inflationary uplift due to the passage of time. This should be based on CPI inflation since June 2023 when the application was last considered by the Committee.

Section 76 planning agreement – updated terms

10. The updated planning obligations to be secured through the Section 76 planning agreement are set out below.

    - a developer contribution of £65,587 (to be index linked from June 2023) for enhancement works at the King George V playing fields
    - securing the 12 apartments as affordable housing in perpetuity; and
    - ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Recommendation

11. Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable.

12. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement. Should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to Committee for redetermination.

Development Management Report
Addendum Report 3

Date of Committee: 20 June 2023

Location:
Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.

Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in December 2019 and March 2022

Approval subject to S76 planning agreement

Agent Name and Address:
TSA Planning
20 May Street
Belfast
BT1 4NL

Background

This application was considered at the March 2022 meeting of the Planning Committee. The Committee resolved to grant planning permission subject to a Section 76 Planning Agreement to secure the following:

- a developer contribution of £52,000 for enhancement works at the King George V playing fields – the value of the contribution would be subject to an inflationary uplift for the period from December 2019;
- securing the 12 apartments as affordable housing in perpetuity; and
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement. If the planning agreement was not signed and completed within 3 months, the application would be reported back to the Committee.

Since the Committee's decision, the Belfast Local Development Plan: Plan Strategy has been adopted (02 May 2023). Moreover, the application is required to be reported back to the Committee as the planning agreement, although at a very advanced stage of drafting, is yet to be signed.

The previous case officer reports to the Committee are appended. This includes the Lates items to the March 2022 Committee.

Updated Policy 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.

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.

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.

Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).

Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals 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.

Relevant Planning Policies

The following policies in the Plan Strategy are relevant to consideration of the application.

Policy SD2 – Settlement Areas
Policy HOU1 – Accommodating new homes
Policy HOU2 – Windfall housing
Policy HOU4 – Density of residential development
Policy HOU5 – Affordable housing
Policy HOU6 – Housing mix
Policy HOU7 – Adaptable and accessible accommodation
Policy DES1 – Principles of urban design
Policy RD1 – New residential developments
Policy HC1 – Promoting healthy communities
Policy TRAN6 – Access to public roads
Policy TRAN8 – Car parking and servicing arrangements
Policy TRAN10 – Design of car parking
Policy ENV1 – Environmental quality
Policy ENV2 – Mitigating environmental change
Policy ENV3 – Adapting to environmental change
Policy ENV5 – SuDS
Policy GB1 – Green and blue infrastructure network
Policy OS1 – Protection of Open Space
Policy OS3 – Ancillary open space
Policy NH1 – Protection of natural heritage resources
Policy TRE1 – Trees

<u>Supplementary Planning Guidance</u>
Affordable Housing and Housing Mix
Residential Design
Placemaking and Urban Design
Sustainable Urban Drainage Systems
Transportation

Trees and Development

Updated Assessment

The adoption of the Plan Strategy requires the following updated assessment.

Additional Information

Officers requested that the applicant provides a "Plan Strategy Statement" that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.

Consultation responses

Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy. No further consultations have therefore been issued.

Principle of development

The principle of development remains acceptable as set out in the previous case officer reports, appended. The site is located within the settlement limit, has good access to services, shops and public transport. The proposal would make effective use of land at a density of 60 units/ha, which is within the 25-125 units/ha range for outer Belfast. The proposal is considered compliant with Policies SD2, HOU1, HOU2 and HOU4 of the Plan Strategy.

Whilst the proposal would result in the loss of open space, this is considered off-set by the provision of the 12 apartments as affordable housing for which there is a significant local need. NIHE has previously confirmed its support for the application (see Late items report to the March 2022 Committee, appended). Combined with the provision of a commuted sum of £65k (including inflation) towards improvements to the local King George V playing fields, this is considered a substantial community benefit that would decisively outweigh the loss of the original open space, having regard to Policy OS1 of the Plan Strategy.

Affordable housing and housing mix

All 12 apartments would be provided as social or intermediate housing (100% provision) with the applicant noting that the Housing Association intends to sell properties through intermediate housing schemes or offering them to tenants through intermediate rent schemes within an area of housing need. The provision of affordable housing would help off-set the loss of the original Maple Leaf Club and open space from the site.

The proposal, in combination with the development of the adjacent site for 21 social homes (LA04/2020/2325/F), could result in mono-tenure social housing, which would be conflict with the Policy HOU5's objective of mixed and balanced communities. However, the Affordable Housing and Housing Mix SPG advises at paragraph 4.4.12 that whether proposals for mono-tenure social housing is deemed to deliver sustainable and balanced communities can be assessed on a case-by-case basis using three key factors:

- The level of social housing need in the vicinity of the site and the availability of land to address such needs;

- The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and
- Whether a scheme is proposed as 'shared housing'.

Given the need for social housing the area, NIHE's support for the proposal and tenure characteristics of nearby housing, the approach to tenure is considered, on balance, acceptable.

The proposal is therefore considered acceptable having regard to Policy HOU5 of the Plan Strategy and its associated SPG.

In terms of housing mix, the proposal comprises 9 x 2 bedroom units and 3 x 1 bedroom units, ranging from 50 sqm to 70 sqm, meeting the space standards in Appendix C of the Plan Strategy. Having regard to Policy HOU6, the housing mix is considered acceptable in this case, particularly when considered alongside the adjacent 3 and 2 bedroom social housing scheme (LA04/2020/2325/F).

Adaptable and accessible housing

Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible. The applicant has not provided evidence that the scheme will provide sufficient wheelchair accessible units.

The applicant states that the apartments will be built to Lifetime Homes standards which are proposed to be transferred to a Housing Association under the terms of the Section 76 planning agreement (the apartments to be delivered as affordable housing will be required to meet either Housing Association Guide (HAG) or Homes for Intermediate for Rent Design Standards)

Whilst this will ensure that all units will meet the adaptable home requirements of criteria a. to f. of Policy HOU7, the proposals would not fully satisfy the wheelchair accessibility provisions set out in criteria g. to o. of Policy HOU7 for 10% wheelchair accessible units. However, some of the apartments would exceed the minimum space standards and the full Lifetime Homes Standards meet some of the wheelchair adaptable standards. Regard is also had to the previous decisions of the Committee to approve the application in December 2019 and March 2022. Taking into account these factors, this contravention of Policy HOU7 is considered acceptable in the planning balance.

Climate Change

Policy ENV2 of the Plan Strategy 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. All new development proposals (including changes of use) will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction and operation. The applicant states that the proposal is capable of meeting the BREEAM and energy efficiency standards of Housing Associations. Whilst no specific measures to mitigate climate change have been provided, given the requirement for the apartments to be constructed to Housing Association design standards which require a commitment to energy efficiency, it is considered that this matter can be appropriately addressed by condition.

Policy ENV3 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and

enduring development. In order to minimise the impact of extreme weather conditions, new developments should also embed resilience to current and future climates. The scope for accommodation of measures within the proposal is limited due to the nature of the site with physical constraints. The proposal does not lie within an area of risk and the integrated open space provides permeable surfaces that accommodate the retained tree and vegetation. Whilst no specific additional measures have been identified within this proposal, the proposed development in this area with the incorporation of SUDS (as detailed below) is considered to address the provisions of the policy.

Sustainable Urban Drainage Systems (SuDS)

Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. The proposed pocket park would provide a permeable grassed area. No additional SuDS measures have been identified by the applicant, however, this will be secured by means of a planning condition.

Promoting healthy communities

Policy HC1 of the Plan Strategy states that the council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. The scheme would provide a small pocket park to provide amenity and recreation space for residents. The site is within walking distance of King George V playing fields. It is within walking distance of shops and services and its location would promote healthy and active lifestyles. The proposal is considered acceptable having regard to Policy HC1 of the Plan Strategy.

Planning obligations

It is considered that the planning obligations previously agreed by the Committee remain necessary to make the proposal acceptable in the planning balance. These include:

- developer contribution of £65,587 for enhancement works at the King George V playing fields
- securing the 12 apartments as affordable housing
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments

Other considerations

Other aspects of the proposal are considered to remain acceptable, having regard to the policies in the Plan Strategy.

Regard is also had to the previous decisions of the Planning Committee which was to grant planning permission subject to completion of a Section 76 planning agreement.

Conclusion and Recommendation

Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement.

Planning Committee: Tuesday 15 March 2022

Late Items

<table>
<tr><th>Agenda Item</th><th>Application</th><th>Issues Raised</th><th>Action</th></tr>
<tr><td>7c</td><td>LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue</td><td>Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments.

The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026.

The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021.

<table>
<tr><th></th><th>Singles</th><th>Families</th><th>Elderly</th><th>TOTAL</th></tr>
<tr><td>All Applicants</td><td>133</td><td>138</td><td>58</td><td>329</td></tr>
<tr><td>Housing Stress</td><td>86</td><td>79</td><td>42</td><td>207</td></tr>
<tr><td>Allocations to December 2021</td><td>30</td><td>13</td><td>30</td><td>73</td></tr>
</table>

The proposal is currently on the 2024/25 Social Housing Development Programme as a second phase of development of the wider lands.</td><td>For notation.</td></tr>
<tr><td>7c</td><td>LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue</td><td>The applicant confirms their agreement to the inflationary uplift (Consumer Price Index linked) to the £52k Financial Developer Contribution</td><td>For notation.</td></tr>
</table>

<table>
<tr><th>Agenda Item</th><th>Application</th><th>Issues Raised</th><th>Action</th></tr>
<tr><td></td><td></td><td>towards enhancements at the King George V playing fields.</td><td></td></tr>
<tr><td>7d, 7e & 7f</td><td>LA04/2019/0082/F, LA04/2019/0083/F (s54 applications) and LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue</td><td>Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments.

NIHE confirms that the proposal is on the 2021/22 Social Housing Development Programme and the mix of housing has been agreed with the joint applicant, Choice Housing. NIHE is keen that the scheme commences in this financial year.

The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026.

The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021.

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</table>
</td><td>For notation.</td></tr>
</table>

7d & 7e	LA04/2019/0082/F and LA04/2019/0083/F s54 applications relating to site of the former Maple Leaf Club, Park Avenue	The applicant has withdrawn both applications as the s54 applications are no longer needed.	For notation.
7f	LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue	Further to the officer recommendation, the applicant has confirmed their agreement to the following planning obligations to be secured by way of a Section 76 planning agreement: • Single payment of £52k plus inflationary uplift (Consumer Price Index linked); and • Delivery of the 21 dwellings as social/affordable housing. However, for logistical reasons, the applicant is unable to agree to the requirement that the pocket park is delivered prior to occupation. The main difficulties are summarised below: • Underneath the site of the pocket park is the main sewer and electrical cable. Access will be required until full adoption of sewers; • Access for gas connection; • Construction of the apartment block will require access for scaffold, plant and piling rig; • This is the only area left for welfare facilities; • It would be the last part of construction on the overall site from a practical view. In practice, the applicant states that they are confident that they will be able to deliver the 12 apartments within this period and at the same	Officers accept that it would be impracticable to deliver the pocket park prior to occupation of the 21 dwellings for the reasons set out by the applicant. The officer recommendation is therefore modified to require that the pocket park is delivered no later than two years from the date of first occupation. A planning obligation should also be required to secure its future management.

		time complete the pocket park. However, should this not be possible, it proposes a clause in the Section 76 planning agreement to require delivery of the pocket park within 24 months from occupation of the first dwelling within the 21 dwelling scheme. The pocket park would be managed by Choice Housing Association. For information, the applicant provides the following indicative timeline for delivery of the scheme: • March/April 2022 – onsite start of 21 dwellings. • March/April 2023 – first handover • March/April 2023 – hope to commence works on 12 apartments • March/April 2024 – complete 12 apartments and pocket park • Worst case scenario is that pocket park will be delivered 24 months from first handover i.e. by March/April 2025	

Development Management Report
Addendum Report 2

Application ID: LA04/2019/0081/F	**Date of Committee**: 15 March 2022
Proposal: Erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.	**Location:** Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: Previously considered by the Planning Committee in December 2019	
Recommendation:	Approval subject to S76 planning agreement
Applicant Name and Address: Latner 10 Developments Ltd Unit 983 Moat House 54 Bloomfield Avenue Belfast BT5 5AD	**Agent Name and Address:** TSA Planning 20 May Street Belfast BT1 4NL

Addendum Report:

Background

This application, along with associated applications LA04/2019/0082/F and LA04/2019/0083/F, were considered by the Planning Committee in December 2019. The Committee resolved to approve all three applications subject to conditions and a Section 76 planning agreement. The planning agreement was intended to secure the following:

- a developer contribution of £52k for enhancement works at the King George V playing fields
- securing the 12 apartments as affordable housing
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments

The Planning Committee should consider this Addendum Report 2 in conjunction with the original Development Management Officer Report of June 2019 and Addendum Report 1 of December 2019, both appended to this report.

Since the applications were approved by the Planning Committee, both the Planning Service and Legal Services have been making significant efforts to finalise the planning agreement. However, it has not been possible to progress the planning agreement with the applicant. Firstly, it was disputed that the 12 apartments should be delivered as affordable housing despite it being central to the consideration of the planning balance and justification for the grant of planning permission, the proposal being contrary to Policy OS 1 of PPS 8 through the loss of Open Space. Secondly, and more recently, by failure to commit to the delivery of the pocket park, which is essential recreation space to off-set the lack of amenity space within the proposed development as well as to help compensate for the loss and limited provision of Open Space overall. Officers consider the terms of the planning agreement originally agreed by the Committee to be wholly reasonable. The three applications (LA04/2019/0081/F, LA04/2019/0082/F and LA04/2019/0083/F) are linked as explained in the previous reports, attached. Officers advise that the three applications cannot be separated out from the agreement as they are intrinsically connected.

Recap of the planning history

In June 2011, planning permission was granted on the site and adjacent land to the east where the Maple Leaf Club was originally located for mixed use development comprising 21 dwellings and replacement social club (Z/2010/0434/F). The social club is to be located on the current application site where 12 apartments are now proposed with the 21 dwellings to the east. The original planning permission included conditions requiring the provision of social housing and build out of the replacement social club, required to offset the loss of open space. These conditions were subsequently varied under applications Z/2011/0827/F and Z/2011/0829/F.

Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. Condition 2 prevents occupation of the residential units until the replacement Maple Leaf Club has been erected in accordance with the new approved plans. Condition 3 requires the development to be delivered as social / affordable housing. It appears the main site access and part of the access road between Blocks A and C have been constructed and this serves the development of 13 houses to the north of the site (LA04/2015/0052/F). Therefore, it is considered that the development has commenced and represents a fall-back for the developer, albeit it would require the construction of the replacement social club.

In 2019, the applicant applied for planning permission for 12 apartments on the land where the replacement social club was to be built (LA04/2019/0081/F). Two associated applications were submitted at the same time seeking removal of the conditions requiring the construction of the replacement social club attached to planning permissions Z/2010/0434/F and LA04/2015/0075/F (LA04/2019/0082/F and LA04/2019/0083/F respectively).

All three applications were approved by the Planning Committee in December 2019 subject to conditions and completion of a Section 76 planning agreement as explained above.

In terms of the original planning permission for the erection of 21 dwellings and replacement social club on the application site and adjacent land (Z/2010/0434/F) and subsequent modifications (planning permissions Z/2011/0827/F, Z/2011/0829/F and LA04/2015/0075), these are considered to have commenced by virtue of the formation of the access and road. Therefore, the applicant has a fall-back position, albeit the housing development cannot be occupied without the delivery of the community building as previously granted. The granting of the variation of condition applications (LA04/2019/0082/F and LA04/2019/0083/F) would permit the housing development to proceed and being occupied **without** the replacement club having to be delivered.

New application for 21 dwellings on land to the east

A further, more recent application for 21 dwellings on the adjacent land has been submitted by the landowner and Housing Association (LA04/2020/2325/F). That application is being considered by the Planning Committee at this same meeting due to the linked nature of the applications. That application is also for affordable housing and is being brought forward by a Housing Association with funding support from NIHE. NIHE has advised that in order to secure the funding from this year's housing programme, planning permission will need to be granted by 31 March 2022 although it might still be possible to progress the scheme with a resolution from the Council to grant permission.

The Committee will note from the case officer report to application LA04/2020/2325/F that the recommendation to approve the 21 dwellings is reliant on applications LA04/2019/0081/F, LA04/2019/0082/F and LA04/2019/0083/F being progressed to approval as it is reliant on the pocket

park being granted planning permission – this would serve not only the proposed 12 apartments but also the proposed 21 dwellings (as well as other surrounding housing).

Assessment

As set out in the previous reports, the proposed development of the site for 12 apartments would result in the loss of Open Space. Moreover, it would no longer be possible to bring forward the new social club to replace the original Maple Leaf Club, which was otherwise critical to the off-set of loss of Open Space from the wider site resulting from development of the 21 dwellings.

The Planning Committee accepted that in the planning balance, the loss of the original off-set (i.e. the dropping of the replacement social club) was justified providing that the following is achieved:

- a developer contribution of £52k for enhancement works at the King George V playing fields
- securing the 12 apartments as affordable housing
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments

These obligations were to be secured by a Section 76 planning agreement, which the applicant has not signed. Officers provide an update on each of the above obligations as follows.

Developer Contribution of £52k for off-site Open Space – officers advise that the value of the Contribution should be subject to an inflationary uplift due to the passage of time since the Committee's original decision to grant planning permission in December 2019. In effect, the £52k Developer Contribution has devalued over time.

Provision of affordable housing – at the time of the Planning Committee's original decision in December 2019, NIHE had confirmed that there was a housing need and that they were supportive scheme coming forward as social housing. However, in a recent meeting with officers, NIHE confirmed that they cannot currently support the 12 apartments as social housing. This is because of the change in circumstances since December 2019 including the bringing forward of other affordable housing schemes in the area such as the redevelopment of the Park Avenue Hotel site for an affordable housing led housing scheme (LA04/2021/0493/F) and NIHE's commitment to delivery of the 21 dwellings on the adjacent site (LA04/2020/2325/F). It is understood that it is concerned about over saturation. However, NIHE verbally advised that it is very likely that the proposed 12 apartments on the application site would be supported within the 5 year live span of the planning permission if granted. It is therefore considered that the Committee can still proceed to secure the 12 apartments as affordable housing through the Section 76 planning agreement.

Delivery and ongoing maintenance of the pocket park – as set out in the previous reports, this is essential to off-set the substandard level of amenity within the proposed 12 apartments as well as to help off-set the loss of open space and lack of open space within the wider development. Officers advise that it remains essential for the pocket park to be delivered and maintained. The Committee will note that officers are advising that the pocket park is delivered prior to occupation of the 21 dwellings on the adjacent site as part of the recommendation for application LA04/2020/2325/F. Therefore, if planning permission is not granted for the 12 apartments and pocket park under application LA04/2019/0081/F, it will not be possible to secure the Section 76 planning agreement proposed by officers for application LA04/020/2325/F.

Recommendation

It is recommended that planning permission is granted with conditions and subject to a Section 76 planning agreement which secures the following:

- a developer contribution of £52k for enhancement works at the King George V playing fields – the value of the contribution to be subject to an inflationary uplift for the period from December 2019 to when the planning agreement is signed;
- Securing the 12 apartments as affordable housing in perpetuity; and
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the planning agreement.

If the Section 76 planning agreement is not signed and completed within 3 months, the application shall be reported back to the Planning Committee.

Development Management Report
Addendum Report 1

Application ID: LA04/2019/0081/F	**Date of Committee**: December 2019
Proposal: Erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.	**Location:** Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: At the request of the Director of Planning and Building Control	
Recommendation:	Approval
Applicant Name and Address: Dixon Contractors 89 Broughshane Street Ballymena	**Agent Name and Address:** TSA Planning 20 May Street Belfast BT1 4NL

Addendum Report:

This application was previously scheduled for Planning Committee on the 11th June 2019 with a recommendation for refusal. However, was not presented as a legal Agreement under Section 76 was submitted setting out mitigation against the proposed loss of open space. The application was withdrawn from committee to enable the consideration of the proposed terms of the Section 76 Agreement.

Members should read this Addendum Report in conjunction with the original Development Management Officer Report of June 2019, attached below.

The Case officer report attached below sets out two reasons for refusal in relation to

1. The loss of open space
2. The under provision of amenity space for the proposed development

There were no other reasons for refusal. Notwithstanding the issue of principle the scheme was considered acceptable in terms of its design, height, scale, and mass; and access and parking. Therefore, this addendum deals only with the two matters set out above, all other considerations are set out in the case officer report.

Principle of development

Historically the site was in use as a substantial area of open space, a bowling green and club house / social club. Residential development was granted on the site subject to a replacement recreational social club being provided to off-set the loss of open space. The provision of the recreational social club in combination with the social housing to be provided was the justification for setting aside Policy OS1 of PPS 8 – Open Space, Sport and Recreation and granting the proposal.

This current application proposes to build an apartment block in place of the social recreation club. In these particular circumstances, given the history of this site, the principle of the development on this site, was initially considered to be unacceptable as it will result in the almost total loss to the community of the open space and recreation use, in addition to providing minimal amenity space for residents. Therefore, refusal was originally recommended.

Following the publication of the officer report, the applicant submitted a Section 76 Agreement, setting out terms to offset the loss and under provision of open space / recreation facility by offering to provide a financial contribution towards improvements to a local park. Policy OS1 allows developers to offer an alternative provision, which is as accessible to current users, at least equivalent in terms of its size, usefulness, attractiveness, safety and quality. In this case, the offer is to provide an upgrade to an existing Council owned park rather than 'new' or additional open space, however, the offer must be considered alongside the community benefits of the provision of the 12 social and affordable apartments themselves. The developer has agreed to provide a financial contribution of over £52K to be used to enhance existing open space in the area. The combination of the associated community benefits are considered on balance to decisively outweigh the loss of the provision of the recreation club and the shortage in the amenity provision.

Terms of the Section 76 Agreement

In respect of the proposed off set, the applicant has agreed to a developer contribution through a Section 76 Agreement. In broad terms, monies (£52k) will be used by the Council to enhance existing open space at King George V Playing Fields, which is an 8 minute walk away from the site and serves the local community. As set out above, this in part is considered, in this case, to adequately address Policy OS1 of PPS8 to off-set the loss of existing open space.

The following works are proposed for the King George V playing fields;

Improve Parkgate site boundary
Remove exiting concrete boundary fencing/walling
Install new 250 x 125 x 905mm road kerb edge
New hedge planting along boundary to kerb edge
Supply & install new vehicular access barrier
Construct low brick piers with existing concrete crest
Pedestrian road crossing markings

Trim Trail
New 1.2m wide bitmac path to site boundary
Form new mounds with excavated material
Remedial landscape works/seeding

Screen planting
Screen planting to western boundary

Provision of private amenity space

In terms of private amenity space only 3 of the proposed 12 apartments has their own private amenity space. Creating Places recommends a minimum of between 10m2- 30m2 per unit. Apartments 11 and 12 meet the recommended minimum however apartments 1-10 do not. Policy OS 2 states that an exception to this will only be permitted in the case of apartment developments or specialised housing where a reasonable level of private communal open space is being provided or where it will make use of adjoining public open space. It is considered that insufficient private amenity space is proposed for the individual apartments. In respect of the communal amenity space provided this is in the form of a pocket park which will provide 450 square metres of amenity space. The provision of the pocket park between the proposed apartments and Park Avenue with landscaping and play equipment with access from Park Avenue so other residents can benefit and; the proposed developer contribution of over £52K to enhance 2.88ha of existing open space at the King George V playing fields, provides a wider community benefit to the existing and proposed residents and is considered to make an otherwise unacceptable scheme acceptable in these particular circumstances.

Linked Applications
Planning permission LA04/2015/0075/F was a modification to the original planning permission Z/2010/0434/F. This included the reduction in the size of the social club to be constructed. Whilst this was a reduction and was considered to be of a scale more in keeping with the established residential area, the community benefit to be gained remained an integral part of the proposal and was appropriately conditioned to reflect this. The condition in relation to the provision of the social club was attached to the permission and was worded that the residential dwellings would not be occupied. The same reason as per planning permission Z/2010/0434/F for the condition was given to ensure the orderly development of the site and to ensure the community benefits of the development are fully implemented.

The applicant also seeks the removal of condition no.2 of planning permissions Z/2010/0434/F and LA04/2015/0075/F, which are attached to the original permissions and relate to the provision of the recreational club and to ensure the orderly development of the site and community benefits of the development are fully implemented. This proposal would replace the social club with 12 social/affordable apartments.

Consultees
DFI Roads were consulted and have advised of no objection in principle with amendments sought to address clarification in terms of bicycle parking and visibility splays for previous approvals within the wider proposal site and Private Streets Determination drawings.

Further Representations
No further objections or information has been received in respect of the proposal itself. A draft Section 76 Agreement was submitted and BCC Legal Services and City and Neighbourhoods have been consulted in respect of the Section 76 Agreement and the enhancement of open space through the developers contribution.

Summary

In conclusion, the recommendation has changed for the reasons as set out in this addendum. The proposal on balance is considered to be acceptable and contributes to the delivery of the Belfast Agenda aims and objectives - Living Here and City Development and the Local Development Plan Strategic Aims – Shaping a liveable place, a green and active place and a smart connected and resilient place.

Recommendation
Approval subject to the signing and delivery of the Section 76 Agreement and conditions.

It is requested that committee delegate authority to the Director of Planning and Building Control to finalise the Section 76 and the wording of conditions. Draft Conditions below:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

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

2. The residential development hereby approved shall be allocated for social housing use and shall be managed by a registered Housing Association.

   Reason: To ensure the orderly development of the site and community benefits of the development are fully implemented.

3. Double glazed float units 4-12-4 (or similar) with a sound reduction of 26dB R_{tra} / 31dBR_w must be installed in bedroom and living room windows to the Park Avenue façade of the proposed apartments and to any habitable rooms situated on either side elevation. Alternative means of acoustic ventilation capable of meeting the same sound reduction value of the windows must also be installed in all bedroom and living room windows to the Park Avenue façade and side elevations and be in accordance with building control regulations.

   Reason: Protection of Residential Amenity

4. Double glazed float units 4-12-4 (or similar) with a sound reduction of 26 dBR_{tra} / 31 dBR_w must be installed in bedroom and living room windows of the rear façade of the proposed apartments.

   Reason: Protection of Residential Amenity

5. All soft landscaping works shall be carried out in accordance with the approved details on drawing no 13C, dated 3rd June 2019. The works shall be carried out prior to the occupation of the first apartment / dwelling 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.

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

   Reason: In the interests of visual amenity

7. Prior to any work commencing all protective barriers (fencing) and ground protection measures 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 is 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.

8. If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.

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

9. 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.

DFI Roads conditions to follow.

ANNEX 1
Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date: 11 June 2019	
Application ID: LA04/2019/0081/F	
Proposal: Erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.	**Location:** Lands at former Maple Leaf Club 41-43 Park Avenue Belfast.
Referral Route: At the request of the Director of Planning and Building Control	
Recommendation:	Refusal
Applicant Name and Address: Dixon Contractors 89 Broughshane Street Ballymena	**Agent Name and Address:** TSA Planning 20 May Street Belfast BT1 4NL

Executive Summary:

The proposal is for full planning permission for the erection of 12No. Apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.

This application is linked to two further applications (LA04/2019/0082/F and LA04/2019/0083/F) both of which are Section 54 applications and seek to remove a planning condition from the original approvals. Condition no.2 of these planning permissions relate to the provision of a recreational social club under planning permissions Z/2010/0434/F and LA04/2015/0075/F.

The key issues in the assessment of the proposed development include;

- Principle of development and use;
- Height, scale, massing, layout and design;
- Provision of private amenity space and Provision of open space;
- Parking and access;
- Impact on residential amenity of neighbours;
- Impact on protected trees;
- Other environmental factors.

The applicant proposes a building containing 12 apartments on a site which has been secured by planning condition to be used for recreational open space in lieu of the loss of an extensive area of open space, bowling green and a club house / social club.

The original approval set aside OS1 of PPS 8 Open space Sport and Recreation and allowed the loss of the space to provide 21 social dwelling units and the construction of a new Recreation

Social Club. The applicant makes a case that the occupier of the social club, the Maple Leaf Club is no longer in existence. The applicant states that they have sought an alternative occupier, however they have not provided sufficient evidence to demonstrate that a new occupier has been sought and all avenues explored.

The principle of the development therefore, is considered to be unacceptable and would if permitted result in the permanent loss of the open space by failing to provide the social club to the community. Which is contrary to policy OS 1 of Planning Policy Statement 8: Open space and recreation.

The proposed development fails to meet criterion (c) of policy QD1 of Planning Policy Statement 7 – Quality Residential Environments. In that the loss will impact the amenity for those prospective new residents of the approved housing as there will be insufficient amenity space provided for the combined development and will therefore also be contrary to Policy OS 2 of PPS8.

Consultees: Environmental Health, Rivers Agency, BCC Tree Officer and NIHE offer no objection to the proposal.

DFI Roads advised the applicant has failed to demonstrate acceptable parking arrangements.

There have been no third party objections received.

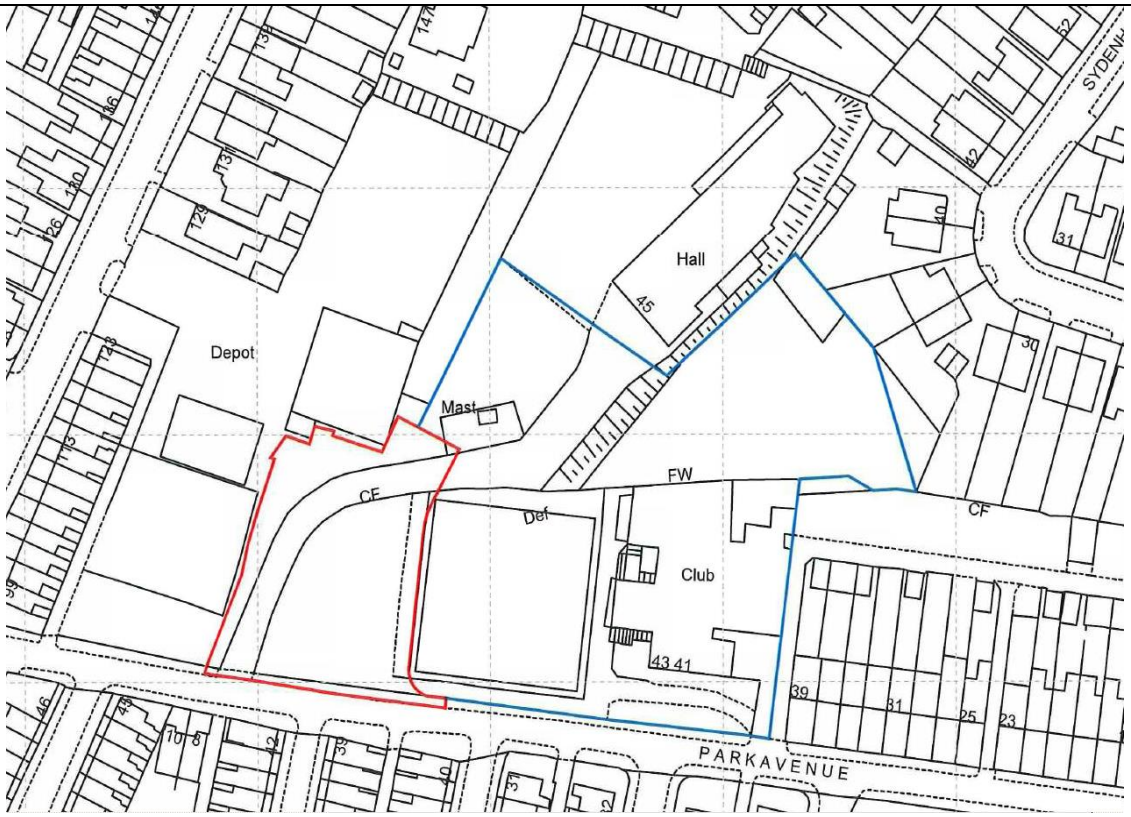
Recommendation:

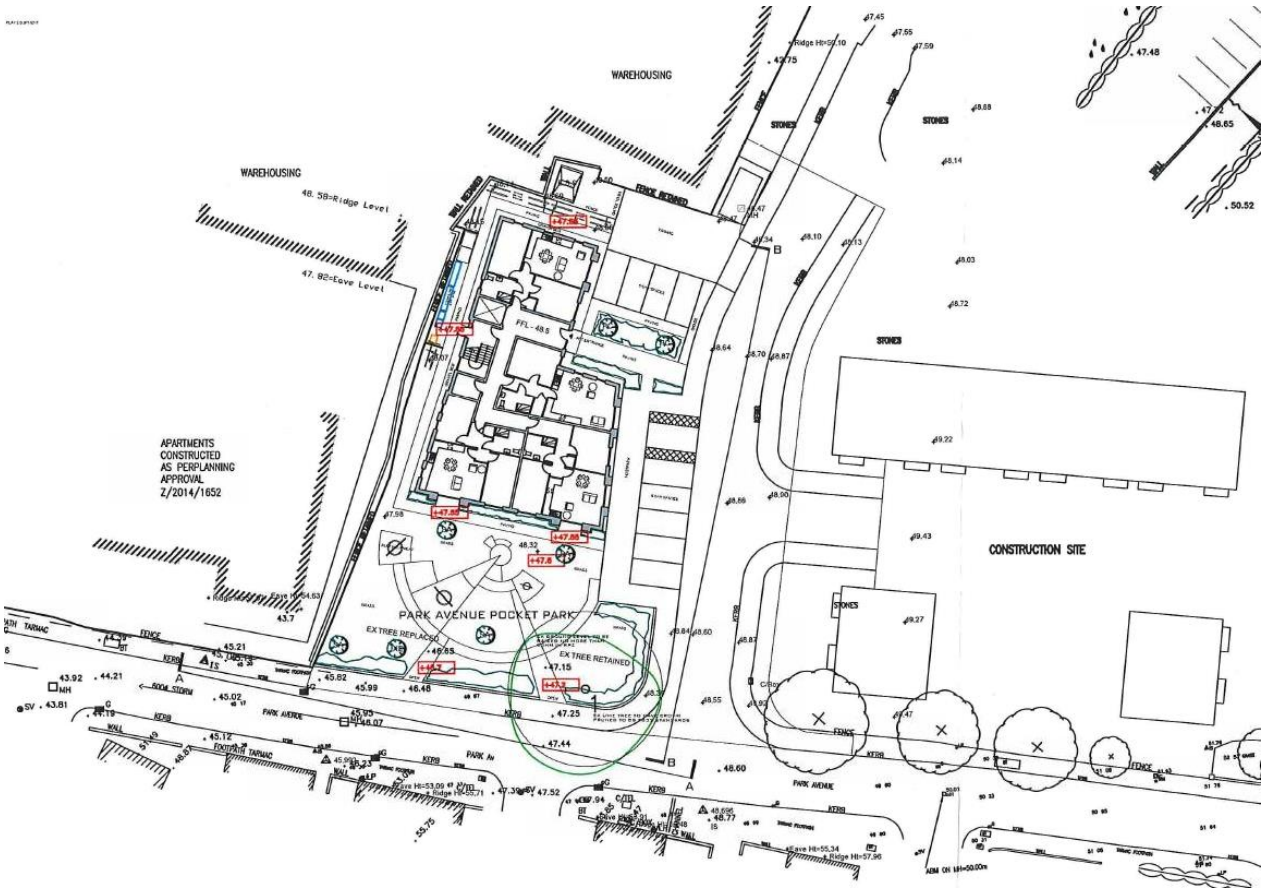
Refuse

Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and refusal of planning permission is recommended and delegated authority is sought for the final wording of refusal reasons from the Director of Planning and Building Control.

Case Officer Report

Site Location Plan





Consultations:		
Consultation Type	**Consultee**	**Response**
Non Statutory	Environmental Health Belfast City Council	No objection subject to conditions
Statutory	Rivers Agency	No objection
Advice and Guidance	NIHE - Corporate Planning	No objection - support
Statutory	DFI Roads - Hydebank	Unacceptable
Statutory	NI Water - Multi Units East - Planning Consultations	No Response

Representations:	
Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area	
1.0	**Description of Proposed Development**
1.1	The proposal is for full planning permission for the erection of 12No. apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works.
1.2	This application is linked to LA04/2019/0082/F and LA04/2019/0083/F both of which are Section 54 application to remove condition no.2 of planning permission Z/2010/0434/F and LA04/2015/0075/F. Both of these conditions also relate to the implementation of the social club element of planning permissions Z/2010/0434/F and LA04/2015/0075/F.
2.0	**Description of Site**
2.1	The site is located at lands at the former Maple Leaf Club, 41-43 Park Avenue, Belfast. The site has been cleared and is currently under construction. Formerly on the site was a bowling green and car park and the now derelict Maple Leaf Club building. The site is accessed from Park Avenue which slopes steeply from Holywood Road to Connsbrook Avenue. The area is characterised by two storey terrace dwellings and two storey semi-detached dwellings. Adjacent to the site and accessed from Connsbrook Avenue is a fuel and oil distribution depot. The site bounded by existing mature vegetation. Seven of the previously approved dwellings (10-22 Park Avenue Heights) have been constructed and are now occupied.
Planning Assessment of Policy and other Material Considerations	
3.0	**Site History**
3.1	LA04/2019/0083/F - Section 54 application to remove condition 2 of LA04/2015/0075/F. The condition reads as follows "No part of the residential development hereby permitted shall be occupied until the social club hereby approved is constructed and operational in accordance with drawing 06A date stamped 20th August 2016, drawing 07B date stamped 03 February 2016 and drawing 08 stamped 01 April 2015". The removal of the condition is necessary to allow for the construction and occupation of the social/affordable housing – Pending
3.2	LA04/2019/0082/F - Section 54 application to remove condition 2 of Z/2010/0434/F. The condition reads as follows, "No part of the residential development herby permitted shall be commenced until the social club herby approved is constructed and operational in accordance with the approved plans." The removal of the condition is necessary to allow the construction of the social/affordable housing - Pending
3.3	LA04/2015/0075/F - Modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots 14-21 - Granted
3.4	Z/2011/0829/F - Article 28 application to vary condition 2 of permission Z/2010/0434/F to allow simultaneous commencement of development of the residential development and the social club – Granted
3.5	Z/2011/0827/F - Article 28 application to vary condition 3 of permission Z/2010/0434/F to include social/affordable housing within the residential development and the social club - Granted

3.6	Z/2010/0434/F - Mixed use development to include the relocation and replacement of the Ulster Maple Leaf Club premises and residential development comprising 21 dwellings (3no. 2 bed, 18no. 3 bed dwellings), landscaping and associated site works - Granted
3.7	Z/1999/0307 - Proposed bowling green in part of existing car park including new access arrangements - Granted
4.0	**Policy Framework**
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	Draft Belfast Metropolitan Area Plan 2004
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking 4.4.3 Planning Policy Statement 7: Quality Residential Environments 4.4.4 Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas 4.4.5 Planning Policy Statement 8: Open Space and Recreation 4.4.6 Planning Policy Statement 12: Housing in Settlements 4.4.7 Planning Policy Statement 15: Planning & Flood Risk 4.4.8 Creating Places 4.4.9 Development Control Advice Note 15: Vehicular Access Standards
5.0	**Statutory Consultees Responses**
5.1	Rivers Agency has no objection.
5.2	DFI Roads advised the proposal was unacceptable and failed to demonstrate acceptable parking arrangements.
6.0	**Non Statutory Consultees Responses**
6.1	Environmental Health has no objection subject to conditions.
6.2	BCC Tree Officer has no objection subject to conditions.
6.3	Northern Ireland Housing Executive – Corporate Planning provided advice and guidance. NIHE advised there is currently unmet social housing need in this part of East Belfast and the site has previously been registered by a housing association for the provision of social housing. NIHE supports the current proposal for the site.
7.0	**Representations**
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	**Other Material Considerations**
8.1	The adopted Belfast Urban Area Plan 2001 designates the site as white land.

8.2	Draft Belfast Metropolitan Area Plan (BMAP) 2015 plan the site is designated as white land.
8.3	Draft Belfast Metropolitan Area Plan (BMAP) 2004 plan the site is designated as white land.
8.4	The site is the subject of a Tree Preservation Order – TPO/2006/0081
9.0	**Assessment**
9.1	The key issues in the assessment of the proposed development include; • Principle of development and use; • Height, scale, massing, layout and design; • Provision of private amenity space; • Provision of open space; • Provision of parking and access; • Impact on residential amenity of neighbours; • Impact on protected trees; • Other environmental factors.
9.2	The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.
9.3	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.4	As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.
9.5	The site is located within the settlement development limit for Belfast. However given that the Belfast Metropolitan Area Plan 2015 version was adopted and subsequently quashed weight is afforded to it as it had reached the most advanced stage a draft plan could having been through public inquiry. The site was designated as white land.
9.6	Draft BMAP 2004 version also designated the site as white land.
9.7	The adopted Belfast Urban Area Plan 2001 designates the site as white land.
9.8	**<u>Principle of development</u>** In other circumstances the construction of apartments within the development limits within a residential area would be acceptable however, the circumstances and history of this site is such that the principle of the development in this case, on this site, is considered to be unacceptable. This proposal site was granted as a recreational social club under application references Z/2010/0434/F and LA04/2015/0075/F in which the replacement social club was to be provided to off-set the loss of a substantial area of open space, a bowling green and club house / social club. The provision of the recreational social club in combination with the social housing to be provided was the rational for setting aside OS1 of PPS 8 – Open Space, Sport and Recreation.
9.9	The supporting statement submitted by the applicant states that the Maple Leaf Club has been permanently closed and evidence has been provided at Annex 2 in the supporting statement. It is on this basis that the applicant seeks the removal of condition no.2 of

	planning permissions Z/2010/0434/F and LA04/2015/0075/F, which related to the social club and to ensure the orderly development of the site and community benefits of the development are fully implemented. This proposal would replace the social club with 12 social/affordable apartments.
9.10	Linked applications LA04/2019/0082/F and LA04/2019/0083/F both of which are Section 54 application to remove condition no.2 of planning permission Z/2010/0434/F and LA04/2015/0075/F. Both of these conditions also relate to the implementation of the social club aspect of planning permissions Z/2010/0434/F and LA04/2015/0075/F are also under consideration.
9.11	The applicant submitted a supporting statement. Paragraphs 6.15-6.18 refer to the search for an alternative operator. It is stated that the applicant has no viable option for delivering the club building and the social housing due to the 'winding up' of the Maple Leaf Club and no club interested in relocating and therefore the removal of the club from the proposal is required. However, whilst this has been stated in the supporting statement, no evidence has been provided by the applicant to demonstrate and marketing or tendering for an alternative occupier and therefore have failed to demonstrate that all avenues to secure an occupier have been investigated.
9.12	The group report of the original planning permission Z/2010/0434/F, stated that *'the main benefits are the provision of much needed social housing and provision of a new social facility to serve the local area'.* The two conditions that attached to the permission, condition no.2 which the applicant seeks to remove and condition no.3 in relation to the allocation of the residential development for social housing were both attached and the same reason '*To ensure the orderly development of the site and community benefits of the development are fully implemented'.* Therefore it is considered that the construction of the social club was equally required to be provided to ensure the community benefits.
9.13	Application Z/2011/0829/F, was an Article 28 application to vary condition 2 of permission Z/2010/0434/F to allow simultaneous commencement of development of the residential development and the social club.
9.14	Planning permission LA04/2015/0075/F was a modification to the original planning permission Z/2010/0434/F. This included the reduction in the size of the social club to be constructed. Whilst this was a reduction and was considered to be of a scale more in keeping with the established residential area, the community benefit to be gained remained an integral part of the proposal and was appropriately conditioned to reflect this. The condition in relation to the provision of the social club was attached to the permission and was worded that the residential dwellings would not be occupied. The same reason as per planning permission Z/2010/0434/F for the condition was given to ensure the orderly development of the site and to ensure the community benefits of the development are fully implemented.
9.15	Therefore, considering the previous use of the site, the protection afforded under PPS8 and the planning history of the site the principle of the development is unacceptable and would result in the loss of the replacement social club which was to provide the off set for the loss of open space for the whole development. It is considered that the supporting statement from the applicant does not provide a compelling case that would outweigh the loss to the community.
9.16	**Height, scale, massing, layout and design** The proposed building is to be 'L' shaped and 8.4m in height from finished floor level (FFL), 27.3m long along the western elevation and 18m wide along the southern (Park Road) elevation. In terms of the footprint of the proposed apartments is be approximately 392m^2. This is an increase in the footprint from the previously reduced social club at

	387m^2 which was reduced by 49m^2 from the original approval. The difference in the increase in the footprint is considered to be marginal. The proposed height of the building is similar to that granted for the social club under LA04/2015/0075/F. The height, scale and massing of the proposed apartments is considered to be acceptable.
9.17	In terms of layout all apartments outlook either on to Park Avenue of the entrance to the whole development. It is considered this outlook on to public realm in acceptable.
9.18	In terms of the proposed design this is not dissimilar from that previously approved for the social club building. The proposed finished of smooth red facing brick and grey mortar, dark grey framed windows, glazed balcony and grey zinc cladding on the roof and pent houses are considered to be acceptable. The architectural approach is modern yet sympathetic to its context. The proposed design and architectural treatment and materials are acceptable.
9.19	Policy LC 1 – Protecting Local Character, Environmental Quality and Residential Amenity of the Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas applies. The proposed density of the development and pattern of development is considered to be acceptable and not out of keeping with the character of the area. The size of each of the proposed apartments are outlined below;
9.20	Apartment 1 - 2 bed 3 person: 65m^2 Apartment 2 - 1 bed 2 person: 57 m^2 Apartment 3 - 2 bed 3 person: 70 m^2 Apartment 4 - 2 bed 3 person: 65 m^2 Apartment 5 - 2 bed 3 person: 65 m^2 Apartment 6 - 2 bed 3 person: 68 m^2 Apartment 7 - 2 bed 3 person: 70 m^2 Apartment 8 - 2 bed 3 person: 65 m^2 Apartment 9 - 2 bed 3 person: 65 m^2 Apartment 10 - 2 bed 3 person: 63 m^2 Apartment 11 - 1 bed 2 person: 50 m^2 Apartment 12 - 1 bed 2 person: 50 m^2
9.21	The proposed apartments meet the minimum space standards as set out in Annex A of the Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas.
9.22	Therefore it is considered that the proposal complies with the criterion set out in policy LC 1 of the Addendum to Planning Policy Statement 7- Safeguarding the Character of Established Residential Areas.
9.23	**Provision of private amenity space** In terms of private amenity space only 3 of the proposed 12 apartments has their own private amenity space. They do all however share communal bin storage and secure bicycle parking. The following private amenity space provision is as below for 3 apartments on the second floor;
9.24	Apartment 10 - 63.3 m^2 Apartment 11 - 22.3 m^2 Apartment 12 - 10.98 m^2
9.25	Creating Places recommends a minimum of between 10m^2- 30m^2. Apartments 11 and 12 meet this recommended minimum however apartments 1-10 do not. . Whilst the applicant refers to other facilities in the locality including Victoria Park, this is 0.7mile away

	from the site. Considering this and the recent EIA Street planning appeal decision 2018/A0070 it was considered that existing other public spaces were not an acceptable substitute for the deficit of communal space in quantitative and qualitative terms. Therefore it is considered that insufficient private amenity space has been provided for prospective residents. The site on which the apartments are proposed was to provide the off set for loss of open space through the construction of a social club and was conditioned as so to ensure the community benefit of the existing club would continue to be provided. Linked applications LA04/2019/0082/F and LA04/2019/0083/F both of which are Section 54 applications to remove condition no.2 of planning permission Z/2010/0434/F and LA04/2015/0075/F. Both of these conditions also relate to the implementation of the social club aspect of planning permissions Z/2010/0434/F and LA04/2015/0075/F. The provision of open space is discussed below.
9.26	**Provision of open space** The proposal includes the provision of a pocket park which will provide 0.045ha of public amenity space. Planning permission Z/2010/0434/F for the residential development and replacement of the social club and LA04/2015/0075/F for a change of house type at plots 14 to 21 and included the reduction in the proposed replacement social club were both granted on the basis of provision of the social club to offset the loss of open space, in line with policy OS 1 of Planning Policy Statement 8: Outdoor space and recreation. Whilst the social club was to be reduced under planning permission LA04/2015/0075/F it still provided the off set for the loss of open space in line with policy OS 1 of Planning Policy Statement 8: Outdoor space and recreation.
9.27	However the applicants statement of case states at paragraph 6.26 the delivery of 12 apartments in lieu of the social club yields a substantially greater benefit to the community and that as the case officer acknowledged the proximity of similar bowling facilities in close proximity to the site which were equally accessible in their view. The applicant states that in this context, the total loss of the facility is therefore negligible to the local community and its loss therefore will have no significant detrimental impact and states this is consistent with para. 6.025, of the Strategic Planning Policy Statement for Northern Ireland (SPPS). It is considered that the loss of the social club which was the off set for the loss of all quality open space is not negligible to the local community as stated. Particularly as the private amenity provision is below recommended requirements. Whilst the applicant refers to other facilities in the locality including Victoria Park, this is 0.7mile away from the site. As per recent appeal decision 2018/A0070, it was considered that existing of other public spaces were not an acceptable substitute for the deficit of communal space in quantitative and qualitative terms.
9.28	This acknowledged the community benefit the club itself provided and while the open space was to be lost, the offset to this was through the provision of a new social facility, albeit reduced but would continue to provide community benefit as was provided by the existing club. Therefore it is considered that in order to comply with policy OS 1 of Planning Policy Statement 8 – Open Space and Recreation to ensure adequate alternative provision that the social facility must be implemented and form part of the overall development of the site.
9.29	It is also noted that the original development comprised of 21 dwelling units. The applicant proposed the construction of an additional 12 apartments. This would provide a total of 33no. social/ affordable housing units. However, the additional units would exceed the threshold of 25 units as set out in policy OS 2 of Planning Policy Statement 8. Policy OS 2 states that an exception to this will only be permitted in the case of apartment developments or specialised housing where a reasonable level of private communal open space is being provided or where it will make use of adjoining public open space.
9.30	As stated in the original case officers report for Z/2010/0434/F, the proposal did not provide sufficient amenity space for the majority of the proposed dwellings and would be limited in its

	usability. Nor is it located adjacent to existing public open space. Therefore it would be considered that it would not be an exception to Policy OS 2 and therefore it would be expected that at least 10% of the site would be for the provision of public open space. The proposal would not be able to facilitate this and the addition of 12 no. apartments was add extra pressure to the demand for amenity space in the whole development. Although this application proposes the provision of a pocket park between the proposed apartments and Park Avenue providing an area of 0.045ha with landscaping and play equipment with access from Park Avenue so other residents can benefit. It is considered to be insufficient to warrant the loss of the social facility and the wider community benefit which it would provide.
9.31	On balance with the provision of private amenity for the approved apartments being below the requirements as per Creating Places, it is considered that the social facility is essential to address the loss of the open space and the club facility, particularly as private amenity space is insufficient to meet requirements. The proposal to not provide the social facility is considered to be contrary to policy OS 1 of Planning Policy Statement 8: Open Space and Recreation.
9.32	**Provision of parking and access** DFI Roads were consulted and responded stating that the applicant had failed to demonstrate acceptable parking arrangements and required a number of issues to be addressed and the submission of Private Streets Determination drawings. This information was not requested as to have done so would have put the applicant to unnecessary expense when Planning Service had fundamental concerns with the proposal and the two (LA04/2019/0082/F and LA04/2019/0083/F) associated Section 54 applications for the removal of conditions.
9.33	**Impact on residential amenity of neighbours** In terms of residential amenity the proposed apartments will be located to the east of the existing apartments on Park Avenue. In terms of overshadowing considering the sun path it is considered that some overshadowing will result to the apartments adjacent to the west in the morning, however this will travel from east to west from midday on it is considered that no unacceptable overshadowing will result to the apartments located to the west of the site. It is also considered that an unacceptable level of overlooking will not result from the proposed apartments to the existing apartments to the west due to sufficient separation distance and existing boundary treatment. To the north of the site is an existing depot and to the east whilst currently no under construction dwelling with extant permission are to be located. However it is considered that sufficient separation distances will ensure no unacceptable overshadowing or overlooking will result to these dwellings form the proposed apartments. This is also considered to be the same for those dwellings located on the opposite of Park Avenue.
9.34	**Impact on protected trees** Belfast City Council's Tree Officer was consulted and following the submission of a tree survey and amended plans the Tree Officer has no objections to the proposal subject to conditions. The proposal includes the retention of an existing protected Lime tree along the Park Avenue boundary, which is to be crown cleaned. Protective root barriers in the form of Geocells has been shown at specific locations to ensure root and soil compaction is avoided during and after construction. The proposal includes the removal of x1 Chestnut tree a protected tree and replacement planting of x8 extra heavy standard Rowan and Ornamental Pear trees to compensate for its loss. A new hawthorn boundary hedge is proposed. The tree officer commented that the proposed tree choice, was considered appropriate in terms of species to complement the proposed pocket park. Tree officer has no objection to the proposal subject to conditions.
9.35	**Other environmental factors** Environmental Health were consulted and considered the Noise Impact Assessment and an updated contaminated land report. Environmental Health has no objection subject to

	conditions. Rivers Agency were consulted with a Drainage Assessment and responded stating that the proposal was acceptable and that the proposal was deemed to provide a robust drainage solution.
9.36	**Recommendation** The proposal is considerable to be unacceptable and refusal is recommended asset out in paragraph 11 below.
9.37	Having regard to the policy context and other material considerations above, the proposal is considered unacceptable and refusal of planning permission is recommended and delegated authority is sought for the final wording of refusal reasons from the Director of Planning and Building Control.
10.0	**Summary of Recommendation:** Refusal
11.0	**Refusal Reasons** 1. The proposal is contrary to OS1 of PPS 8 in that it will result in a loss of open space and the applicant has failed to demonstrate that the redevelopment will bring substantial community benefits that decisively outweigh its permanent loss. 2. The proposal is contrary to OS2 of PPS 8 Open Space Sport and Recreation QD1 of PPS7 Quality Residential Environments in that it fails to provide adequate or quality private amenity space or sufficient communal open space for prospective residents of this development or the overall development.
Notification to Department (if relevant) N/A	
Representations from Elected members: Cllr Newton	

ANNEX	
Date Valid	3rd January 2019
Date First Advertised	25th January 2019
Date Last Advertised	25th January 2019

Details of Neighbour Notification (all addresses)
The Owner/Occupier,
10 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
10 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
12 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
125 Connsbrook Avenue,Belfast,Down,BT4 1JX
The Owner/Occupier,
14 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
16 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
18 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
20 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
22 Park Avenue Heights, Belfast, BT4
The Owner/Occupier,
31 Sefton Park, Belfast, BT4 1PN
The Owner/Occupier,
31 Shaw Street,Belfast,Down,BT4 1PT
The Owner/Occupier,
32 Sefton Park, Belfast, BT4 1PN
The Owner/Occupier,
36 Sefton Drive, Belfast, BT4 1PL
The Owner/Occupier,
39 Colvil Street,Belfast,Down,BT4 1PS
The Owner/Occupier,
39 Park Avenue, Belfast, BT4 1PU
The Owner/Occupier,
40 Shaw Street,Belfast,Down,BT4 1PT
The Owner/Occupier,
42 Colvil Street,Belfast,Down,BT4 1PS
The Owner/Occupier,
45 Park Avenue, Belfast, BT4 1PU
The Owner/Occupier,
8 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 1,47 Park Avenue,BELFAST,BT4 1PU

The Owner/Occupier, Apartment 10,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 11,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 12,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 13,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 14,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 15,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 2,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 3,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 4,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 5,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 6,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 7,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 8,47 Park Avenue,BELFAST,BT4 1PU The Owner/Occupier, Apartment 9,47 Park Avenue,BELFAST,BT4 1PU	
Date of Last Neighbour Notification	12th February 2019 Additional neighbours consulted 24th May 2019 due to new dwellings now being occupied.
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
Drawing No. Type:	

Development Management Report **Addendum Report 2**	
Application ID: LA04/2020/2325/F	**Date of Committee**: 10th December 2024
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	**Location:** Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in March 2022 and June 2023.	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	**Agent Name and Address:** TSA Planning, 20 May Street, Belfast, BT1 4NL
Date valid: 6th November 2020	
Target date: 18th February 2021	
Contact Officer: Ed Baker, Planning Manager (Development Management)	

Background

This application was first considered by the Committee in March 2022 when the Committee resolved to approve the application subject to completion of a Section 76 planning agreement.

The application remained undetermined at the point of adoption of the Belfast LDP: Plan Strategy in May 2023 because the Section 76 planning agreement had not been completed. The application was therefore reported back to the Committee at its 20th June 2023 meeting so that it could be reconsidered against the new policies in the Plan Strategy.

The Committee again approved the application subject to completion of the Section 76 planning agreement,

The application is reported back to the Committee for a further time in view of the following:

1. The Section 76 planning agreement remains to be completed, over 2.5 years after the Committee's original resolution to grant planning permission subject to completion of the Section 76 planning agreement.

This addendum report should be read in conjunction with the previous Committee reports, appended.

Section 76 planning agreement

2. The Section 76 planning agreement remains outstanding after more than 2.5 years. The delays have mainly been due to land ownership issues that still require to be resolved.

3. The application cannot remain undetermined indefinitely and the Council must be mindful of its statutory performance targets. It is therefore recommended that should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to the Committee in February 2025 for redetermination.

Other matters

4. Amongst other matters, the Section 76 planning agreement is to seek a Developer Contribution of £65,587 for enhancement works at the King George V playing fields. The value of the Developer Contribution should once again be subject to an inflationary uplift due to the passage of time. This should be based on CPI inflation since June 2023 when the application was last considered by the Committee.

Section 76 planning agreement – updated terms

5. The updated planning obligations to be secured through the Section 76 planning agreement are set out below.

    - provision of the 21 units as affordable housing (social / intermediate housing);
    - the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units;
    - the future management of the pocket park;
    - temporary treatment of the site for 12 apartments if those were delayed or not built out; and
    - developer contribution of £65,587 for enhancement works at the King George V playing fields (to be index linked from June 2023) for enhancement works at the King George V playing fields.

Recommendation

6. Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable.

7. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement. Should the Section 76 planning agreement not be completed by the end of January 2025, the application will be reported back to Committee for redetermination.

Development Management Report
Addendum Report 1

Application ID: LA04/2020/2325/F	**Date of Committee**: 20th June 2023
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	**Location:** Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Previously considered by the Committee in March 2022.	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	**Agent Name and Address:** TSA Planning, 20 May Street, Belfast, BT1 4NL

Background

This application was considered at the March 2022 meeting of the Planning Committee. The Committee resolved to grant planning permission subject to a Section 76 Planning Agreement to secure the following:

- provision of the 21 units as affordable housing (social / intermediate housing);
- the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units;
- the future management of the pocket park;
- temporary treatment of the site for 12 apartments if those were delayed or not built out;
- securing of the £52,000 with inflationary uplift since December 2019 (if it had already been paid in relation to application LA04/2019/0081 then it would not have to be paid twice).

The Committee gave delegated authority to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement.

Since the Committee's decision, the Belfast Local Development Plan: Plan Strategy has been adopted (02 May 2023). At its April 2023 meeting, the Committee gave delegated authority to re-evaluate the application following adoption of the Plan Strategy. However, the application is reported back to Committee for re-evaluation as it is connected to application for 12 apartments on the adjacent land (LA04/2019/0081F), which is also being reported to the Committee.

The previous case officer report to the Committee is appended. This includes the Lates items to the March 2022 Committee.

Updated Policy 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.

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.

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.

Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).

Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals 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.

Relevant Planning Policies

The following policies in the Plan Strategy are relevant to consideration of the application.

Policy SD2 – Settlement Areas
Policy HOU1 – Accommodating new homes
Policy HOU2 – Windfall housing
Policy HOU4 – Density of residential development
Policy HOU5 – Affordable housing
Policy HOU6 – Housing mix
Policy HOU7 – Adaptable and accessible accommodation
Policy DES1 – Principles of urban design
Policy RD1 – New residential developments
Policy HC1 – Promoting healthy communities
Policy TRAN6 – Access to public roads
Policy TRAN8 – Car parking and servicing arrangements
Policy TRAN10 – Design of car parking
Policy ENV1 – Environmental quality
Policy ENV2 – Mitigating environmental change
Policy ENV3 – Adapting to environmental change
Policy ENV5 – SuDS
Policy GB1 – Green and blue infrastructure network

Policy OS1 – Protection of Open Space
Policy OS3 – Ancillary open space
Policy NH1 – Protection of natural heritage resources
Policy TRE1 – Trees

Supplementary Planning Guidance
Affordable Housing and Housing Mix
Residential Design
Placemaking and Urban Design
Sustainable Urban Drainage Systems
Transportation
Trees and Development

Updated Assessment

The adoption of the Plan Strategy requires the following updated assessment.

Additional Information

Officers requested that the applicant provides a "Plan Strategy Statement" that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.

Consultation responses

Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy. No further consultations have therefore been issued.

Principle of development

The principle of development remains acceptable as set out in the previous case officer report, appended. The site is located within the settlement limit, has good access to services, shops and public transport. The proposal would make effective use of land at a density of 42 units/ha, which is within the 25-125 units/ha range for outer Belfast. The proposal is considered compliant with Policies SD2, HOU1, HOU2 and HOU4 of the Plan Strategy.

Whilst the proposal would result in the loss of open space, this is considered off-set by the provision of the 21 dwellings as social housing for which there is a significant local need. NIHE has previously confirmed its support for the application and that the scheme was on the 2021/22 social housing programme (see Late items report to the March 2022 Committee, appended). Combined with the provision of a commuted sum of £65k (including inflation) towards improvements to the local King George V playing fields, this is considered a substantial community benefit that would decisively outweigh the loss of the original open space, having regard to Policy OS1 of the Plan Strategy.

Affordable housing and housing mix

All 21 dwellings would be provided as affordable housing (100% provision) to help off-set the loss of the original Maple Leaf Club and open space from the site.

The proposal, in combination with the development of the adjacent site for 12 apartments (LA04/2019/0081/F), could result in mono-tenure social housing, which would be conflict with the

Policy HOU5's objective of mixed and balanced communities. However, the Affordable Housing and Housing Mix SPG advises at paragraph 4.4.12 that whether proposals for mono-tenure social housing is deemed to deliver sustainable and balanced communities can be assessed on a case-by-case basis using three key factors:

- The level of social housing need in the vicinity of the site and the availability of land to address such needs;
- The wider tenure characteristics of an area, in order to minimise large areas of single tenure social housing; and
- Whether a scheme is proposed as 'shared housing'.

Given the need for social housing the area, NIHE's support for the proposal and tenure characteristics of nearby housing, the approach to tenure is considered, on balance, acceptable.

The proposal is therefore considered acceptable having regard to Policy HOU5 of the Plan Strategy and its associated SPG.

The proposed 5 person 3 bedroom units are 103-104 sqm; and the 3 person 2 bedroom units are 80 sqm, meeting the space standards in Appendix C of the Plan Strategy. The housing mix is considered acceptable, having regard to Policy HOU6.

Adaptable and accessible housing

Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible. The applicant has not provided evidence that the scheme will provide sufficient wheelchair accessible units and argues that 'there is an inherent difficulty in designing a small percentage of units to a different standard'.

The applicant states that the proposed dwellings have been specifically designed to meet the requirements of the Housing Association, taking account of increased space requirements requested by them, and that no wheelchair housing units have been provided as a result of no need being identified by NIHE with respect to the social housing waiting list. Similarly, the applicant notes that there is in-built flexibility for all units already designed to Lifetime Homes standards.

Whilst building to Lifetime Homes standards and Housing Association Guide (HAG) standards will ensure that all dwellings will meet the adaptable home requirements of criteria a. to f. of Policy HOU7, the proposals does not fully satisfy the wheelchair accessibility provisions set out in criteria g. to o. Policy HOU7 requires a minimum of 10% of the dwellings to be wheelchair accessible units. However, some of the proposed dwellings exceed the minimum space standards and the full Lifetime Homes standards meet some of the wheelchair adaptable standards. Regard is also had to the previous decision of the Committee in March 2022 to grant planning permission. Taking into account these factors, this contravention of Policy HOU7 is considered acceptable in the planning balance.

Climate Change

Policy ENV2 of the Plan Strategy 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. All new development proposals (including changes of use) will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction and

operation. The applicant states that the proposal is capable of meeting the BREEAM and energy efficiency standards of Housing Associations. Whilst no specific measures to mitigate climate change have been provided, given the requirement for the apartments to be constructed to Housing Association design standards which require a commitment to energy efficiency, it is considered that this matter can be appropriately addressed by condition.

Policy ENV3 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development. In order to minimise the impact of extreme weather conditions, new developments should also embed resilience to current and future climates. The proposed layout includes permeable grassed areas. No additional resilience measures have been identified, however, this can be secured by an appropriate planning condition.

Sustainable Urban Drainage Systems (SuDS)

Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. Whilst no specific measures are identified, the proposed layout includes permeable grassed areas. No additional specific SuDS measures have been identified by the applicant, however, this will be secured by means of a planning condition.

Promoting healthy communities

Policy HC1 of the Plan Strategy states that the council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. The scheme involves the provision of a small pocket park on the adjacent development of 12 apartments to provide amenity and recreation space for residents. The site is within walking distance of King George V playing fields. It is within walking distance of shops and services and its location would promote healthy and active lifestyles. The proposal is considered acceptable having regard to Policy HC1 of the Plan Strategy.

Planning obligations

It is considered that the planning obligations previously agreed by the Committee remain necessary to make the proposal acceptable in the planning balance. These include:

- provision of the 21 units as affordable housing (social / intermediate housing);
- the pocket park proposed under LA04/2019/0081/F to be delivered no later than two years from the date of first occupation of the 21 units;
- the future management of the pocket park;
- temporary treatment of the site for 12 apartments if those were delayed or not built out; and
- developer contribution of £65,587 for enhancement works at the King George V playing fields

Other considerations

Other aspects of the proposal are considered to remain acceptable, having regard to the policies in the Plan Strategy.

Regard is also had to the previous decision of the Planning Committee which was to grant planning permission subject to completion of a Section 76 planning agreement.

Conclusion and Recommendation

Having regard to the assessment in this addendum report and the previous report to the Planning Committee, in the planning balance, the proposal is considered acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement. Additional conditions are required in respect of mitigation and adaptation to climate change, including SuDS.

Planning Committee: Tuesday 15 March 2022

Late Items

<table>
<tr><th>Agenda Item</th><th>Application</th><th>Issues Raised</th><th>Action</th></tr>
<tr><td>7c</td><td>LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue</td><td>Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments.

The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026.

The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021.

<table>
<tr><th></th><th>Singles</th><th>Families</th><th>Elderly</th><th>TOTAL</th></tr>
<tr><td>All Applicants</td><td>133</td><td>138</td><td>58</td><td>329</td></tr>
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<tr><td>Allocations to December 2021</td><td>30</td><td>13</td><td>30</td><td>73</td></tr>
</table>

The proposal is currently on the 2024/25 Social Housing Development Programme as a second phase of development of the wider lands.</td><td>For notation.</td></tr>
<tr><td>7c</td><td>LA04/2019/0081/F Erection of 12 apartments at former Maple Leaf Club, Park Avenue</td><td>The applicant confirms their agreement to the inflationary uplift (Consumer Price Index linked) to the £52k Financial Developer Contribution towards enhancements at the King George V playing fields.</td><td>For notation.</td></tr>
</table>

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<tr><td></td><td></td><td></td><td></td></tr>
<tr><td>7d, 7e & 7f</td><td>LA04/2019/0082/F, LA04/2019/0083/F (s54 applications) and LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue</td><td>Northern Ireland Housing Executive (NIHE) is supportive of the application and provides the following comments.

NIHE confirms that the proposal is on the 2021/22 Social Housing Development Programme and the mix of housing has been agreed with the joint applicant, Choice Housing. NIHE is keen that the scheme commences in this financial year.

The site is located within Middle East Housing Need Area which has a five year need for 307 units for the period 2021-2026.

The site is adjacent to Sydenham, Edenvale and Dundela Common Landlord Areas. The following table provides a summary of the Waiting List information for this area for December 2021.

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<tr><td>7d & 7e</td><td>LA04/2019/0082/F and LA04/2019/0083/F s54 applications relating to site of the former Maple Leaf Club, Park Avenue</td><td>The applicant has withdrawn both applications as the s54 applications are no longer needed.</td><td>For notation.</td></tr>
</table>

Agenda Item	Application	Issues Raised	Action
7f	LA04/2020/2325/F Erection of 21 dwellings at former Maple Leaf Club, Park Avenue	Further to the officer recommendation, the applicant has confirmed their agreement to the following planning obligations to be secured by way of a Section 76 planning agreement: • Single payment of £52k plus inflationary uplift (Consumer Price Index linked); and • Delivery of the 21 dwellings as social/affordable housing. However, for logistical reasons, the applicant is unable to agree to the requirement that the pocket park is delivered prior to occupation. The main difficulties are summarised below: • Underneath the site of the pocket park is the main sewer and electrical cable. Access will be required until full adoption of sewers; • Access for gas connection; • Construction of the apartment block will require access for scaffold, plant and piling rig; • This is the only area left for welfare facilities; • It would be the last part of construction on the overall site from a practical view. In practice, the applicant states that they are confident that they will be able to deliver the 12 apartments within this period and at the same time complete the pocket park. However, should this not be possible, it proposes a clause in the Section 76 planning agreement to	Officers accept that it would be impracticable to deliver the pocket park prior to occupation of the 21 dwellings for the reasons set out by the applicant. The officer recommendation is therefore modified to require that the pocket park is delivered no later than two years from the date of first occupation. A planning obligation should also be required to secure its future management.

Agenda Item	Application	Issues Raised	Action
		require delivery of the pocket park within 24 months from occupation of the first dwelling within the 21 dwelling scheme. The pocket park would be managed by Choice Housing Association. For information, the applicant provides the following indicative timeline for delivery of the scheme: • March/April 2022 – onsite start of 21 dwellings. • March/April 2023 – first handover • March/April 2023 – hope to commence works on 12 apartments • March/April 2024 – complete 12 apartments and pocket park • Worst case scenario is that pocket park will be delivered 24 months from first handover i.e. by March/April 2025	

Committee Application

Development Management Report	
Application ID: LA04/2020/2325/F	**Date of Committee**: 15 March 2022
Proposal: Proposed erection 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4no. semi-detached), car parking, landscaping and all associated site and access works (Amended drawings, additional information)	**Location:** Lands at Former Maple Leaf Club, 41-43 Park Avenue, Belfast
Referral Route: Proposal would secure a Financial Developer Contribution exceeding £30,000. Application also in association with applications LA04/2019/0081/F, LA04/2019/0082/F and LA04/2019/0083/F, previously considered by the Planning Committee and on the same agenda.	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Choice Housing Association & Latner 10 Developments, Unit 983 Moat House, 54 Bloomfield Avenue, Belfast	**Agent Name and Address:** TSA Planning, 20 May Street, Belfast, BT1 4NL

Executive Summary:

The application seeks full planning permission for the erection of 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4 no. semi-detached), car parking, landscaping and all associated site and access works.

The key issues to consider are:

- Principle of development
- Loss of open space
- Provision of public and private amenity space
- Impact on the character and appearance of the area
- Impact on residential amenity
- Impact on existing trees / proposed landscaping
- Access and parking
- Drainage and flood risk
- Waste-water infrastructure

The site is un-zoned ‘whiteland’ within the BUAP 2001 and draft BMAP 2015.

The proposed development would result in the loss of open space (including the bowling green previously located on the site) protected by Policy OS1 of PPS 8.

By way of background, planning application Z/2010/0434/F was granted planning permission in June 2011 on essentially the same site, but also including land to the west, for a mixed use development including replacement of the original Maple Leaf club and 21 dwellings. That planning permission

included conditions requiring the provision of social housing and build out of the replacement social club, required to offset the loss of open space. These conditions were subsequently varied under applications Z/2011/0827/F and Z/2011/0829/F.

Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. Condition 2 prevents occupation of the residential units until the replacement Maple Leaf Club has been erected in accordance with the new approved plans. Condition 3 requires the development to be delivered as social / affordable housing. It appears the main site access and part of the access road between Blocks A and C have been constructed and this serves the development of 13 houses to the north of the site (LA04/2015/0052/F). Therefore, it is considered that the development has commenced and represents a fall-back for the developer, albeit it would require the construction of the replacement social club.

The current application for 21 dwellings (social / affordable) is a standalone application for residential development, i.e. the developer does not wish to construct the social club as previously approved.

The Planning Committee has previously resolved to approve application LA04/2019/0081/F for 12 apartments (social/affordable housing) on the part of the site previously approved for the replacement social club. It also approved associated applications LA04/2019/0082/F and LA04/2019/0083/F to vary the previous permissions for 21 dwellings and replacement Maple Leaf Club in order to relax the requirement to construct and operate the new social club.

Policy OS2 requires public open space to be provided as an integral part of new housing schemes of 25 units or more and states that at least 10% of the total site area should be open space in normal circumstances. Whilst the proposal is for 21 dwellings – being less than the 25 unit threshold – it is being brought forward in combination with the development of the immediately surrounding lands of 13 units built to the north and the proposed 12 apartments to the west (i.e. 46 units in total). The proposal includes some minor areas of maintained open space, however, these areas do not amount to 10% and offer limited amenity value. The proposal is therefore contrary to Policy OS 2 of PPS 8.

Policy OS1 of PPS 8 states that development resulting in the loss of existing open space will not be permitted, however, an exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. It is considered that the provision of affordable housing does not by itself outweigh the loss of the open space in this instance.

In resolving to grant planning permission for the 12 apartments to the west (LA04/2019/0081/F), the Planning Committee took the view that the relaxation of the requirement to provide a new club to replace the Maple Leaf Club and off-set the loss of open space from the site would be justified provided that 1) the 12 apartments were delivered as affordable housing; 2) a Financial Developer Contribution of £52k is paid to improve off-site open space facilities, and 3) that the proposed pocket park in front of the apartments is delivered to provide valuable open space to serve not only the proposed 12 apartments but also the surrounding houses including the extant permissions for 21 dwellings on the application site.

Therefore, consistent with the Committee's previous decisions in December 2019 in respect of the 12 apartments on the adjacent site, it is also necessary that the pocket park is delivered as part of the scheme for 21 dwellings. Otherwise, it would have insufficient open space and there would be insufficient off-set for the loss of the original open space on the site. Moreover, the £52k should also be secured as part of any permission for the 21 dwellings. This amount was agreed by the Planning Committee in December 2019 but should be increased to allow for inflation. An obligation should also secure temporary treatment of the site if the construction of the 12 apartments are delayed or not

built. Subject to these obligations to be secured by means of a Section 76 planning agreement, the proposal is considered acceptable having regard to Policies OS 1 and OS 2 of PPS 8.
On balance, it is considered the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings and landscaped and hard surfaced areas. Furthermore, whilst there are concerns regarding the design of the proposed development, given the extant approval on the site and the similar design, it is considered acceptable.

Minor concerns regarding overlooking between Blocks C and D have been raised, however, given the extant approval on the site and the similar layout, it is considered acceptable. There are no concerns regarding natural light, outlooking or shadow.

BCC Environmental Health Service has raised concerns regarding the level of noise within the external amenity areas of the 4 semi-detached dwellings. However, they conclude that if the development is desirable and given its urban location, it should not be prohibited on the basis of high external noise levels in some garden areas. Consequently, they have not offered any objections to the proposal.

Each dwelling enjoys access to private amenity space, ranging from 33 sq m to 100 sq m, with the average provision approx. 50 sq m. There are slight concerns regarding the amenity space provision of some proposed dwellings. However, given there is an extant approval on the site for a similar layout, the arrangement is considered acceptable.

The proposed development is accessed via Park Avenue. No in-curtilage parking is proposed, however, communal car parking space are proposed within the development. DFI Roads have provided comments on the proposal and offered no objection, subject to conditions.

The proposal involves the removal of trees along the Park Avenue boundary, however, a tree survey has been submitted and the Council's Tree Officer has no objection. Furthermore, additional compensatory planting has been proposed which helps to soften the proposal and assist its integration.

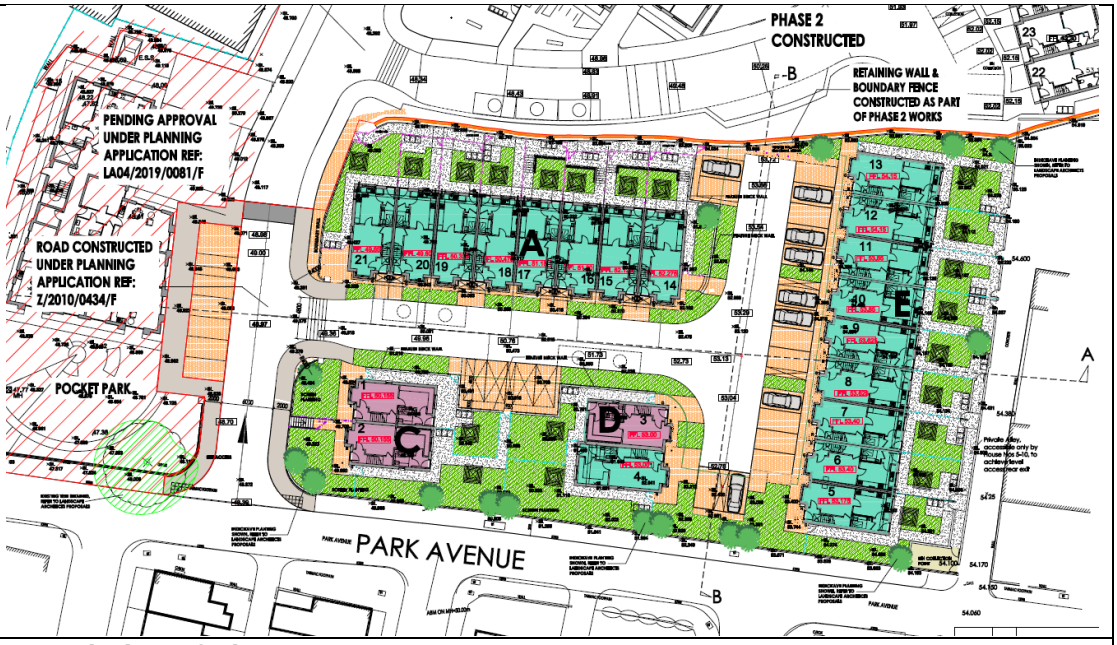
Recommendation

Having regard to the development plan and the other material planning considerations, including planning history of the site and adjacent land, it is considered that, on balance, the proposed development is acceptable. It is therefore recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement to secure the following:

- provision of the 21 units as affordable housing (social / intermediate housing)
- delivery of the pocket park proposed under LA04/2019/0081/F prior to occupation of any of the 21 dwellings
- temporary treatment of the site for 12 apartments if these are delayed or not built out
- securing of the £52k with inflationary uplift since December 2019 (if this already been paid in relation to applications LA04/2019/0081, LA04/2019/0082 or LA04/2019/0083 then it will not have to be paid twice).

It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement.

Characteristics of the Site and Area	
1.0	**Description of Proposed Development**
1.1	The application seeks full planning permission for the erection of 21 no. dwellings (social/affordable housing units comprising 17 no. townhouses and 4 no. semi-detached), car parking, landscaping and all associated site and access works.
1.2	It follows previous planning permissions being granted on the site and adjacent land for 21 dwellings including the erection of a new club to replace the original Maple Leaf Club, which has since been demolished.



2.0 Description of Site

2.1 The application site is located to the north side of Park Avenue on lands at the former Maple Leaf social club. The site has been cleared and is currently secured from public access. Previously, the Maple Leaf social club, a bowling green and a car park were located on the site, however, the bowling green appears to have been removed circa 2015/16 and the Maple Leaf club demolished circa 2018/19.

2.2 The site is accessed from Park Avenue which slopes steeply in a westerly direction from Holywood Road towards Connsbrook Avenue. There is an existing access road through the site, which currently serves 13 residential units and a Masonic Hall to the north. The same access is proposed to serve the development.

2.3 The surrounding area is characterised primarily by residential development, however, there is a Masonic Hall in close proximity and a commercial vehicle sales yard to the west (accessed off Connsbrook Avenue). The surrounding residential development is relatively high density, in the form of terraced housing and apartments.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

Application site

Z/2010/0434/F – Mixed use development to include the relocation and replacement of the Maple Leaf Club premises and residential development comprising 21 dwellings (3no. 2 bed, 18no. 3 bed dwellings), landscaping and associated site works – Granted 9/6/11

Z/2011/0827/F – Article 28 application to vary condition 3 of permission Z/2010/0434/F to include social/affordable housing within the residential development and the social club – Granted 30/3/12

	Z/2011/0829/F – Article 28 application to vary condition 2 of permission Z/2010/0434/F to allow simultaneous commencement of development of the residential development and the social club – Granted 30/3/12 LA04/2015/0075/F – Modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots 14-21 – Granted 25/2/16 Z/2002/2542/A41 – Conversion of existing offices to bowling viewing lounge – Permitted Development Z/1999/0307 - Proposed bowling green in part of existing car park including new access arrangements – Granted 10/4/01 ***Land to West (Currently under consideration)*** LA04/2019/0081/F – Erection of 12 apartments (social/affordable housing units comprising 3No. one bed & 9No. two bed) with provision of community pocket park, car parking, landscaping and all associated site and access works. *The Planning Committee resolved to grant planning permission subject to a Section 76 planning agreement at its meeting in December 2019* LA04/2019/0082/F – Section 54 application to remove condition 2 of Z/2010/0434/F. The condition reads as follows, 'No part of the residential development herby permitted shall be commenced until the social club herby approved is constructed and operational in accordance with the approved plans.' The removal of the condition is necessary to allow the construction of the social/affordable housing. *The Planning Committee resolved to grant planning permission subject to a Section 76 planning agreement at its meeting in December 2019* LA04/2019/0083/F – Section 54 application to remove condition 2 of LA04/2015/0075/F. The condition reads as follows 'No part of the residential development hereby permitted shall be occupied until the social club hereby approved is constructed and operational in accordance with drawing 06A date stamped 20th August 2016, drawing 07B date stamped 03 February 2016 and drawing 08 stamped 01 April 2015'. The removal of the condition is necessary to allow for the construction and occupation of the social/affordable housing. *The Planning Committee resolved to grant planning permission subject to a Section 76 planning agreement at its meeting in December 2019* ***Wider lands*** LA04/2015/0052/F - Lands to the north of 41-43 Park Avenue , Belfast, and to the south of 45 Park Avenue, Belfast - Erection of 13 No. social/affordable housing units (7No, 2 bed townhouses & 6No. 2 bed apartments) with associated parking, landscaping and road works, with access from Park Avenue via adjacent approval Z/2010/1434/F including provision for revised access/parking to masonic hall – Granted 22/9/16.
4.0	**Policy Framework**
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (v2004) (dBMAP 2015 v2004)
4.3	Draft Belfast Metropolitan Plan 2015 (v2014) (dBMAP 2015 v2014)

4.3	Strategic Planning Policy Statement (SPPS) PPS 2 Natural Heritage PPS 3 Access, Movement and Parking PPS 7 Quality Residential Environments PPS 7 Addendum - Safeguarding the character of established residential areas PPS 8 Open Space, Sport and Outdoor Recreation PPS 12 Housing in Settlements PPS 15 Planning and Flood Risk Creating Places Developer Contribution Framework (adopted 2020)
5.0	**Statutory Consultees Responses**
5.1	DFI Roads – No objection, subject to conditions
5.2	NIEA – No objection, subject to conditions
5.3	NI Water – No objection
5.4	DFI Rivers – No objection
6.0	**Non-Statutory Consultees Responses**
6.1	BCC Environmental Health – No objection, subject to conditions
6.2	BCC Tree and Landscaping officer – No objection, subject to conditions
7.0	**Representations**
7.1	37 neighbours have been notified of the proposed development. No representations were received.
8.0	**Assessment**
8.1	<u>Development Plan context</u> Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP 2015 remaining a material consideration. Given the advanced stage at which dBMAP 2015 (v2014) pre-adoption including modification following the Planning Appeals Commission's report on the Examination in Public, it is considered that it holds significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.
8.2	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in

	relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
	<u>SPPS</u>
8.3	The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.
8.4	The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. The SPPS advises that the use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings. The SPPS also seeks to protect Open Space.
	<u>Principle of development including loss of Open Space</u>
8.5	The site is un-zoned 'whiteland' within the BUAP and draft BMAP.
8.6	The proposed development would result in the loss of open space including the bowling green previously located on the site, protected by Policy OS1 of PPS 8.
8.7	Planning application Z/2010/0434/F was granted planning permission in June 2011 for a mixed use development of the site and adjacent land to include the relocation and replacement of the Maple Leaf club premises and 21 dwellings, landscaping and associated site works. This planning permission included conditions requiring the provision of social housing and a new social club. Condition 2 prevents commencement of the construction of the houses until the replacement Maple Leaf Club has been erected in accordance with the approved plans and is operational. Condition 3 requires the development to be delivered as social housing. These conditions were imposed to offset the loss of open space.
8.8	Planning application Z/2011/0829/F was granted in March 2012 to vary condition 2 to allow simultaneous construction of the Maple Leaf Club and 21 dwellings approved under application Z/2010/0434/F. The condition was varied to prevent <u>occupation</u> of the residential units until the replacement Maple leaf Club had been erected in accordance with the approved plans and is operational.
8.9	Planning application Z/2011/0827/F was granted in March 2012 to vary condition 3 to include the term affordable in addition to social housing, in order to be less restrictive for the applicant as it would allow the sale of dwellings in the future under the 'right to buy' scheme.
8.10	Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. Condition 2 prevents occupation of the residential units until the replacement Maple leaf Club has been erected in accordance with the new approved plans and is operational. Condition 3 requires the development to be delivered as social / affordable housing. Conditions 2 and 3

	of this approval replicate the previous variation of condition approvals under Z/2011/0827/F and Z/2011/0829/F.
8.11	It appears that the main site access and part of the access road between Blocks A and C have been constructed. Google Earth images appear to show this in place in June 2016. The only pre-commencement condition of LA04/2015/0075/F relates to the provision of the site access onto Park Avenue. As this access appears to have been constructed within 5 years of the date of the permission, it is considered that this development has likely commenced and this represents a fall back.
8.12	The current application for 21 dwellings is a standalone application for residential development, i.e. the developer does not wish to construct the social club as previously approved. In December 2019, the Planning Committee resolved to approve application LA04/2019/0081/F for 12 apartments (social/affordable housing) on the part of the site previously approved for the social club. In addition, it resolved to approve applications LA04/2019/0082/F and LA04/2019/0083/F to remove the conditions requiring construction and operation of the social club from the previous 2010 and 2015 approvals.
8.13	As previously noted, the principle of development on the current application site was considered acceptable as the original proposal included both the provision of affordable housing and a replacement social club. The current proposal includes the provision of social / affordable housing, however, the social club has now been removed entirely from the proposal. Since the provision of a replacement social club was to form part of the original off-set for the loss of Open Space, this now needs to be reconsidered.
8.14	Policy OS1 of PPS 8 states that development resulting in the loss of existing open space will not be permitted, however, an exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. It is considered that the provision of affordable housing does not by itself outweigh the loss of the open space in this instance.
8.15	In resolving to grant planning permission for the 12 apartments to the west (LA04/2019/0081/F), the Planning Committee took the view that the relaxation of the requirement to provide a new club on the site to replace the Maple Leaf Club and loss of Open Space from the site would be justified provided that the 12 apartments were delivered as affordable housing, that a Financial Developer Contribution of £52k be paid to improve off-site Open Space facilities, and that the proposed pocket park in front of the apartments is delivered to provide value Open Space to serve not only the 12 apartments but also the surrounding houses including the extant permissions for 21 dwellings on the application site.
8.16	Therefore, consistent with the Committee's previous decisions in respect of the 12 apartments on the adjacent site, it is also necessary that the pocket park is delivered as part of the scheme for 21 dwellings. Otherwise, it would have insufficient Open Space and there would be insufficient off-set for the loss of the original Open Space on the site. It is conceivable that only the pocket park element of the adjacent scheme for 12 apartments comes forward and in these circumstances there should be an additional obligation requiring temporary treatment of the location of the 12 apartments. Moreover, the £52k should also be secured as part of any permission for the 21 dwellings (although it would not need to be paid twice – it should be secured from whichever of the two permissions comes forward first). This amount was agreed by the Committee in December 2019

	but should be increased to allow for inflation. Subject to these obligations to be secured by means of a Section 76 planning agreement, the proposal is considered acceptable having regard to Policies OS 1 and OS 2 of PPS 8. <u>Impact on the character and appearance of the area</u> *Layout*
8.17	The proposal includes 17 terraced dwellings and 4 semi detached dwellings. Block C is a pair of semi-detached dwellings located directly facing the site access. Block A includes 8 terraced dwellings located perpendicular to the existing access road. The terraced dwellings are 3 storey (10.1 m to ridge), with a heavier roof at the rear giving the appearance of 2 storeys. The proposal includes an internal access road between Blocks A and C in an easterly direction. To the south of the access road and to the north of the existing Park Avenue is Block D, another pair of semi detached dwellings. Block D includes one 2 storey dwelling and one 3 storey dwelling. At the end of the access road and arranged perpendicular to Park Avenue is Block E, a row of 9 terraced dwellings with a similar 3 storey / 2 storey design to Block C. The proposed dwellings are orientated gable ended towards Park Avenue, similar to the residential developments directly opposite the site. No in curtilage parking is provided, which is generally characteristic of the surrounding area. *Materials*
8.18	The proposed materials include a mix of red brick and smooth render external walls, grey concrete roof tiles, grey uPVC windows, timber hardwood doors and black uPVC rainwater goods. The proposed materials are considered in keeping with the site and surrounding area and are acceptable.
8.19	There are concerns regarding the form of the proposed dwellings, e.g. Block D is a pair of semi detached dwellings, one two storey and one three storey in height. However, given the extant approval on the site which included an almost identical arrangement, it is considered acceptable in this case. *Residential density*
8.20	The proposed residential density equates to approximately 42 dwellings per hectare. Densities within the immediate surrounding areas range from approximately 40 dwellings per Ha (Phase 1 and development along Park Avenue) up to 120 dwellings per Ha (terraced dwellings along Colvil Street, Shaw Street, Sefton Park etc). It is considered the proposed density is in keeping with the area.
8.21	On balance, it is considered the proposed development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings and landscaped and hard surfaced areas, having regard to the previous permission which was for a similar layout and design.
8.22	<u>Residential amenity</u> It is not considered that the proposed development will create conflict with adjacent land uses.
8.23	As already noted, Blocks C and D are two pairs of semi-detached dwellings arranged back to back within the proposed development. The separation distance between the two blocks is approximately 17 metres, which is below the guidelines as detailed in Creating Places. However, given the extant approval on the site which

	included a similar arrangement, it is considered acceptable in this case. There are no other concerns regarding overlooking, natural light, shadow or outlook.
8.24	The application site is located close to the busy Park Avenue road and will therefore potentially be impacted by noise. A Noise Impact Assessment (NIA) was submitted in support of the proposal. BCC Environmental Health (EHO) has raised concerns regarding the level of noise within the external amenity areas of the 4 semi-detached dwellings. The British Standard guidance advises that '*the acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50-55dBL$_{Aeq,16hr}$."* The standard continues… *'these guideline values may not be achievable in all circumstances where development might be desirable. In such a situation development should be designed to achieve the lowest practicable noise levels in these external amenity spaces* ***but should not be prohibited****.'*
8.25	Consequently, EHO have advised that if the development is desirable and given its urban location, it should not be prohibited on the basis of high external noise levels in some garden areas. Furthermore, EHO also acknowledge the previous approval granted for a similar layout on the site. In conclusion, Environmental Health Has requested conditions in the event that planning permission is granted.
8.26	An updated Generic Quantitative Risk Assessment (GQRA) and further clarifications document were submitted in support of the proposal in relation to contaminated land. Following review of this information, EHO advise they have no objection, subject to conditions.
8.27	<u>Space standards</u> The proposed development includes a mix of 5 person 3 bedroom dwellings and 3 person 2 bedroom dwellings. The 5P3B dwellings measure approximately 103-104 sq metres and the 3P2B dwellings measure approximately 80 sq metres. Consequently, the proposed dwellings comply with the space standards, as per Policy LC1 of PPS 7 Addendum.
8.28	<u>Amenity space</u> Creating Places (CP) states that 'a variety of different garden sizes should be provided and back garden provision should therefore be calculated as an average space standard for the development as a whole, and should be around 70 sq m per house or greater'. CP also states that a private amenity area of less than around 40 sqm would generally be unacceptable. Each dwelling enjoys access to private amenity space, ranging from 33 sq m to 100 sq m, with the average provision approx. 50 sq m. There are slight concerns regarding the amenity space provision of a number of proposed dwellings, e.g. House No's 6, 7 and 8 have relatively small rear gardens measuring approx. 33 sqm. However, given there is an extant approval on the site for a similar layout, the arrangement is considered acceptable.
8.29	As previously noted, Policy OS2 of PPS 8 is relevant to the proposed development. Policy OS2 requires public open space to be provided as an integral part of new housing schemes of 25 units or more and states that at least 10% of the total site area should be open space in normal circumstances. Whilst the proposal is for 21 dwellings – being less than the 25 unit threshold – it is being brought forward in combination with the development of the immediately surrounding lands of 13 units built to the north and the proposed 12 apartments to the west (i.e. 46 units in total). The proposal includes some minor areas of maintained open space, however, these areas do not amount to 10% and offer limited amenity value. The proposal is therefore contrary to Policy OS 2 of PPS 8. This was also true of the extant

	schemes, however, these were to provide a replacement social club to provide off-set. Linking the proposed development to provision of the pocket park (as proposed under ref. LA04/2019/0081/F) on land directly adjacent to the site would help offset the reduced provision of public open space within the site.
8.30	<u>Access and Parking</u> The proposed development is accessed via Park Avenue. As noted previously, no in-curtilage parking is proposed, however 28 communal car parking spaces are proposed within the development (1.33 spaces per dwelling). It is noted that one additional space is now proposed on the western portion of the site, however the proposal has been amended to remove the social club and apartments are now proposed on this part of the site (ref. LA04/2019/0081/F). DFI Roads have provided comments on the proposal and offered no objection, subject to conditions.
8.31	The proposed development incorporates an acceptable movement pattern that supports walking and cycling and offers convenient access to public transport, along Holywood Road and Connsbrook Avenue. The proposal incorporates traffic calming measures and assists in meeting the needs of people whose mobility is impaired (level access, tactile paving, accessible parking bays etc.).
8.32	The proposed development is not large enough for provision of local neighbourhood facilities, however, local amenities are located in close proximity on Connsbrook Avenue, Holywood Road and Belmont Road.
8.33	<u>Trees and Landscaping</u> Trees along the front boundary of the site were originally proposed for retention but are now proposed for removal. The tree survey that has assessed 9 trees in total, two of which are outside the redline boundary of the application site. Out of the 7 remaining trees, 4 were found to be in poor condition, 3 of which are recommended for felling. The other 3 trees were found to be in fair condition but that 2 of these (No's 5 and 6) have evidence of root disturbance, most likely from demolition works to remove old structures. Updated arborist details have been provided in regard to tree no. 4. The report states that the current situation adjacent to the tree and construction measures is likely to result in the future stress and strain of the tree. Given the location of the tree adjacent to the public footpath, the Council's Tree Officer advises that the most appropriate long-term approach would be to remove and replace the tree with a suitable species.
8.34	Compensatory planting is proposed for the loss of the trees along the front boundary. These will be 16 x extra heavy standard size at the time of planting. The proposed planting has been revised to include a mix of species, including birch, sweetgum, cherry, rowan and apple. The Tree Officer is content with the proposed landscaping and the long term management plan relating to same. Consequently, it is considered that the proposed landscaping helps to soften the visual impact of the development and assists in integration with the surrounding area.
8.35	<u>Drainage and Flood Risk</u> A Drainage assessment (DA) was submitted in accordance with Policy FLD 3 of PPS 15. DFI Rivers accepts the logic of the DA and have no reason to disagree with the conclusions. Furthermore, a copy of the Schedule 6 consent to discharge has been submitted. Consequently, DFI Rivers has no objection to the proposal.

8.35	Waste water infrastructure NI Water (NIW) has confirmed that there is available capacity at the receiving waste water treatment works and offers no objection to the proposal.
8.36	Other issues There are no concerns regarding impact on features of archaeological or built heritage. Furthermore, the proposal is designed to deter crime and promote personal safety, meeting Secure By Design standards.
9.0	**Summary of Recommendation:** Approve subject to conditions and S76
9.1	Having regard to the development plan and the other material planning considerations, including planning history of the site and adjacent land, it is considered that, on balance, the proposed development is acceptable. It is therefore recommended that planning permission is granted, subject to conditions and a Section 76 planning agreement to secure the following: • provision of the 21 units as affordable housing (social / intermediate) • delivery of the pocket park proposed under LA04/2019/0081/F prior to occupation of any of the 21 dwellings • temporary treatment of the site for 12 apartments if delayed or not built out • securing of the £52k with inflationary uplift since December 2019 (if this already been paid in relation to applications LA04/2019/0081, LA04/2019/0082 or LA04/2019/0083 then it will not have to be paid twice).
9.2	It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement.
10.0	**Draft Conditions**
10.1	The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.
10.2	The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.201001-C100 Rev.B uploaded to the Planning Portal 10th February 2022, prior to the occupation 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.
10.3	The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter. REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

10.4	The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Council hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No.201001-C100 Rev.B bearing the Department for Infrastructure Determination date stamp 3rd March 2022.
10.5	REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course. The final wearing course shall be applied on the completion of each phase of the development. REASON: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling.
10.6	Notwithstanding the provisions of the Planning (General Permitted Development) (Northern Ireland) Order 2015, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in service strips determined for adoption. REASON: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage to or obstruction of services within the service strip.
10.7	Notwithstanding the provisions of the Planning (General Permitted Development) (Northern Ireland) Order 2015, no planting other than grass, flowers or shrubs with a shallow root system and a mature height of less than 0.5m shall be carried out in service strips determined for adoption. REASON: To prevent damage to or obstruction of services within the service strip.
10.8	The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.201001-C100 Rev.B uploaded to the Planning Portal 10th February 2022 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles. REASON: To ensure adequate provision has been made for parking within the site.
10.9	The development hereby permitted shall not be occupied until any retaining structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 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 BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.
10.10	No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until tree protection measures have been put in place in accordance with recommendations in the Andrew Boe BS5837 Tree Survey and Arb Impact Assessment Report, dated the 20

	January 2021 and approved Drawing No.15A, uploaded to the planning portal on 20th December 2021. These protection measures shall remain in place until the construction works hereby approved are complete and all plant and machinery has been removed from the site.
10.11	Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered. Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development works to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.
10.12	All soft landscaping works shall be carried out in accordance with the approved details on approved Drawing No.15A, uploaded to the planning portal on 20th December 2021. The works shall be carried out prior to the occupation of the development hereby approved or within the first available planting season after occupation, whatever is the sooner or 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 interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.
10.13	Once completed, all soft landscaping shall be maintained in accordance with the B. Moore ‘‘Landscape Management Plan’ titled ‘Proposed Housing at Park Avenue Belfast’, uploaded to the planning portal on 20th December 2021. Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.
10.14	No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. Reason: To ensure the continuity of the biodiversity value afforded by existing trees.
10.15	The Proposed drainage Strategy, as set out in section 5.0 of *Drainage Assessment*, produced by Civil Design Services (Doc Ref: 201001/DA/10-20LJW), dated October 2020 and uploaded to the Planning Portal on 16th November 2020, shall be implemented in full. Reason: To protect the water environment.

10.16	If during the development works, new contamination or risks are encountered which have not previously been identified, works must cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. Reason: Protection of environmental receptors to ensure the site is suitable for use.
10.17	After completing the remediation works under Condition 16; and prior to occupation of the development, a verification report shall be submitted to and approved in writing and agreed by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use.
10.18	Prior to the occupation 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 PM Ltd report entitled: 'Updated Contamination Assessment - New Housing at Park Avenue Phase 1, Belfast' for Latner Developments Ltd (dated October 2020 and referenced PM20-1141) and as updated in the PM Ltd 'Contamination Assessment Clarifications' letter dated 11th February 2021, referenced PM20-1141_Let1 have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential with home-grown produce). It must demonstrate that the identified potential contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance. In particular, this Verification Report must demonstrate that: a. the final site layout is as per the proposed development plan within Appendix I of the PM Ltd report entitled: 'Updated Contamination Assessment - New Housing at Park Avenue Phase 1, Belfast' for Latner Developments Ltd (dated October 2020 and referenced PM20-1141); b. Soils of private garden areas as shown in Figure A of the PM Ltd 'Contamination Assessment clarifications letter', dated February 2021, referenced PM20-1141_Let1, drawing titled: 'Updated areas of gardens requiring remediation', have been encapsulated with a 1m depth capping layer comprising 300mm of granular material, overlain by 700mm of demonstrably clean subsoils and topsoil. Any imported and /or site won material for this cover system must be demonstrably fit for end use (residential with home-grown produce); c. Soils of landscaped areas as shown in Figure A of the PM Ltd: 'Contamination Assessment clarifications letter', dated February 2021, referenced PM20-1141_Let1 drawing titled: 'Updated areas of gardens/landscaping requiring remediation' have

	been encapsulated with a physical capping layer comprising a minimum of 500mm of gravel and subsoil / topsoil demonstrably fit for the end use (Residential with homegrown produce); d. Any imported soils for use on site in all other remaining private gardens and/or landscaped areas is demonstrably fit for the end (Residential with homegrown produce); e. The Verification Report must include the necessary appropriate documentary evidence as outlined in section 6.3 'Validation' in the October 2020 PM Ltd Report referenced PM20-1141. Reason for condition: Protection of human health.
10.19	Prior to installation within the hereby permitted development, the final window schedule confirming the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of Blocks C and D and to the first two houses of Block E shall be submitted to and approved in writing by the Council. The window specification for habitable rooms shall be in line with recommendations of the FR Mark & associates Noise Impact Assessment dated February 2021, planning referenced LA04/2020/2325/F. The windows shall not be installed unless in accordance with the approved details. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.20	Prior to installation, details of the specification of alternative mechanical means of ventilation proposed to be installed within Blocks C and D and the first two houses of Block E shall be submitted to and approved in writing by the Council. The specification for the alternative means of ventilation shall be in line with the recommendations as per table 2 pages 13 and 14 of the FR Mark & associates NIA dated February 2021, planning referenced: LA04/2020/2325/F. The details shall demonstrate that the specification selected for the alternative means of ventilation will not compromise the recommended internal noise levels specified for habitable rooms outlined in British Standard BS8233:2014. Blocks C and D and the first two houses of Block E shall not be occupied unless the approved details have been installed and shall be permanently retained as such. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.21	Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided in compliance with building control requirements Reason for conditions: Protection of residential amenity against adverse noise impact.

10.22	Prior to occupation of the hereby permitted development, the applicant shall verify that the window schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation, a copy of which shall be submitted to the Council in writing. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.23	Prior to occupation of the hereby permitted development, a boundary wall to a minimum height of 2m and at least 2225mm thick shall be constructed to the rear boundary of Block E and a 1m high wall at the boundary of blocks C and D along Park Avenue as shown on approved Drawing No. 03A uploaded to the planning portal on 11th May 2021. Reason for conditions: Protection of residential amenity against adverse noise impact.
10.24	Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015, or any Order revoking and/or re-enacting that Order, no extensions or enlargements, buildings, walls, gate pillars, fences or other structures shall be constructed without the grant of a separate planning permission from the Council. Reason: Construction of further extensions or buildings requires detailed consideration to safeguard the amenities of the surrounding area.

Notification to Department (if relevant)

Not applicable.

Representations from Elected members:

None

Details of Neighbour Notification (all addresses)
The Owner/Occupier,
10 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
12 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
125 Connsbrook Avenue,Belfast,Down,BT4 1JX
The Owner/Occupier,
14 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
16 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
18 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
31 Sefton Park,Belfast,Down,BT4 1PN
The Owner/Occupier,
31 Shaw Street,Belfast,Down,BT4 1PT
The Owner/Occupier,

32 Sefton Park,Belfast,Down,BT4 1PN
The Owner/Occupier,
36 Sefton Drive,Belfast,Down,BT4 1PL
The Owner/Occupier,
39 Colvil Street,Belfast,Down,BT4 1PS
The Owner/Occupier,
39 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
40 Shaw Street,Belfast,Down,BT4 1PT
The Owner/Occupier,
42 Colvil Street,Belfast,Down,BT4 1PS
The Owner/Occupier,
6 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
8 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 1,4 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 1,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 10,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 11,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 12,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 13,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 14,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 15,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 2,4 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 2,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 3,4 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 3,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 4,4 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 4,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 5,4 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 5,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 6,4 Park Avenue Heights,Belfast,Down,BT4 1SH
The Owner/Occupier,
Apartment 6,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 7,47 Park Avenue,Belfast,Down,BT4 1PU
The Owner/Occupier,
Apartment 8,47 Park Avenue,Belfast,Down,BT4 1PU

The Owner/Occupier,
Apartment 9,47 Park Avenue,Belfast,Down,BT4 1PU

Addendum Report	
Application Ref: LA04/2024/1020/F	**Committee Meeting Date:** 10th December 2024
Proposal: Proposed change of use from dwelling (C1) to 3-bed HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description).	**Location:** 6 Paxton Street, Belfast, BT5 4NU
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr Bradley Ferguson) and paragraph 3.8.7 (discretion of the Director).	
Recommendation:	**Approval subject to conditions**
Applicant Name and Address: Robert McGlone 52 Collinbridge Gardens Newtownabbey BT36 7SU	**Agent Name and Address:** Applicant is agent

Background:

This application was due to be considered at the 12th November 2024 Planning Committee. However, the application was deferred for a committee site visit which is scheduled to take place on the 4th of December 2024.

This report should be read in conjunction with the original committee report, appended.

Further consideration

Appeal Decision at 51 Glandore Avenue- (Appeal reference 2022/A0197, planning reference LA04/2022/1839/F).

Following the Committee meeting on the 12th November 2024, the PAC has since issued a decision to allow the above appeal for an HMO. The main issues in the appeal related to whether the development proposal would unacceptably affect residential amenity and whether sufficient on-street car parking was available. The Commissioner considered that there was sufficient parking available in the vicinity of the site and that there was no evidence to support the view that an additional HMO would adversely impact residential amenity. The reasons for refusal were not therefore not sustained and the appeal succeeded. The appeal decision is available here.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

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

Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date: 12th November 2024	
Application Ref: LA04/2024/1020/F	
Proposal: Proposed change of use from dwelling (C1) to 3-bed HMO (Sui generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description).	**Location:** 6 Paxton Street, Belfast, BT5 4NU
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request for the application to be reported to the Planning Committee by an Elected Member (Cllr Bradley Ferguson) and paragraph 3.8.7 (discretion of the Director).	
Recommendation: Approval subject to condition	
Applicant Name and Address: Robert McGlone 52 Collinbridge Gardens Newtownabbey BT36 7SU	**Agent Name and Address:** Applicant is agent
Date Valid: 11/06/2024	
Target Date: 24/09/2024	
Contact Officer: Lisa Walshe, Principal Planner	

Executive Summary:

This application seeks full planning permission for the change of use from an existing dwelling to a 3-bed house in multiple occupation (HMO) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description). The existing dwelling is located at 6 Paxton Street in East Belfast.

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

- The principle of an HMO at this location
- Impact on the character and appearance of the Templemore Avenue draft ATC.
- Impact on residential amenity
- Traffic, Parking and Access

- Waste and refuse collection.

2 objections have been received with the issues raised addressed within the main report.

The application has been called in for the following reasons:

1. Concerns regarding amenity
2. Concerns over lack of parking.

The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on Paxton Street has not yet been reached. Officers consider that the proposal will not be harmful in terms of traffic, parking, impact on residential amenity or the amenity of the surrounding area of the Templemore Avenue Draft Area of Townscape Character.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Officer Report	
1.0	**Drawings**
1.1	**Site Location** **Existing Floor Plans and Elevations**

Proposed Floor Plans

2.0	**Characteristics of the Site and Area**

2.1	The application site is located at 6 Paxton Street. The property is a 2-storey residential terraced dwelling with a two-storey rear return. There is an enclosed amenity space to the rear of the dwelling. The immediate area is mixed with residential, and community uses.
2.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. In the draft BMAP 2015, the site is located within a proposed Area of Townscape Character, Templemore Avenue. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
3.0	**Description of Proposal**
3.1	The application is seeking full planning permission for change of use from dwelling (C1) to 3 Bedroom HMO (Sui Generis) including partial demolition of existing rear extension to create new flat roof, fenestration changes and new roof light window to front (amended proposal description).
4.0	**Planning Policy and Other Material Considerations**

4.1	**Development Plan – Plan Strategy** Belfast Local Development Plan, Plan Strategy 2035
4.2	*Strategic Policies:* Policy SP2 – sustainable development
4.3	*Operational Policies:* Policy ENV1 – Environmental quality Policy BH3 – Area of townscape character Policy HOU10 – Housing management areas (HMAs) Policy RD1 – New residential developments Policy RD2 – Residential extensions and alterations Policy TRAN8 – Car parking and servicing arrangements Policy OS3 – Ancillary open space
4.4	<u>Supplementary Planning Guidance</u> Residential Design Transportation Waste Infrastructure
4.5	**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)
4.6	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.7	**Relevant Planning History** There is no relevant planning history.
5.0	**Consultations and Representations**
5.1	**Statutory Consultations** DfI Roads – No objections
5.2	**Non-Statutory Consultations** BCC Plans & Policy Team – No objections. HMO considered acceptable at this location.
5.3	**Representations**
5.3.1	The application has been advertised and neighbours notified. The Council has received 2 letter of representation raising the following concerns: - 1. Concerns of impact of the proposed works during the renovation stage. 2. Many properties in the area are already HMOs. 3. Requirements of extra bin provision. 4. Off-street car parking. 5. Anti-social behaviour and noise. Points 1-5 are considered in the report below, additional points raised are considered as follows:

	6. Devaluing of property – This is not a material consideration and is outside the remit of the planning service. 7. Impact on sewage – Two additional ensuites will not intensify the use of an existing dwelling. The dwelling will be connected to the main sewerage network as all properties on the street are. 8. Velux window to the front of the property being proposed – officer sought clarification regarding the positioning of the existing Velux window. New drawings were available to view on the planning portal on 04/11/2024 demonstrating the Velux window will be retained on the rear elevation.
6.0	**PLANNING ASSESSMENT**
6.1	**Development Plan Context**
6.1.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.3	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 ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.1.4	**Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.).
6.1.5	**Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.1.6	**Belfast Urban Area Plan 2001** - The site is located within the settlement development limit in the BUAP and is not zoned for any use.
6.1.7	**Belfast Metropolitan Area Plan 2015 (2004**) - In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and within a proposed Area of Townscape Character – Templemore Avenue (Ref: BT 074).
6.1.8	**Belfast Metropolitan Area Plan 2015 (v2014)** - In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a proposed

	Area of Townscape Character –Templemore Avenue (Ref: BT 074). The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
6.2	**Key Issues**
6.2.1	The key issues to be considered in this application are: • The principle of an HMO at this location • Impact on the character and appearance of the Templemore Avenue draft ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
6.3	**The principle of an HMO at this location**
6.3.1	The site is outside Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that: '*Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street'*.
6.3.2	The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together: 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m
6.3.3	either side of the property on the street.
6.3.4	According to the LPS Pointer Address database there are 33 domestic properties on Paxton Street. This would allow for 3 HMO properties on Paxton Street before the 10% threshold would be exceeded. The objection raises concerns that there are many properties in the area that are HMOs however according to our records there are no HMO properties on Paxton Street.
6.3.5	Each application is considered on its own merits andofficers consider that this scheme is compliant with policy HOU10 for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
6.3.6	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
	Impact on the character and appearance of the Templemore Avenue Draft ATC

6.4 6.4.1	The site is located within a proposed ATC - Templemore Avenue. One minor external change is proposed to change the existing rear extension slope roof to a flat roof. The materials are to be render, in line with the existing rear extension. The change in roof height would be a reduction to the existing slope roof. The proposal will not create conflict with the character of Templemore Avenue and the overall character of the area will be maintained. The proposal is therefore considered to comply with Policy BH3 - Areas of townscape character.
	Impact on residential amenity
6.5 6.5.1	The property is a 2-storey dwelling and is of sufficient size to accommodate an HMO, comfortably providing accommodation for 3 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 3-bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.
6.5.2	Policy RD1 applies as set out above and states that '*planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:* *a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas* - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage. *b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance* - Officers consider that the scheme will not give rise to any of the issues. listed in criterion b. Overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement. *c) Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure* - There is sufficient space for cycle parking. Metro services are available along the Castlereagh road. *d) Provides appropriate open space* - The existing rear amenity space is to be retained which is considered sufficient to serve the proposal. *e) Keeps hard surfacing to a minimum* - No hard standing is proposed as part of this application. *f) Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C* - The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 3 bedrooms. The proposal therefore complies with the HMO space standards for a 3 bed HMO as set out within Belfast Local Development Plan: 2035. *g) Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street* - All units have safe and secure access from the front door of the dwelling.

	h) Ensures that living rooms, kitchens and bedrooms have access to natural light - All habitable rooms in the dwelling have access to natural light.
6.5.3	The LDP plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 3 bedrooms and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.
6.5.4	As indicated above, the HMO will further require to be licensed with BCC which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.
6.5.5	The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.
6.5.6	Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met: *a) Any units are self-contained* - This criterion is not applicable. b) *Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm* - Officers consider that this criterion is met (refer to section 6.7 below). c) *The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling* – This criterion is not applicable to this proposal. d) *Conversions above commercial premises do not prejudice the commercial functions of the business* - This criterion is not applicable to this proposal.
6.5.7	Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.
	Traffic, Parking and Access
6.6 6.6.1	Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.
6.6.2	Policy TRAN8 – Car parking and servicing arrangements states that, '*Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements*'. Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.

6.6.3	However, to satisfy the concerns raised in relation to parking the Council requested a parking survey. The parking survey demonstrates that adequate parking is available within a radius of 150 metres walking distance from the application site to serve the proposal and concludes that the scheme will not be detrimental to on-street parking in the prevailing area. DFI Roads were consulted on the parking survey and advised the that the parking survey indicates the availability of on-street parking capacity within the vicinity of the site and referred the Planning Service to the previous response of no objection.
6.6.4	The parking survey demonstrates that adequate parking is available to serve the proposal which is considered to meet Policy TRAN8. Furthermore, the site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.
6.7	**Waste and Refuse Collection**
6.7.1	Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.
6.7.2	The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI set out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 3 bed HMO this would equate to the typical production of 360L of waste per week. The total waste production is broken down into the following types of waste: 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3. collected weekly).
6.7.3	The following bins would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI. 1. Black bins – 2 x black bins (2 x 180L) – sufficient for 2 weeks of general waste. 2. Recycling – 2 x recycling packs (2x 55L) – collected weekly. 3. Food waste – 2 x food bins (2 x 23L) – collected weekly.
6.7.4	The SPG advises that applicants must provide a layout of the waste storage area demonstrating that all of the required bins can be accommodated in a way that: • users can easily deposit any type of waste into the corresponding bins without moving them around; and • bins can be easily removed for collection.
6.7.5	The SPG also provides guidance on the minimum area requirements for a container(s) with capacity of 240L or less.
6.7.6	Taking account of the guidance set out in the Waste SPG 2 sets of bins would be required to serve the proposed HMO which according to the SPG would equate to an area of 2.0 x 1.8 (3.6sqm) for each set of bins and a total area of 7.2 sqm (for 6 bins).
6.7.7	The applicant has provided a plan which demonstrates that there is adequate provision for bin storage and that the bins can be easily accessed, whilst retaining an adequate

	amount of residential amenity space. A condition is recommended to ensure bin storage is provided within the curtilage of the property.
6.7.8	The rear amenity space measures 9.4 sqm. The provision of the minimum storage area for two sets of bins would leave c.2.2 sqm remaining for amenity provision. The dwelling benefits from a small amenity area to the front of the property which is capable of accommodating a small seating area for occupants. The site is located within a 10-minute walk away from Avoniel Leisure centre/facilities and the Connswater greenway which include significant open space and a play park, which occupants of the proposed HMO can avail of. The provision of amenity space is considered acceptable taking account of the local context and the proximity to open space facilities.
6.7.9	Officers consider that the information provided satisfactorily demonstrates that the proposed waste management arrangements are acceptable.
6.8	**Other Issues**
6.8.1	Concerns have been raised in the letter of representation about the potential impact of works during the renovation stage. It is acknowledged that there may be some noise and disturbance during this stage of the development, however these works would be temporary. Any works carried out will have to adhere to building control regulations. The Council's Environmental Health team is responsible for dealing with noise complaints.
8.0	**Recommendation**
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

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 shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the property has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times.
   Reason: To ensure adequate management of waste and in the interests of the amenities of the area.

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Addendum Report	
Application Ref: LA04/2024/1623/F	**Committee Meeting Date:** 10th December 2024
Proposal: Change of use from 4-bed dwelling (C1) to 5-bed House of Multiple Occupancy (Sui Generis)	**Location:** 49 Woodcot Avenue, Belfast, BT5 5JB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas).	
Recommendation:	**Approval subject to conditions**
Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast	**Agent Name and Address:** Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB

Background:

This application was due to be considered at the 12th November 2024 Planning Committee. However, the application was deferred for a committee site visit which is scheduled to take place on the 4th of December 2024.

This report should be read in conjunction with the original committee report, appended.

Further consideration

An additional document was submitted by the agent on 6th November 2024 which included photographs of the existing property, details of the Applicant and the intentions for the property. There are no additional material considerations within the document received.

A further representation was received on 9th November 2024 from Councillor Brian Smyth which raised issues already brought up in other representations received including: parking issues, this application will set a precedent for Houses of Multiple Occupancy (HMOs) in the area. All issues raised have been considered in the original committee report which is appended.

Relevant appeal decision
Appeal Decision at 51 Glandore Avenue- (Appeal reference 2022/A0197, planning reference LA04/2022/1839/F).

Following the Committee meeting on the 12th November 2024, the PAC has since issued a decision to allow the above appeal for an HMO. The main issues in the appeal related to whether the development proposal would unacceptably affect residential amenity and whether sufficient on-street car parking was available. The Commissioner considered that there was sufficient parking available in the vicinity of the site and that there was no evidence

to support the view that an additional HMO would adversely impact residential amenity. The reasons for refusal were not therefore not sustained and the appeal succeeded. The appeal decision is available here.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

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

Development Management Report

Summary	
Committee Date: 12th November 2024	
Application ID: LA04/2024/1623/F	
Proposal: Change of use from 4-bed dwelling (C1) to 5-bed House of Multiple Occupancy (Sui Generis)	**Location:** 49 Woodcot Avenue, Belfast, BT5 5JB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member (Cllr Ruth Brooks, Cllr Bradley Ferguson and Cllr Sammy Douglas).	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Paul Kennedy 49 Woodcot Avenue Belfast	**Agent Name and Address:** Ally Olphert Create Architecture Blick Studios 46 Hill Street Belfast BT1 2LB
Date Valid: 26/09/2024	
Target Date: 09/01/2025	
Contact Officer: Lisa Walshe, Principal Planning Officer	

Executive Summary:

This application seeks full planning permission for Change of use from a 4-bed dwelling (use class C1) to a 5-bedr House of Multiple Occupancy (Sui Generis use class). The site is located at 49 Woodcot Avenue.

The key issues are:

- The principle of an HMO at this location
- Impact on the character
- Impact on residential amenity
- Traffic, parking and access
- Waste and refuse collection

9 objections have been received with the issues raised addressed within the main report.

The application has been called in for the following reasons:

1. Significant public interest.

2. Concerns relating to amenity, parking and precedent for other HMOs in the area.

The scheme is compliant with Policy HOU10 in that the 10% threshold for HMOs on this stretch of the Woodcot Avenue has not yet been reached. The applicant has demonstrated that there is sufficient provision for bin storage whilst retaining adequate amenity space. Officers consider that

the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:

Existing and Proposed Site Plan:

Proposed Floor Plans:

Proposed Elevations:

1.0	**Characteristics of the Site and Area**
1.1	The application site is located at 49 Woodcot Avenue. The property is a 3-storey residential terraced property with a two-storey rear return. There is a small, enclosed amenity space to the rear of the building. The immediate area is predominantly residential.
1.2	The site falls within the development limit as set out in the BUAP 2001 and draft BMAP 2015. The site does not fall within any of the existing HMO Policy Areas or Development Nodes as designated in the Belfast HMO Subject Plan 2015.
1.3	**Description of Proposed Development** The application is seeking full planning permission to change the of use from a dwelling (class C1) to a 6-bed HMO (suis generis).
2.0	**PLANNING HISTORY**
2.1	There is no relevant planning history pertaining to the site.
3.0	**PLANNING POLICY**
3.1	**Development Plan – Plan Strategy** <u>Belfast Local Development Plan, Plan Strategy 2035</u> *Strategic Policies* • 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 *Operational Policies* • Policy SD2 – Settlement Areas • Policy HOU10 - Housing Management Areas • Policy RD1 – New residential developments • Policy TRAN8 – Car parking and servicing arrangements • Policy ENV1 – Environmental quality • Policy OS3 – Ancillary open space <u>Supplementary Planning Guidance</u> • Residential Design • Placemaking and Urban Design • Transportation **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) **Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) **Other Material Considerations** Developer Contribution Framework (2020) *Belfast Agenda* (Community Plan)
4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	Statutory Consultees DfI Roads – No objections
4.2	Non-Statutory Consultees No non-statutory consultations required.
4.3	Representations The application has been advertised and neighbours notified. The Council has received 9 letters of objection. The issues raised in the objections are summarised as follows: 1. Waste management 2. Parking and traffic 3. Impact on the character of the area 4. Inadequate living space 5. Safety and security issues 6. Effect on property value 7. Precedent for other HMOs 8. Noise and Anti-social behaviour Issues 1-4 are addressed in the main body of the report. The additional points are considered as follows: 5. Safety and security issues This is not a material consideration. Any issues regarding safety and security issues and is outside the remit of planning and relevant bodies such as the PSNI should be contacted if these issues escalate. 6. Effect on property value This is not a material consideration and is outside the remit of planning. 7. Precedent for other HMOs

	Each application is considered on its own merits. Officers consider that this scheme is compliant with relevant policy for the reasons stated in the report and any further applications for HMOs will be assessed in accordance with the relevant planning policy. 8. Noise and Anti-social behaviour The HMO licensing scheme is in place to regulate HMOs. An anti-social behaviour plan will therefore be in place, and it is the landlord's responsibility to ensure compliance with licensing requirements. Tenants also have responsibilities to make sure the landlord can carry out their duties. The Northern Ireland House of Multiple Occupancy Unit (NIHMO) within BCC has developed a guide highlighting ways to tackle antisocial behaviour linked to their properties. The guide provides preventative measures that landlords can take to manage antisocial behaviour, highlights how to demonstrate compliance by record keeping and intervention, and details how to develop an antisocial behaviour plan. The HMO legislation in Northern Ireland has the potential to have a positive impact on the lives of those living in HMOs, the owners of HMOs, and the residents surrounding HMO properties. Environmental Health and the PSNI are the appropriate bodies to deal with noise issues and antisocial behaviour.
5.0	**PLANNING ASSESSMENT**
5.1	**Main Issues** The main issues relevant to consideration of the application are set out below: • The principle of an HMO at this location • Impact on the character • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection.
5.2	**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. <u>Operational Polices</u>

5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
	<u>Proposals Maps</u>
5.6	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 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.
5.7	**Belfast Urban Area Plan 2001** – The site is located within the settlement development limit and is not zoned for any use.
5.8	**Belfast Metropolitan Area Plan 2015 (2004**) – the site is un-zoned "white land" within the settlement development limits of Belfast.
5.9	**Belfast Metropolitan Area Plan 2015 (v2014)** – the site is also located within the settlement development limits of Belfast. The site is not located in a Housing Policy Area or an HMO Development Node in the Belfast HMO Subject Plan 2015.
5.10	**<u>The principle of an HMO at this location</u>** The site is outside both Housing Policy Areas and development nodes as designated in the Belfast HMO Subject Plan 2015. Policy HOU10 of the Plan Strategy is applicable and states that: *'Outside of designated HMAs planning permission will only be granted for HMOs where the number of HMOs would not as a result exceed 10% of all dwelling units on that road or street. Where such a street is in excess of 600 metres in length, the 10% threshold will be calculated on the basis of existing residential units within 300 metres of either side of the proposal on that street'.*
5.11	The justification and amplification text to Policy HOU10 confirms at paragraph 7.1.66 that the level of HMOs outside a HMA will be measured by adding together: 1. The number of HMOs recorded under the HMO Licensing scheme; and 2. The number of planning approvals for HMOs not yet licensed, with the total then divided by the total number of dwelling units within the street. If a street is longer than 600, the total number of dwellings in the street will relate to the total properties within 300m either side of the property on the street.
5.12	According to the LPS Pointer Address database, there are 111 domestic properties on Woodcot Avenue. This would allow for 11 HMO properties on Woodcot Avenue before the 10% threshold would be exceeded. According to our records there is two existing HMOs on Woodcot Avenue and one application currently being processed. The proposal for a change of use from dwelling to HMO would not result in an exceedance of the 10% threshold and is therefore considered compliant with Policy HOU 10 and is acceptable in principle at this location.

5.13	Officers consider that this scheme is compliant with relevant policy for the reasons stated above and any further applications for HMOs will be assessed in accordance with the relevant planning policy.
5.14	Paragraph 7.1.69. of HOU10 states that in all cases, intensive forms of housing whether within or outside HMAs will still be carefully assessed against the relevant criteria set out in Policies RD1, RD2 and RD3. The assessment of the proposal against these policies is set out below.
5.15	**Impact on residential amenity** The property is a 3-storey dwelling and is of sufficient size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards. The proposal complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035. The proposal would provide a quality and sustainable residential environment.
5.16	Policy RD1 applies as set out above and states that '*planning permission will be granted for new residential development where it is in accordance with general urban design policies and where it is demonstrated that the proposal:* *a) Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas* - Officers consider that the use does not conflict with adjacent land uses. The scheme meets the policy requirements set out in HOU10 and RD1 & RD3. The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and provision of sufficient bin storage.
5.17	*b) Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance* - Officers consider that the scheme will not give rise to any of the issues listed in criterion b. The rear elevation has a velux window which is increasing in size but overlooking, loss of light, overshadowing and dominance will not be changing from what is existing. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.
5.18	c) *Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure* - There is sufficient space for cycle parking. Metro services are available along the Beersbridge Road, a 3-minute walk from the property.
5.19	d) *Provides appropriate open space* - The existing rear amenity space is to be retained which is considered sufficient to serve the proposal.
5.20	e) *Keeps hard surfacing to a minimum* - No hard standing is proposed as part of this application.
5.21	f) *Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C* - The proposal exceeds the requirements set out in the space standards and provides a generous amount of living space for the occupants of the 5 bedrooms. The proposal therefore complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035.
5.22	g) *Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street* - All units have safe and secure access from the front door of the dwelling.

	h) *Ensures that living rooms, kitchens and bedrooms have access to natural light* – All habitable rooms in the dwelling have access to natural light.
5.23	The LDP Plan Strategy seeks to facilitate sustainable housing growth in response to changing housing needs. Carefully managing the variety of house types, sizes and
5.24	tenures will help to meet the diverse needs of all the community. This supports wider LDP aims of shaping quality and sustainable residential development, providing a mix of housing that create more balanced communities, increasing density without town cramming. HMOs are regulated by the relevant Policy set out in the LDP plan Strategy and the proposal has been found to comply with the relevant policies. This HMO comprises 5 bedrooms and will also be subject to the licensing process which will determine how many persons the home can accommodate. HMOs can meet high demand for housing and the application site is located in an accessible location close to services and public transport. It is considered that the proposal would not undermine the availability of family housing in the area.
5.25	As indicated above, the HMO will further require to be licensed with Belfast City Council which requires the implementation of an anti-social behaviour plan, ensuring the HMO operator runs the property effectively.
5.26	The proposal is considered compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties or result in unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The proposal is considered to comply with Policy RD 1.
5.27	Policy RD3 is applicable and states that planning permission will be granted for conversion or change of use of existing buildings for residential use where all the criteria in policy RD1 and all the additional criteria below are met:
5.28	*a) Any units are self-contained* - This criterion is not applicable. *b) Adequate refuse storage space is provided within the curtilage of the site, large enough to allow for the separation of recyclable waste, and is designed to not be visible from the amenity space / public realm* - Officers consider that this criterion is met (refer to sections 5.34-5.39 below) *c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling* – This criterion is not applicable to this proposal. *d) Conversions above commercial premises do not prejudice the commercial functions of the business* - This criterion is not applicable to this proposal.
5.29	Taking account of the criteria set out above the proposal is considered to comply with Policy RD3.
	<u>Traffic, Parking and Access</u>
5.30	Officers acknowledge the objections to parking. DFI Roads have no objections to the scheme. Whilst the various policy requirements of HOU10 seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy.
5.31	Policy TRAN8 – Car parking and servicing arrangements states that, '*Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements'*. Existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development.

5.32	The site is in a sustainable location with regular bus services operating in close proximity and accessible to services and amenities in the local and wider area.
5.33	DfI Roads were consulted and have no objection to the proposal. In other applications, officers have requested a parking survey where there are objections on the grounds of parking. The agent for this application submitted a parking survey under application LA04/2023/4521/F for 4 Woodcot Avenue in February 2024. This demonstrated sufficient parking capacity on the same street.
	Waste and Refuse Collection
5.34	Objectors have alluded to previous issues with waste management on Woodcot Avenue and the alleyway behind.
5.35	Policy RD3 criterion B applies, it states that adequate refuse storage space must be provided within the curtilage of the site, large enough to allow for the separation of recyclable waste and is designed to not be visible from the amenity space / public realm.
5.36	The adopted Waste Infrastructure Supplementary Planning Guidance (SPG) and Local Government Waste Storage Guide for NI sets out typical weekly waste arisings for different types of development including HMOs. For an HMO, the typical weekly waste arising is 100L per bedroom plus 60L per dwelling. For the proposed 5-bed HMO this would equate to the typical production of 560L of waste per week. The total waste production is broken down into the following types of waste: 1. 35% general waste (collected fortnightly), 2. 55% recycling and 3. 10% food waste (both 2. and 3 collected weekly).
5.37	The Council's Waste Management Unit has advised that the following waste containers would be required to serve the proposed HMO in line with the SPG and the Local Government Waste Storage Guide for NI. 1. Black bins – 3 x black bins (3 x 180L) – sufficient for 2 weeks of general waste 2. Recycling – 2 x recycling packs (6 x 55L) – collected weekly 3. Food waste – 3 x food bins (3 x 23L) – collected weekly
5.38	Officers consider that this policy is complied with. The disposal of waste is the responsibility of tenants and the landlord.
5.39	The rear amenity space of the property is 12.9 sqm. For each set of 3 bins (black bin, recycling pack and food caddy) in an enclosed yard 2.0 x 1.8m is required in a single row layout 2.0 x 1.8m = 3.6sqm x 3 = 10.8 sqm. The provision of 3 sets of bins would leave approximately 2.1sqm for amenity provision. The premises will therefore be served by the correct amount for a 5-bed HMO as set out in the Supplementary Planning Guidance whilst maintaining sufficient amenity space. Bin storage is also a licensing requirement and the Council's website states that "*during the period of the licence the licensee shall ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal in accordance with the Local Government Waste Storage Guide for Northern Ireland*". A condition is recommended to ensure bin storage is provided within the curtilage of the property.
	Impact on the sewage network

5.40	There is no evidence that change of use from a dwelling to an HMO will cause any issues as the dwelling will continue to avail of the main sewage network like other houses in the street. As there is no evidence of significant impact on waste-water infrastructure, it has been unnecessary to consult NI Water as a statutory consultee.
6.0	**Recommendation**
6.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues 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 shall not be occupied for the use hereby approved unless a refuse and recycling storage area within the rear curtilage of the dwelling has been provided. This area must be sufficient to meet the requirements of the development and must be retained and managed at all times. Reason: To ensure adequate management of waste and in the interests of the amenities of the area. **DRAFT INFORMATIVES:** 1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 3. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ADDENDUM REPORT	
Application ID: LA04/2023/2557/F	
Proposal: 260 no. dwellings, children's play area and other ancillary and associated works.	**Location:** Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove. Belfast.
Referral Route: Major development	
Recommendation:	Approval subject to conditions and a Section 76 planning agreement
Applicant Name and Address: Radius Housing Association & Choice Housing	**Agent Name and Address:** Mark Hanvey Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood

Background:

This application was considered at the June 2024 Planning Committee, with approval recommended and delegated authority sought for the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement and deal with any other issues that may arise, including the final consultation responses from DfI Roads and DfI Rivers, provided that they are not substantive.

Part of the recommendation was based on the implementation of a Travel Plan, secured via a clause within the final Section 76 Agreement, which included within it's 'Green Travel Measures', a free three-year Travel Card offer – *'The developer shall offer a free Residential Travel Card to one occupier of each dwelling (within one month of their occupation) until three years after first occupation of that dwelling.*'

Since the application was presented to committee viability issues have been raised by the applicant in relation to the delivery of the proposed pedestrian crossing point on the Glen Road, and the timing of this delivery (prior to occupation of first dwelling). The applicant has requested the Council consider reducing the Travel card subsidy from 3 years to 1 year in order to enable the provision of the pedestrian crossing point prior to occupation of the first dwelling. Officers await a detailed viability report to justify this approach.

Subsequently, further delegated authority is sought to consider this additional information, and if considered appropriate, amend the Green Travel Measure offer, in particular the Travel card Subsidy and negotiate the final Section 76.

This addendum report should be read in conjunction with the original report to the June 2024 Planning Committee. Appended below.

Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date: 27th June 2024	
Application ID: LA04/2023/2557/F	**Target Date:**
Proposal: 260 no. dwellings, children's play area and other ancillary and associated works.	**Location:** Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove. Belfast.
Referral Route: Major development	
Recommendation:	Approval subject to conditions and a Section 76 planning agreement
Applicant Name and Address: Radius Housing Association & Choice Housing	**Agent Name and Address:** Mark Hanvey Gravis Planning 1 Pavillions Office Park Kinnegar Drive Holywood

Executive Summary:

The application seeks full planning permission for 260 no. dwellings, children's play area and other ancillary and associated works.

The site is located on the western edge of the city to the north side of Glen Road. The site area is approximately 9 hectares.

The key issues for the assessment of the application are below.

- Principle of development
- Site layout, density and Design
- Open Space Provision
- Affordable Housing
- Trees and landscaping
- Traffic, Movement and Parking
- Climate change
- Impact on amenity
- Contaminated land
- Drainage and Flooding
- Natural Heritage
- Impact on Protected Sites
- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation

The site is zoned for housing in BUAP and Draft BMAP (2004 and 20014) and the principle of residential development is acceptable. The Northern Ireland Housing Executive is supportive of the proposal and the provision of much needed social housing is welcomed.

The density, layout and design of the development are considered in keeping with the established housing developments in the area with the predominance of two storey semi-detached dwellings reflective of housing abutting the site to the north-west and the south.

A number of unprotected trees and some boundary vegetation will be removed, but these are considered to have low conservation status and their felling is outweighed by a comprehensive planting scheme, which includes augmentation of existing boundary planting, in particular the provision of an 8m deep buffer along the northern boundary to the countryside. This would help minimise overall visual impact from distant views, as would rows of internal planting between lower and upper levels which would not only assist in the integration of the development into the landscape but also protect the amenity of prospective residents.

Planted open space and a fully equipped play area form an intrinsic and integral spine of accessible communal space running on a south-north axis through the site with accompanying pedestrian footway and puffin crossing on the Glen Road providing a linkage through the site to the Andersonstown area and associated public transport network.

There are no objections from statutory consultees. DfI Roads has indicated that it is content although a final written consultation response is awaited. A Flood Risk Assessment has been submitted and a final consultation response is awaited from DfI Rivers. Delegated authority is sought to deal with these and any other outstanding matters provided that they are not substantive.

There are no objections from non-statutory consultees.

A Section 76 planning agreement will be required to secure green travel measures, social housing, delivery and management and of the public open space and play park.

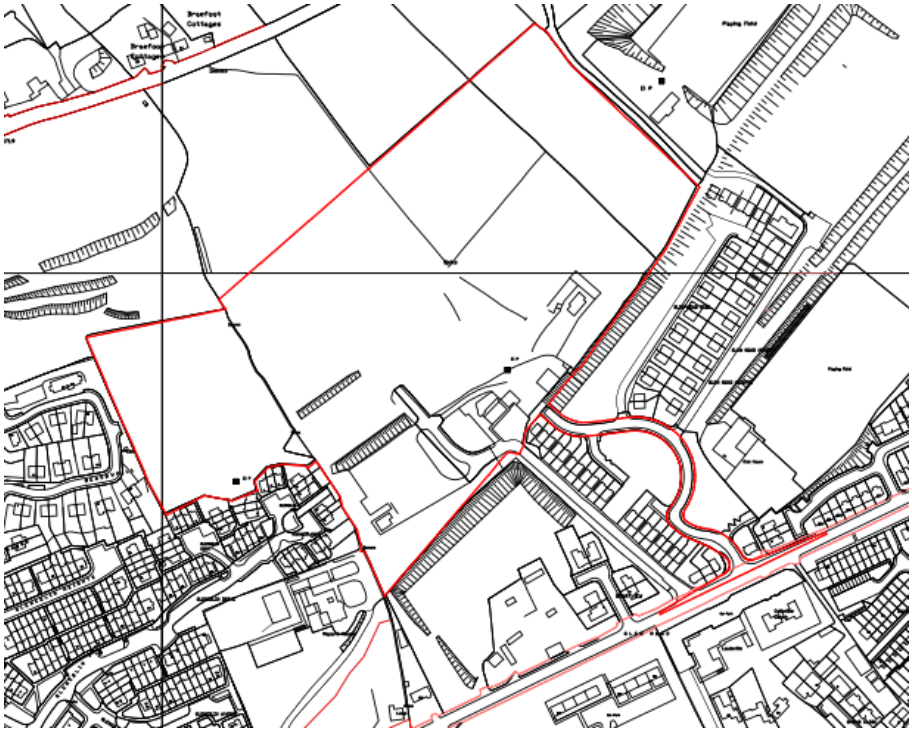
A total of 5 letters of objection have been received. These are detailed in the main report.

Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

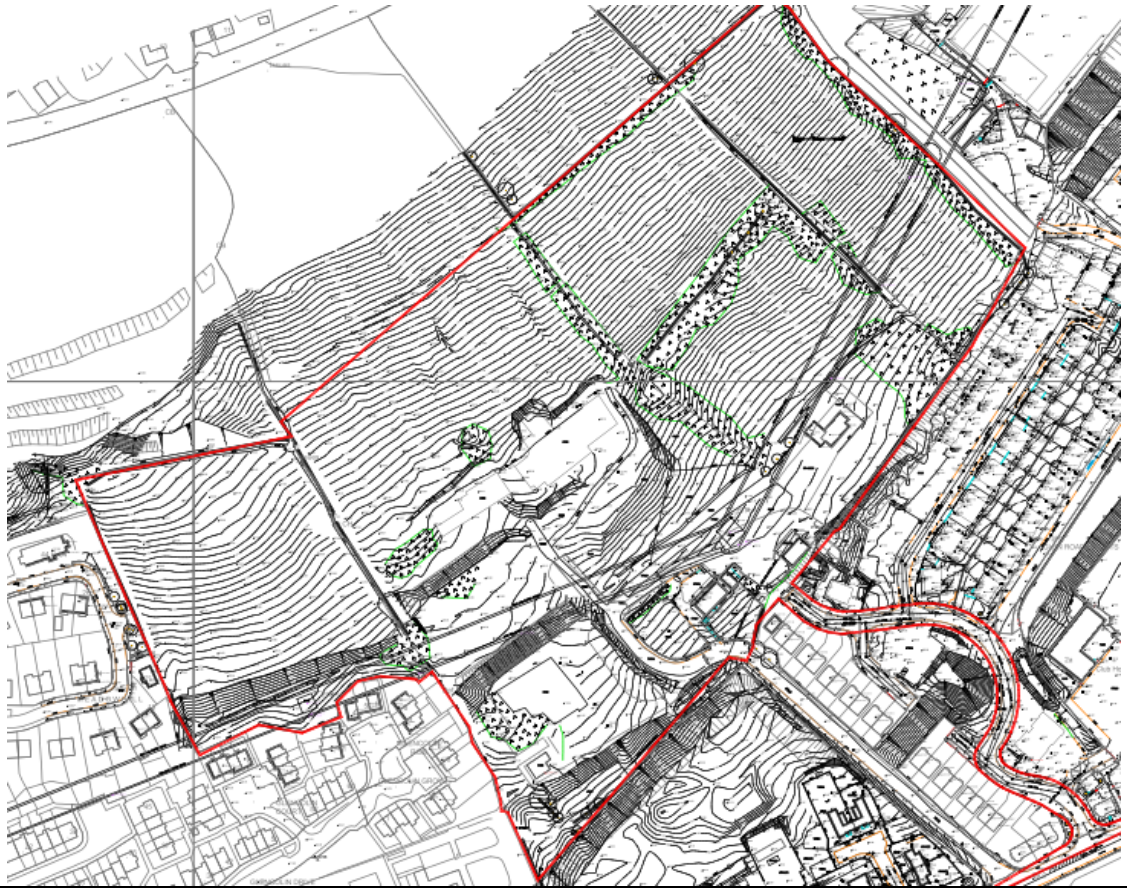
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement and deal with any other issues that may arise, including the final consultation responses from DfI Roads and DfI Rivers, provided that they are not substantive.

Case Officer Report

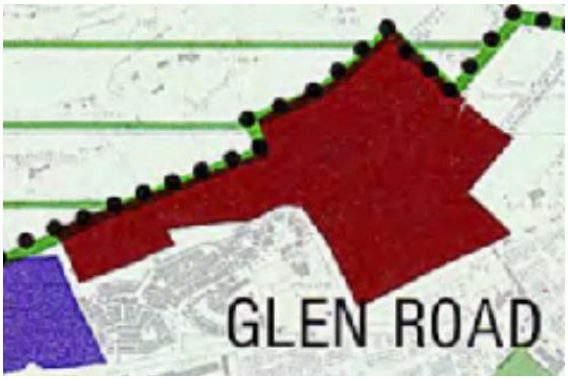
Site Location Plan and Layout

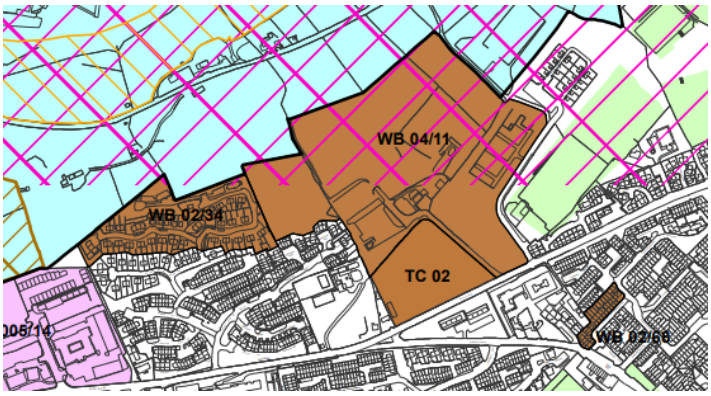
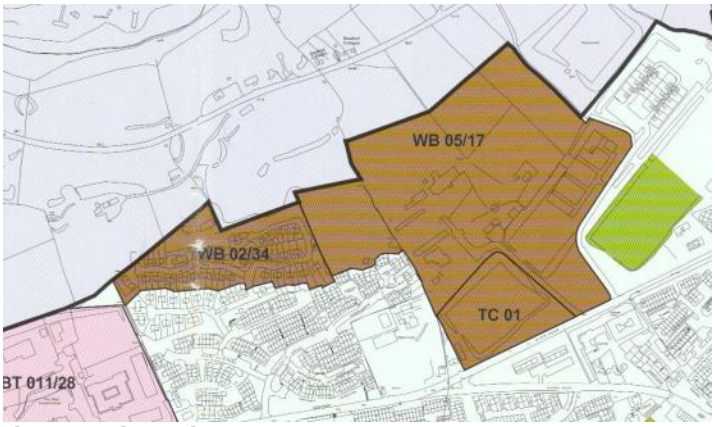


1.0	**Description of Proposed Development**
1.1	This application seeks planning permission for 260 no. dwellings, children's play area and other ancillary and associated works.
1.2	The site is proposed to be accessed via an existing roadway onto Glen Road from the abutting housing development to the south. The layout comprises roadways running from south-west to north-east, with the longest running along the rear of the site and enclosing a loop that accesses the majority of dwellings in the development.
1.3	The proposal housing mix is as follows. - **16 no.** 1 bed units (6%) - **158 no.** 2 bed units (61%) - **77 no.** 3 bed units 30%) - **9 no.** 4 bed units (3%)
1.4	The scheme mostly comprises 2 and 3 storey detached dwellings, semi-detached dwellings and apartment blocks. The predominant house type is semi-detached units, as shown in the layout above.
1.5	A total of 444 car parking spaces are proposed. These are a mix of communal parking bays and in-curtilage spaces. The proposal also includes a puffin crossing point close to the site access onto the Glen Road.
1.6	There are areas of open space throughout the development, the largest of which is located centrally, measuring approximately 6,600 sqm and incorporates a civic space and an equipped play park.
1.7	The two vacant dwellings located on the site will be demolished to make way for the proposed development.
1.8	The application follows a Pre-Application Discussion (PAD) submitted in December 2020 (LA04/2020/2638/PAD).
2.0	**Description of Site**
2.1	The site area is approximately 9 hectares (ha) and rises quite significantly from south to north, with land continuing to rise beyond the site across the Upper Springfield Road to Black Mountain. The site is well defined with mature planting along all boundaries, and within the site itself. It is characterised by this vegetation and undulating rising land.
2.2	In terms of existing / previous uses on the site, two existing dwellings are located to either side of the access point into the site with evidence of a previous building a short distance north of the western-most dwelling (as shown on the site survey below). Another substantial building was located a short distance north of this, a former social club, and can clearly be seen on the site survey. The two dwellings proposed to be demolished are no longer occupied and do not appear to have been occupied for some time.
2.3	The site is currently accessed from an existing residential laneway off Glen Road, approximately 45m west of the Glen Road Grove Junction. The development proposals involve closing this existing access, with all vehicle movements and access through the adjacent Glen Road Heights development via Glen Road Grove.

2.4	The change in levels, well defined field boundaries and relationship with adjacent land is shown in the topographical survey and aerial photograph below. 

3.0	**Planning History (on site to south of application site)**
3.1	Z/2013/0930/F – Social Housing Development comprising 89 No. general needs housing units and 3 No. complex needs bungalows (92 units in total), associated landscaping, parking and site works. Approved 15th June 2017.
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: *Strategic Policies* Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP4 – community cohesion and good relations Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SP8 – green and blue infrastructure network *Spatial Development Strategy* Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas *Shaping a Liveable Place* Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of Residential Development Policy HOU5 – Affordable Housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and Accessible Accommodation Policy DES1 – Principles of Urban Design Policy DES2 – Masterplanning Approach for Major Development Policy RD1 – New Residential Developments Policy HC1 – Promoting healthy communities

	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 TRAN1 - Active travel – walking and cycling Policy TRAN2 – Creating an Accessible Environment Policy TRAN 3 – Transport Assessment Policy TRAN 4 – Travel Plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car Parking and Service Arrangements Policy TRAN10 – Design of Car Parking Policy OS1 – Protection of Open Space Policy OS3 – Ancillary Open Space Policy NH1 – Protection of Natural Heritage Resources Policy TRE1 – Trees Policy LC1 - Landscape
4.5	The following Supplementary Planning Guidance (SPG) is relevant: • Affordable Housing and Housing Mix • Residential Design • Placemaking and Urban Design • Planning and Flood Risk • Masterplanning approach for major development • Transportation • Trees and Development
4.6	**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.
4.7	In the BUAP 2001, the site is zoned for housing, as shown below.  **BUAP 2001**

4.8	Similarly, in dBMAP (v2004 and v2014), the site is part of a larger housing zoning. The site is also located within an Area of High Scenic Value in dBMAP (v2004), below.  **dBMAP(2004)**  **dBMAP (2014)**
4.9	<u>Regional Planning Policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)
4.10	<u>Other Material Considerations</u> Developer Contribution Framework Creating Places Belfast Agenda
5.0	**Statutory Consultees** DfI Roads – awaiting final response (verbal confirmation that DFI Roads is content subject to conditions and travel plan implementation). DAERA – no objection, advises conditions. DfI Rivers – awaiting final response following submission of Flood Risk Assessment. NI Water – no objection, advises conditions. NI Housing Executive – supports the proposal.

6.0	**Non-Statutory Consultees** BCC Environmental Health – no objection, advises conditions. BCC Landscape Planning and Development Unit – recommended further information. BCC Economic Development Unit – No objection NI Electricity – no objection. Belfast Hills Partnership – no response. Shared Environmental Services – no objection, advises that a final CEMP is secured by way of condition.
7.0 7.1 7.2	**Representations** The application has been advertised and neighbour notified. Five objections have been received to date. The following concerns are raised: • **Loss of Green fields** Officer response – the site is zoned for housing and is within the development limits of Belfast where there is a presumption in favour of residential development at this location. • **Noise and disturbance** Officer response – as above, the site is zoned for housing. No objections have been raised by Environmental Health in terms of noise disturbance to nearby properties. The retention and augmentation of established site boundaries will also help mitigate against noise impacts upon adjoining residential areas. • **Impact on privacy/ security and loss of light to adjacent houses** Officer response – potential impacts on existing adjoining residential properties are addressed in the main assessment. In summary, it is considered that separation distances onto the closest dwellings at the lower lying Glencolin Court would be significant enough to ensure there would be no undue overbearing or dominance experienced by established residents. The site boundaries will ensure adequate enclosure and will ensure the privacy and security of adjacent dwellings are not compromised. • **Visual impact of dwellings along northern edge of site in the absence of significant cutting in, and impact on Area of High Scenic Value. Absence of appropriate landscape buffer along northern edge of site.** The Residential Design SPG advises that housing developments respect existing topography as much as possible to minimise levels of cut and fill. Officers consider that a balance has been achieved whereby the development, and house types within it, work well with existing ground levels to significantly reduce the potential for large areas of cut and fill and reduce the level of retention, which in itself would have detrimental visual impacts on the sites edge of settlement limits

	setting. An 8 metre deep landscape buffer is proposed along the northern edge of the site, and would augment existing mature hedgerow planting. • **Impact on existing traffic network** DFI Roads has assessed the accompanying Transport Assessment and is satisfied that there would be no significant adverse impacts upon the road network. It should also be noted that the site is zoned for housing.
8.0	**ASSESSMENT**
8.1	The key issues for the assessment of the application are: • Principle of development • Site layout, density and Design • Open Space Provision • Affordable Housing • Trees and landscaping • Traffic, Movement and Parking • Climate change • Impact on amenity • Contaminated land • Drainage and Flooding • Natural Heritage • Impact on Protected Sites • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation **Principle of development**
8.2	The site is zoned for housing within the Belfast Urban Area Plan 2001 (BUAP 2001) and both versions of the draft Belfast Metropolitan Area Plan 2015 (dBMAP). Moreover, the site is within the development limit of the city where housing is generally acceptable. The principle of housing at the site is established and the acceptability of the scheme will depend upon consideration of other policy issues as set out in the report below.
8.3	Policy HOU1 identifies a requirement for 31,660 homes during the plan period 2020-2035 including 18,100 homes in the rest of Belfast outside the city centre and Belfast Harbour estate. The provision of 260 no. residential dwellings supports this strategy. **Site layout, density and design**
8.4	The proposed site layout would create a variety of distinctive areas within the development. The scheme is largely influenced and shaped by existing topography and established field boundaries running north to south and east to west, and also the constraints presented by pylons and overhead lines running from east to west within the southern part of the site.
8.5	The site would be broken up into distinctive character areas and zones. Each character area relies on differing boundary treatment to reinforce a sense of local ownership and security of spaces and creates a more intimate scale within a substantive site. This distinct identity is reinforced by public realm spaces which include a civic space and children's play area.

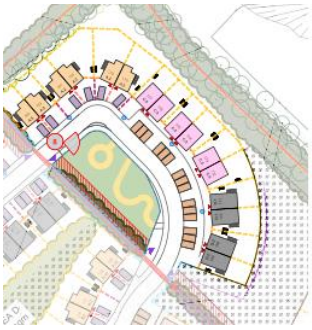
Zone A (north-west corner:

Zone B (south-west corner):

Zone C (south-east corner):

Zone D (north-east corner):

Zone E (north-east corner):



Zone G (middle of site):

8.6 The use of split-level dwellings (shown overleaf) would help to minimise cut and fill and create a more organic layout responding to the sites challenging topography. Central to the successful development of this topographically challenging site is creating a layout that allows a complementary range of house types to be built along the site contours in a compact and efficient form, which minimises cut and fill thereby reducing retaining structures to their simplest forms.

8.7 The proposed layout and house types should also maximise the opportunities to create high quality private and communal amenity spaces that optimise views out of the site across the city.

Density:

8.8 The site is approximately 9 hectares (ha) in size. With 260 units proposed, the density is approximately 29 dwellings per ha. This density is in line with the density band for Outer Belfast (25-125) as set out in Policy HOU4. Whilst the density would be at the lower end of this band, it would complement existing residential densities in the area. Regard is also had to the longevity of the application process with the PAD submitted in December 2020 and application in January 2023 in advance of adoption of the Plan Strategy and formal introduction of Policy HOU4, and that the design concept has therefore been set for some time.

Design

8.9 The dwellings would be of standard pitched roof design, some with 'off the wall' dormers to the front. In terms of finishes the walls are largely buff brick with intermittent timber effect composite cladding, mostly around the front dormer projections and on ground floor frontages. The roof slates are dark grey fibre cement.

8.10	In terms of layout the scheme can is broken up into distinctive areas. As the layout has been largely dictated by topography there is inevitably long stretches of housing in the upper/ northern part of the site. To avoid potential monotony in terms of visual character planting has been introduced in front of the building line to add quality and character, as detailed in the CGI below:
8.11	The materials used on some of the dwellings in the longer stretches of the site are varied in order to further reduce the potential monotony in the layout and streetscape. This can be seen from the street elevation below where timber cladding has been introduced at ground floor level in 4 of the semi-detached units. This couple with the landscaping details to the front of the dwellings will ensure a high quality of streetscape along the more expansive straights within the site.
8.12	There is opportunity to introduce further variety through a different colour palette of materials used in the different character zones, reinforcing a sense of place for residents and visitors. The detail of this can be dealt with through a planning condition.
8.13	The design of dwellings on key junctions also respond to their location with the introduction of dual frontage dwellings, avoiding a scenario where blank gables face onto the public road.
8.14	Similarly, the apartment blocks respond to the site layout and address landmark locations within the site and help terminate important vistas and frame areas of public open space.
8.15	The proposal is considered to accord with Policies DES1, DES2 and RD1. *Housing mix:*
8.16	Policy HOU6 states that permission will be granted for residential developments of this scale where the proposed development provides a suitable mix of house types and sizes to promote choice and assist in meeting community needs. Provision should particularly be made for smaller homes across all tenures to meet future household requirements.

8.17	The proposed housing mix is as follows: **16no. total 1 bed units (6%)** 16no. 2P/1B Apartments - General Needs **158no. total 2 bed units (61%)** 42no. 3P/2B Houses - General Needs 51no. 3P/2B Houses - Split Level General Needs 32no. 3P/2B Apartments - General Needs 17no. 3P/2B Apartments - CAT 1 Elderly 16no. 3P/2B Apartments - Wheelchair Standard (42% of 2 bed units within apartments including 16no. 3P/2B wheelchair standard above) **77no. total 3 bed units 30%)** 48no. 5P/3B Houses - General Needs 27no. 5P/3B Houses - Split Level General Needs 2no. 5P/3B Houses - Wheelchair Bungalow **9no. total 4 bed units (3%)** 8no. 6P/4B Houses - General Needs 1no. 6P/4B Houses - Wheelchair Bungalow
8.18	The applicant states that the housing mix is informed by housing need in the area with NIHE involved in discussions in terms of house type and open space provision. NIHE supports the proposed housing mix and state that the proposal will help address specific housing need in the area.
8.19	In assessing the housing mix, regard is had to the location of the site at the edge of the development limit and the prevailing and urgent housing need in the area. Taking these considerations into account, on balance, the proposed housing mix is acceptable and compliant with Policy HOU6. *Adaptable and accessible accommodation:*
8.20	Policy HOU7 states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life.
8.21	All 260 residential units are proposed to be allocated as social housing. The Residential Design SPG states that the '…*Department for Communities' (DfC's) Housing Association Guide (HAG) and Homes for Intermediate Rent Design Standards require all new social rented housing and Subsidised Intermediate Rent (SIR) housing to meet full Lifetime Homes standards (plus additional criteria), as well as providing fully wheelchair accessible homes where required. Therefore, any grant funded social housing or SIR housing will always meet the Policy HOU7 standards with regards to Lifetime Homes criteria. Similarly, where any specialist wheelchair housing is delivered as part of the social housing programme or SIR housing scheme, this will meet the wheelchair adaptable criteria of Policy HOU7*.'
8.22	The proposed residential units are designed to Lifetime Home standards in terms of minimum space requirements and adaptability. Given that the proposed units are allocated for social housing it is accepted that they will meet Policy HOU 7 standards.

8.23	For schemes of 10 units or more, Policy HOU7 requires at least 10% of the units to be wheelchair accessible. The proposal would include the following wheelchair units: 17 No. CAT1 Elderly apartments 16 No. Wheelchair standard apartments 3 No. Wheelchair standard bungalows
8.24	This equates to 14% of the overall development as wheelchair standard and CAT 1 elderly, meeting the requirements of Policy HOU7. *Masterplanning:*
8.25	The proposed development has been assessed against Policy DES2 as set out below. *Adopting a holistic approach to site assembly, layout and design that is mindful of adjacent sites, where suitable for redevelopment, while avoiding prejudice to future development potential and/or quality where development is of a significant scale and prominence;*
8.26	The proposed development is part of a second phase of development and is cognisant of the phase 1 development currently under construction. The overall site layout takes into account the existing natural features including hedgerows and watercourses, whilst the residential units are positioned to minimise retaining structures, working with the existing topography of the land. *Promoting opportunities for urban repair and greater connectivity to neighbouring areas by minimising or mitigating physical barriers that create undue effort or separation, informed by feedback from existing communities;*
8.27	The application site has been subject to ongoing anti-social behaviour and the proposed development offers an opportunity to regenerate the locality and provide ongoing surveillance throughout. Connectivity has been considered with linkages to adjacent sports grounds. *Maximising solutions to deliver energy efficiencies that seek to achieve BREEAM 'excellent' or comparable standard;*
8.28	The proposed development will deliver energy efficiencies as outlined within climate change considerations. *Promoting higher density residential and mixed-use development along city corridors and at gateway locations;*
8.29	The proposed development provides a mix of residential accommodation and densities appropriate to its location. *Contributing positively to the improvement of the public realm within, and in the proximity of, the development site through the use of high quality hard and soft landscape materials and street furniture;*
8.30	A high standard of hard and soft landscape materials are proposed throughout the site with public open space positioned to provide panoramic views across the city of Belfast.

	Including an appropriate landscape management and maintenance plan, early in the planning process, as an integral part of all landscape proposals;
8.31	A landscape management and maintenance plan has been included.
	Enhancing the waterside character and setting of the River Lagan, including the improvement of existing and provision of new access points and new cross river connections where appropriate;
8.32	N/A
	Referencing unique parts of the city through the realisation of key landmarks within prominent or gateway locations;
8.33	N/A
	Seeking to include where appropriate the provision of public art; and
8.34	A high standard of communal open space will be provided throughout the site including an equipped children's play area. A condition is recommended to require appropriate provision of public art.
	Seeking the retention of existing trees within and around the site and make adequate provision to allow them to mature while ensuring the continuance of tree cover through new tree planting.
8.35	The site has been surveyed for vegetation suitable for retention and a landscaping plan has been developed which seeks to maximise the retention of existing natural boundaries.
8.36	In conclusion, it is considered that the design and external appearance of the proposal is acceptable having regard to Policies RD1, DES1, DES2, DES3, HOU6 and HOU7 of the Plan Strategy.
	Amenity and Open Space Provision
8.37	The proposal has been assessed against Policies OS3 and RD1(d) of the Plan Strategy and *Creating Places*.
8.38	Policy OS3 of the Plan Strategy requires residential proposals of this scale to delivery a minimum of 10% of the site as open space. The site area is approximately 9.0 ha. Therefore, the expectation is that 9,000 sqm metres of public open space is provided.
8.39	As stated above, the site consists of a number of parcels of open space, some usable and open to the public and some in the form of open mosaic habitats with more limited access. The main area of open space is located centrally within the site and has an area of approximately 660 sqm (shown in Zone G above). There is a smaller secondary area of public open space, measuring approximately 120 sqm located in the south-western corner of the site (Zone B above) providing a focal point to a distinctive area of housing and apartments. There is also an area of open space located to the front of the apartment blocks in this area, abutting the main access road, which measures approximately 110 sqm. Another smaller area of planted public open space is located in the north-eastern corner of the site (Zone B above) and measures approximately 70 sqm.

8.40	The open space areas to either side of the streams running from north to south through the site also incorporates a 5m deep wayleave. The open space area alongside the central stream/ boundary vegetation also incorporates a public footpath linking two areas within the site. These areas represent a total 'usable' area of public amenity space of approximately 960 sqm. This overall provision of approximately 10.7% public open space meets the requirements of Policy OS3.
8.41	In addition, there are substantial areas of open mosaic habitat, the largest of which is located in the south-eastern part of the site on sloping land between two rows of built form, measuring approximately 580 sqm. Another of these open mosaic areas is located in the south-western corner of the site and surrounds an existing pylon. This area measures approximately 270 sqm.
8.42	There are also subsidiary areas of planted open space along sloping parts of the site between rows of dwellings running south-west to north-east and alongside established hedgerows and streams running north to south through the site. These measure approximately 380 sqm in area.
8.43	The total open space provision for the site measures approximately 2,190 sqm, which equates to approximately 24% of the total site area (of 9 ha). This is a substantial overall provision and would assist the integration of the development into its edge of settlement setting.
8.44	It should be noted that the areas where it is proposed to relocate open mosaic habitat will be within sections of the site that will be restricted landscape zones to allow these areas to establish. Given the sloping nature of these areas, between or behind rows of dwellings and apartments, lack of surveillance was an initial concern and so the layout now ensures that these areas hold biodiversity and visual amenity value as opposed to being areas to be accessed. These areas will also assist in the 'greening' of the development which will be of particular importance when viewing the site from distance and will reduce the overall visual impact and provide much needed softening at the edge of the settlement limits and within the Area of High Scenic Value.
8.45	Policy OS3 also requires that residential developments of more than 100 units must incorporate an equipped children's play area as an integral part of the development. A play area is located on the southern edge of the central area of open space. This will be required to be managed and maintained through a Section 76 planning agreement.
8.46	The Council's Landscape Planning and Development team raised concerns about proximity to overhead power lines, however, it is around 20m from the centre line of the overhead powerlines and the applicant has confirmed that extensive consultation was undertaken with NIE at pre-application stage to ensure all play areas and housing were located a safe distance from the overhead lines. It is also worth noting that the NIE consultation response (dated 19th June 2023) confirms that the scheme meets the statutory clearances required. NIE has also confirmed that the developer has previously engaged with NIE Networks around the transmission overhead line infrastructure within the site to provide a scheme which meets the statutory clearances required.
8.47	In terms of private open space, rear garden sizes range from 50 sqm to 200 sqm, with an average provision greater than 70 sqm, and as such in keeping with the requirement set out in the *Creating Places* guidance.
8.48	The apartment blocks would all have areas of private or semi-private public open space. Each of the apartment blocks in the north west corner (Zone A above) have a communal area to their rear measuring approximately 130 sqm. The two blocks in Zone B have an

	area of approximately 180 sqm, and also benefit from immediate access to public open spaces to their front and rear. The larger apartment block to the east of Zone B has a semi-private communal area along its frontage measuring approximately 650 sqm. Similarly, the two block to its west, this will also benefit from its proximity to the area of communal open space to the rear. The two apartment blocks in Zone G have communal areas of approximately 250 sqm, and also front onto the main area of open space in the centre of the site. **Affordable Housing**
8.49	Policy HOU5 of the Plan Strategy states that planning permission will be granted for residential development on sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing.
8.49	NIHE carries out a Housing Need Assessments (HNAs) annually across all relevant housing areas. This site is located within the Andersonstown Common Landlord Area which sits within the wider Middle West HNA. The social housing new build need for Middle West is 1,107 units for the 2022- 2027 period.
8.50	The proposal is 100% social housing. As such, the requirements of Policy HOU5 are met in terms of the quantum of units. However, 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: a) *'The level of social housing need in the vicinity of the site and the availability of land to address such needs;* b) *The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and* c) *Whether a scheme is proposed as 'shared housing''*
8.51	Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. However, turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community and is in conflict with the guidance.
8.52	Nevertheless, regard is had to the support for the proposal from NIHE and the longevity of the application process dating back to 2020, well before adoption of the Plan Strategy, Policy HOU5 and the associated SPG. It is considered unreasonable to require the applicant to make a significant change to the tenure of the scheme now. Having regard to these factors, and on balance, the proposed tenure is considered acceptable. **Trees and landscaping**
8.53	The proposal has been assessed against Policy TRE1, LC1, LCB2 and LC3.
8.54	Policy TRE1 seeks to protect existing trees from development, particularly those that are of visual, biodiversity or amenity quality and significance. The landscape strategy focuses on retaining and enhancing the existing hedgerow boundary treatment and the creation of several 'corridors' that provide a high-quality landscape setting incorporating pathways, lighting, rain garden and SUDS swales with associated species-rich yet low maintenance planting. The landscaping plan also includes the establishment of an 8 metre vegetation buffer along the northern boundary of the site. Existing hedgerows will be augmented to

	strengthen this boundary providing a strong planted edge not only to the development but along the edge of the settlement limits.
8.55	The approach to existing hedgerows includes retention high value tree species and augmentation with native woodland species to provide a diverse hedgerow/woodland boundary to the site.
8.56	DAERA NED has noted the presence of Open Mosaic Habitat on Previously Developed Land (OMHPDL). The proposal now includes the translocation of the OMHPDL habitat on a 'like for like' basis, to be relocated in areas where there will be no or limited public access. This will ensure there will be no net loss of OMHPDL from the site.
8.57	The site is located within an Area of High Scenic Value (AHSV) and therefore must be assessed against Policy LC1B and LC3 (Belfast Hills).
8.58	Overall, it is considered that there would be no adverse impact on the landscape and the tree planting and landscaping proposals are considered to provide suitable mitigation.
	Traffic, Movement and parking
8.59	The proposed development site has an existing vehicular access directly off Glen Road, approximately 45m west of the Glen Road Heights junction. The development proposals involve closing this existing access, with all vehicular movements and access through the adjacent Glen Heights development via Glen Road Heights (previously approved under Z/2013/0930/F).
8.60	The Transport Assessment submitted in support of historical planning application Z/2013/0930/F, sharing the same access point onto Glen Road as the proposal, included the assessment of 93 units and a further 279 units in the remainder of the housing zoning WB 05/17. The design of the Glen Road Heights / Glen Road junction approved as part of this planning application is 'approved' for the use by a total of 372 mixed social housing units.
8.61	The wider site was not part of the Z/2013/0930/F planning approval, and therefore the Transport Assessment supports the planning application for the proposed development i.e. 260No. mixed social housing units.
8.62	Notably, the Transport Assessment for Z/2013/0930/F included the assessment of 279 mixed social housing units on the development site (for the future proofing of the site access), and the development which is the subject of this application proposes 260No. units, representing a reduction of 19No. units.
8.63	The proposal includes 444 car parking spaces, which equates to approximately 1.7 spaces per residential unit.
8.64	Three wheelchair bungalows will have provision for in-curtilage parking.
8.65	Communal areas will have adaptable spaces available for up to 22 wheelchair spaces.
8.66	As advised previously, DFI Roads originally sought inclusion of disabled parking bays within the PSD, but then sought to have them removed as they could not formally adopt.
8.67	Dependent upon the needs of occupants of CAT 1 elderly units an assessment will be carried out and it is understood that arrangements will be made via DFI Roads to accommodate disabled parking provision on a case-by-case basis.

	Green Travel Measures
8.68	A Travel Plan Framework accompanies the application, setting out the connectivity of the site and how the developer seeks to promote alternatives to the private car and promote green methods of travel.
8.69	The proposed development will include one cycle parking space for each apartment. These will comprise Sheffield stands located near the building access at accessible and well-lit areas to promote the use of cycling as a sustainable mode of transport for short distance trips.
8.70	To further reduce the reliance on the private car each dwelling shall be subject to a free three-year Travel Card offer. The developer shall offer a free Residential Travel Card to one occupier of each dwelling (within one month of their occupation) until three years after first occupation of that dwelling.
8.71	Each dwelling shall also be subject to a free three-year Car Club membership. The developer shall offer a free Car Club membership to one occupier of each dwelling (within one month of their occupation) until three years after first occupation of that dwelling. The Travel Plan, Travel Cards and Car Club membership would be secured via a Section 76 planning agreement.
8.72	A slightly reduced parking provision has also been applied to the proposed development, which has been based on parking usage at other Radius Housing sites. Accordingly, a reduced parking provision for residents will minimise the amount of visitor trips undertaken by private car and push these trips to more sustainable modes such as public transport, walking and cycling. The location of the development reduces the need for vehicular journeys, as major attractions within Belfast City centre can all be accessed by the sustainable modes of transport that will be promoted through the travel plan.
8.73	There are a range of existing pedestrian linkages available to the site with pedestrian footways and streetlighting connecting to the site from Glen Road Grove and connecting along Glen Road, leading to Shaws Road, Suffolk Road, Andersonstown Road and a number of nearby residential areas. Additionally, key retail links along Stewartstown Road and at Andersonstown, provide access to workplaces and wide ranging shopping opportunities without the need for a car.
8.74	The sites connectivity and accessibility are further reinforced by the provision of a puffin crossing point close to the site access on the Glean Road. A variety of sports clubs, churches, cafes, primary schools, bus stops and community/ youth facilities are all accessible within 500 metres walking distance. A range of shops and nursery, primary and secondary schools are all accessible within a 1km walking distance. There are 10 bus stops within a 400m walking distance. The final details of the crossing point, which ahs been agreed in principle with DFI Roads, would be secured by condition.
8.75	Subject to DfI Roads response to the amended plans, it is considered that the proposal complies with Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN8, TRAN9 and TRAN10.
	Climate change
8.76	Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce Green House Gases (GHG) by promoting sustainable patterns of development. The policy goes on to state that development proposals should, where feasible seek to avoid demolition and seek to maximise opportunities to incorporate sustainable design features.

8.77	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change to support sustainable and enduring development.
8.78	In terms of energy performance the applicant confirms that the proposal is in line with updated versions of Building Regulations Technical Booklets F1 & F2 and provide 40% more energy efficiency. The proposed house types and bungalows are EPC 'A' rated and 'FEE' of bettering 46kgco2/y/m2. Apartments are EPC 'AA' rated and 'FEE' of bettering 39kgco2/y/m2. Buildings have highly insulated external envelopes throughout.
8.79	MEP/Sustainability solutions for house types and bungalows include the following features – • Gas fired boilers • Intermittent mechanical ventilation • Hot water cylinder • 100% LED luminaires • 1.6Kwp Photovoltaic System
8.80	MEP/Sustainability solutions for the proposed apartments include the following features – • Air source heat pumps • Underfloor heating emitters • Hot water cylinder • 100% LED luminaires • 10Kwp Photovoltaic System
8.81	Energy generated from photovoltaics equates to a household saving of circa £330 per annum. EV charge provision to each unit type is included for future upgrade. The materials have also been sourced to utilise local supply as much as possible. Where practicable, materials have also been selected on the basis that they contain high levels of recyclable content to reduce overall carbon footprint.
8.82	The proposed units are orientated to maximise solar gains across the site, including alternative elevations for same house types where necessary.
8.83	Policy ENV2 seeks to re-use existing building stock where possible for sustainability reasons. The proposal involves demolition of two dwellings to facilitate the layout for the proposed 260 dwellings. In view of the obvious planning gain, the demolition of the existing two dwellings is considered acceptable.
8.84	Policy ENV5 states that developments should include, where appropriate, SuDS measures to manage surface water effectively on site. Across the site Sustainable Urban Drainage Systems (SUDs) measures are included to managing watercourses and storm water holistically within the landscape.
8.85	In conclusion, and on balance, it is considered that the proposal is acceptable, having regard to Policies ENV2, ENV3 and ENV5.

Impact on Amenity

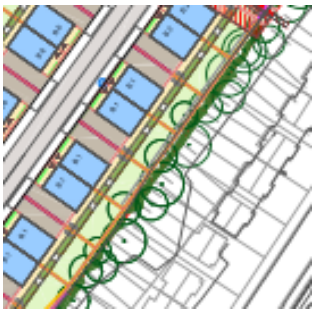
8.86 The proposal has been assessed against Policies RD1, DES 1 and DES3. Policies DES1, DES3 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.

8.87 The site abuts existing residential development on two sides, to the south and the east. With the levels rising substantially from south to north the proposal has potential to impact upon residential amenity to the south. However, given ample separation distances and a significant level of proposed planting along the southern boundaries it is not envisaged that existing properties will experience a significant loss of amenity.

8.88 Glen Road Heights is a newly constructed development to the immediate south of the site. The substantial separation distances are evident in the section from the site layout below and measure approximately 20-25m.

8.89 The site also abuts existing housing to the south-west and west, Meadowhill, Glencolin Rise and Glen Colin Court, as shown below. The open mosaic landscaped area, surrounding the existing pylon, will ensure there is significant separation distances from the proposed housing to the lower level housing in Glencolin Court and Glencolin Rise. Separation distances from the proposed built form to the rear boundary of existing properties range between 17m and 35m. This separation, combined with proposed planting, should ensure there will be no significant overlooking or overbearing impact upon existing dwellings.

8.90 At Meadowhill the separation distance from the proposed dwelling to the party boundary with the closest existing dwelling is approximately 12m. Having said this the proposed dwelling is gable onto the existing dwelling, and as such there should be no significant level of overlooking. With existing boundary retention, coupled with new planting, there should be no significant overbearing experienced by residents in the existing dwellings.



Glen Road Heights

Glencolin and Meadowhill

8.91 The separation distances are in keeping with the recommended ‘back to back’ separation distance of 20m as set out in Creating Places and the Residential Supplementary Planning Guidance (SPG). Similarly the 12m separation distance from the rear of the existing property at Meadowhill onto the gable of the nearest proposed house is above the recommended 10m separation distance recommended in the SPG document.

Contaminated Land

8.92 Environmental Health notes that three communal areas and 22 garden areas are to be capped with clean imported soil and radon protection measures are to be incorporated in houses. These measures are required to sever the contaminant linkages relating to the identified soil contamination present on this site.

8.93	Environmental Health also notes that the applicant's environmental consultant has liaised with BCC Building Control in order to ascertain the requirements for radon protection measures at this site which has indicated that a radon membrane would be required in new buildings to be in compliance with Buildings Regulations guidance. Environmental Health acknowledges the requirement for radon gas protection and refers this aspect of remediation to the Council's Building Control service.
8.9	Consequently, Environmental Health offers no objection subject to conditions.
	Drainage and Flooding
8.95	The proposal has been assessed against Policy ENV4 and the SPPS.
8.96	Flood Maps (NI) do not indicate a floodplain associated with the undesignated watercourses that are located throughout the site. This is due to the fact hat these minor watercourses fall below the threshold in terms of catchment area for River Modelling.
8.97	DFI Rivers requested that the applicant carry out a Flood Risk Assessment (FRA) for their consideration that will determine the extent of the floodplain associated with these undesignated watercourses, requiring a river model.
8.98	A FRA was subsequently submitted and is currently with DfI Rivers for consideration and final comment. The applicant's drainage consultant has confirmed that existing and proposed scenarios have been modelled. Existing modelling has indicated that flows remain within the defined channel and no out of bank flooding has been indicated. The
8.99	proposals, namely the culverts for road crossing have had no significant impact, with levels upstream and downstream of the development site remaining the site.
8.100	Delegated authority is sought to deal with DfI Rivers' final consultation response, provided that the issues are not substantive.
	Natural Heritage
	Open Mosaic Habitat:
8.111	DAERA NIEA, Natural Environment Division (NED) has considered the impacts of the proposal on natural heritage interests and, on the basis of the information provided, has no concerns subject to conditions.
8.112	From the Preliminary Proposal for Translocation of Open Mosaic Habitat (OMH) Glen Road Belfast Development Site (Aulino Wann & Associates, published to the NI Planning Portal 12/10/2023), NED acknowledges that the ecologist has determined that the mosaic of habitats on site conforms to NI Priority Habitat.
8.113	The ecologist has established justification as to why, on this occasion, retention of this habitat will not be possible. NED also acknowledges that the proposed management of Invasive Plant Species Japanese Knotweed Fallopia japonica will likely impact on areas of OMHPDL Priority Habitat.
8.114	Based on the proposals submitted regarding the translocation of the OMHPDL, NED is content that mitigation/compensation proposals have been included, and therefore has recommended a Habitat Management Plan (HMP) be submitted which includes long term

	management for those areas of translocated OMH and any other compensatory areas. For example, areas of translocated OMH, as shown on the Landscape Plan, must not be managed as amenity grassland.
8.115	As noted in NEDs previous response, given the presence of the invasive Japanese Knotweed Fallopia japonica, NED has recommended a condition regarding the management/treatment of the plant based on updated survey information.
8.116	Subject to the below recommended conditions, NED is content with the proposal and the proposal is considered acceptable having regard to Policy NH1. *Impact* on Belfast Lough:
8.117	Shared Environmental Services has confirmed that they have considered the planning application in light of the requirements of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) on behalf of Belfast City Council which is the competent authority responsible for determining the project.
8.118	Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.
8.119	In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to requiring a final Construction Environmental Management Plan (CEMP) by condition.
	Employability and Skills
8.120	The applicants (Housing Associations) have confirmed that employability and skills interventions to promote inclusive growth will be delivered through SIB's 'Buy Social' clauses, with monitoring and reporting on a monthly basis of the progress of the successful contractor's progress against their submitted Social Value Delivery Plan.
8.121	The Council's Economic Unit raises no objection to this approach, which dispense with the requirement to secure an Employability and Skills Plan through a Section 76 planning agreement.
	Section 76 Agreement planning agreement
8.122	The following planning obligations are considered necessary to make the proposed development acceptable and should be secured through a Section 76 planning agreement. • **Affordable housing** – a minimum of 20% of the 260 residential units should be secured as social housing in compliance with Policy HOU5; • **Green travel measures** – travel plan, travel cards and car club membership of three years as required by Policy TRAN4; • **Open space** – delivery, management and maintenance of the open space and play equipment as required by Policy OS3.
8.123	The draft planning agreement is currently being prepared and will need to be finalised before planning permission can be granted.

	Pre-application Community Consultation
8.124	Applicants for Major development are required to carry out community consultation in advance of submitting an application.
8.125	Prior to submitting the application, applicants must give notice to the Council, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for Major development is to be submitted and set out the proposals for community consultation. A PAN was submitted to the Council on 7th February 2021.
8.126	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.
8.127	A Pre-Application Community Consultation Report has been submitted in support of this application. The Report confirms the following: • Under normal circumstances, consultation with the wider public on the proposal would have taken place through a public event, however due to current COVID-19 social distancing restrictions, the public consultation was held through online and remote means. • A remote and online public consultation was held between Monday 31st January to Friday 18th February 2022. Information could be accessed online. During the consultation period, the webpage had 230 pageviews with 191 unique page views. The average time on the page amounted to 00:03:29. • The news story on the planning agent's website got 205 pageviews during the same period. • A webinar also took place on Thursday 10th February 2022 at 6pm with a sign-up link provided in the web address above. The webinar had 13 attendees and the 14 subsequent viewers following the upload of the webinar on the webpage. • A public notice was placed in the Irish News on Monday 24th January 2022 and in the Andersonstown News on Friday 29th January. • A leaflet, containing details of the consultation process, was designed and distributed extensively to all addresses within a 200m radius of the application site during the week commencing the 24thJanuary 2022. Some addresses beyond the 200m boundary of the site were included in the list of addresses. • Direct invites were issued to all elected representatives in the West Belfast Westminster / Stormont Constituency, Black Mountain District Electoral Area of the Belfast City Council. • Engagement also took place with Glencolin Residents Association, Black Mountain Access Project Team and Belfast Hills Partnership.
8.128	Feedback was received in relation to the following issues: • Visual amenity • Road infrastructure and traffic • Waterways • Housing need • Community and youth provision

8.129	Following the public consultation period, the applicant states that the scheme underwent a series of design iterations and reviews before the proposal was finalised.
8.130	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their legislative duty to consult the community in advance of submitting an application.
9.0	**Recommendation**
9.1	Having regard to the development plan and relevant material considerations, the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.
9.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement and deal with any other issues that may arise, including the final consultation responses from DfI Roads and DfI Rivers, provided that they are not substantive.
10.0	**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. Notwithstanding the submitted details, no development shall commence on site until a Phasing Plan has been submitted to and approved in writing by the Council. The development shall not be carried out or sequenced unless in accordance with the approved Phasing Plan. Reason: In the interests of the orderly development of the site. 3. Notwithstanding the submitted details, no external facing materials shall be constructed unless details of a revised materials colour palette to introduce variety in colour finishes in the external materials between the character areas has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details. Reason: In the interests of good design and placemaking. 4. No external brickwork, render or cladding materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials, render and external cladding materials. Reason: In the interests of good design and placemaking.

5. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of a Public Art Scheme have been submitted to and approved in writing by the Council. The scheme shall include details of individual public art installations, proposals for future management and maintenance, and a programme for implementation. The development shall not be carried out unless in accordance with the approved details.

   Reason: In the interests of place making and the amenities of the area. Approval is required upfront because public art may be integral to the design and layout of the scheme.

6. The residential unit shall be occupied unless its respective external amenity/garden areas (and in the case of the apartments its respective external and internal amenity areas) have been provided in accordance with the approved plans.

   Reason: To ensure that a quality residential environment is provided for occupants of the approved development.

7. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any phase unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.
   Reason: In the interests of the character and appearance of the area

8. No development shall commence on site within a particular phase unless a Habitat Management Plan (HMP) has been submitted to and approved in writing by the Council.

   The HMP shall include the following:

   a) management/restoration/translocation for Open Mosaic Habitat on Previously Developed Land NI Priority Habitat;
   b) description of pre-construction, baseline habitat conditions;
   c) appropriate maps, clearly identifying habitat management areas which must be compliant with plans as indicated on Drawing No.03 Landscape Plan (Published to the NI Planning Portal 12/10/2023);
   d) Detailed methodology and prescriptions of habitat management and restoration measures, including timescales, and with defined criteria for the success of the measures;
   e) Details of the prohibition of habitat damaging activities, including agricultural activities;
   f) Details of the regular monitoring of the effectiveness of habitat management and restoration measures using appropriate methodology (e.g. visual inspections, vegetation quadrats, fixed point photography) in years 1, 2, 3, 4 and 5 post construction;
   g) Year 1 monitoring to include baseline conditions of the receptor areas;

h) Details of the production of regular monitoring reports which shall be submitted to the Council within 6 months of the end of each monitoring year and which shall include details of contingency measures should monitoring reveal unfavourable results.

The approved HMP shall be implemented in accordance with the approved details on the commencement of development until construction is complete.

Reason: To compensate for the loss of and damage to Northern Ireland priority habitats.

9. The management and treatment measures included in the Japanese Knotweed Management Plan (Fallopia japonia), published to the NI Planning Portal 24/02/2023, shall be implemented in full and all works shall comply with the Japanese Knotweed Management Plan and relevant updated survey information published to the NI Planning Portal (Japanese Knotweed Locations 12/10/2023, Revised Japanese Knotweed Locations 27th July 2023, 12/10/2023).

   Reason: To manage an Invasive Alien Plant Species and mitigate for impacts to NI Priority Habitat.

10. Prior to the occupation of each phase of the approved development, a Verification Report for that phase shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the following documents - Tetra Tech letter response - Dated the 7th of August 2023. Ref: 787-B033467 and the Tetra Tech report entitled Glen Road, Belfast Generic Quantitative Risk Assessment (GQRA) & Detailed Remedial Strategy Project No. 787-B033467 RMI Architects January 2022, have been implemented. 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, residential with plant uptake. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards, including CAR-SOIL – Interpretation for Managing and Working with Asbestos in Soil & Construction and Demolition Materials (2016). In particular, the Verification Report must demonstrate that:
    a) Capping layers should be installed as per the drawing in the GQRA & DRS the final site layout Figure 9. Recommended Capping System Extents. 787-B033467.
    b) A minimum 500mm capping system has been emplaced in all communal landscaped areas formed from material that is demonstrably suitable for use (public park).
    c) A minimum 800mm capping layer system in garden areas, as per the capping diagram in Figure 10 in the GQRA & DRS referenced 787- B033467, that is demonstrably suitable for use (residential without plant uptake).

    Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

11. No development shall commence within each phase unless a final Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Council. The final CEMP must be site specific and include all necessary mitigation measures for the construction and operational phases of the development to avoid any pollutant egress to Belfast Lough. The

development shall not be carried out unless in accordance with the approved CEMP.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

12. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) within each phase unless details of foul drainage, including a programme for implementation of these works within that phase, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

    Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

13. The residential units hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.
    Reason: In the interests of amenity.

14. None of the residential units shall be occupied unless details of the puffin pedestrian crossing have been submitted to and approved in writing by the Council. None of the residential units shall be occupied unless the puffin pedestrian crossing has been constructed in accordance with the approved details and is operational.

    Reason: In the interests of pedestrian safety and connectivity.

15. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

    Reason: To ensure adequate car parking within the site.

DRAFT INFORMATIVES

NOT04 Section 76 planning agreement
This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations:

- Social housing
- Travel Plan and green travel measures
- Delivery, management and maintenance of the open space and play equipment

NOT02 Compliance with planning permission
Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning

	Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk **NOT03 Discharge of condition(s)** This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. **NOT05 Non-planning requirements** The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.

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Development Management Report

Summary	
Committee Date: 10th December 2024	
Application ID: LA04/2024/0626/F	
Proposal: Erection of 104no. residential units across two detached blocks [ranging between 3 and 5 storeys] including 84 no. Social Rented Housing Units (comprising a mix of General Social Housing and Category 1 over 55's accommodation), landscaping, communal and private amenity space, ancillary cycle and car parking provision, and other associated site works.	**Location:** 1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Genova North West Limited The Factory 184 Newry Road Banbridge BT32 3NB	**Agent Name and Address:** TSA Planning Ltd 20 May Street Belfast BT1 4NL
Date Valid: 17th April 2024	
Target Date: 13th November 2024	
Contact Officer: Ed Baker**,** Planning Manager (Development Management)	

Executive Summary:

The application proposes the construction of 104no. residential units, including 84no. social rented units (approximately 80%) comprising a mix of General Social Housing and Category 1 over 55s accommodation.

The development would comprise two detached blocks, ranging in height from 5 storeys along the Ormeau Road elevation, stepping down to 3 storeys to the rear. The scheme also includes internal courtyard gardens, communal amenity provision and landscaping, 29 car parking spaces within the site (to the rear) accessed via Ormeau Street, cycle parking and associated works.

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 heritage assets

- Residential quality and impact on amenity
- Community cohesion and good relations
- Security and design
- Open space
- Space Standards
- Access and transport
- Health impacts
- Environmental protection and climate change
- Flood risk and drainage
- Waste-water infrastructure
- Waste management
- Natural heritage
- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation
- Matters raised in representations

In the Belfast Urban Area Plan 2001 (BUAP 2001), the site is located within the city centre and is not zoned for any use.

In the draft Belfast Metropolitan Area Plan 2015 (dBMAP) (versions 2004 and 2014), the site is located within the city centre and within Shaftsbury Square Character Area and is not zoned for any specific use.

The site is a suitable and highly sustainable location for housing; the proposal would make effective use of previously developed land and would support City Centre Living.

Following negotiations and amendments, the design of the scheme is considered to be of good quality and appropriate to its context. There would be no harmful impacts on neighbour amenity.

The proposed access and parking arrangements would be suitable.

The provision of 84no. social housing units that respond to local housing need is welcomed.

NIHE is supportive of the on-site social housing proposals. No objections have been received from any statutory consultations, subject to conditions, informatives and Section 76 legal agreement.

There are no objections from non-statutory consultees, including amongst others, the Urban Design Officer, Environmental Health and Translink.

A total of 52 representations have been received. This includes 1no. petition objecting to the proposal with 462no. signatories, 49no. letters of objection, 1no. letter of mixed response, and 1no. letter objecting to the petition.

All concerns are addressed in the report.

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.

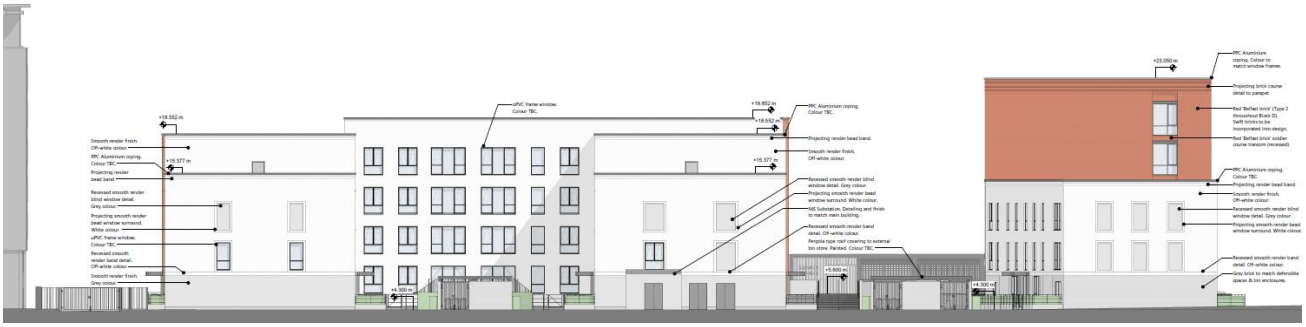
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement.

DRAWINGS AND IMAGERY

Site Location Plan:

Proposed Front Elevation (east):

Proposed Rear Elevation (west):



Proposed Side Elevations (north):

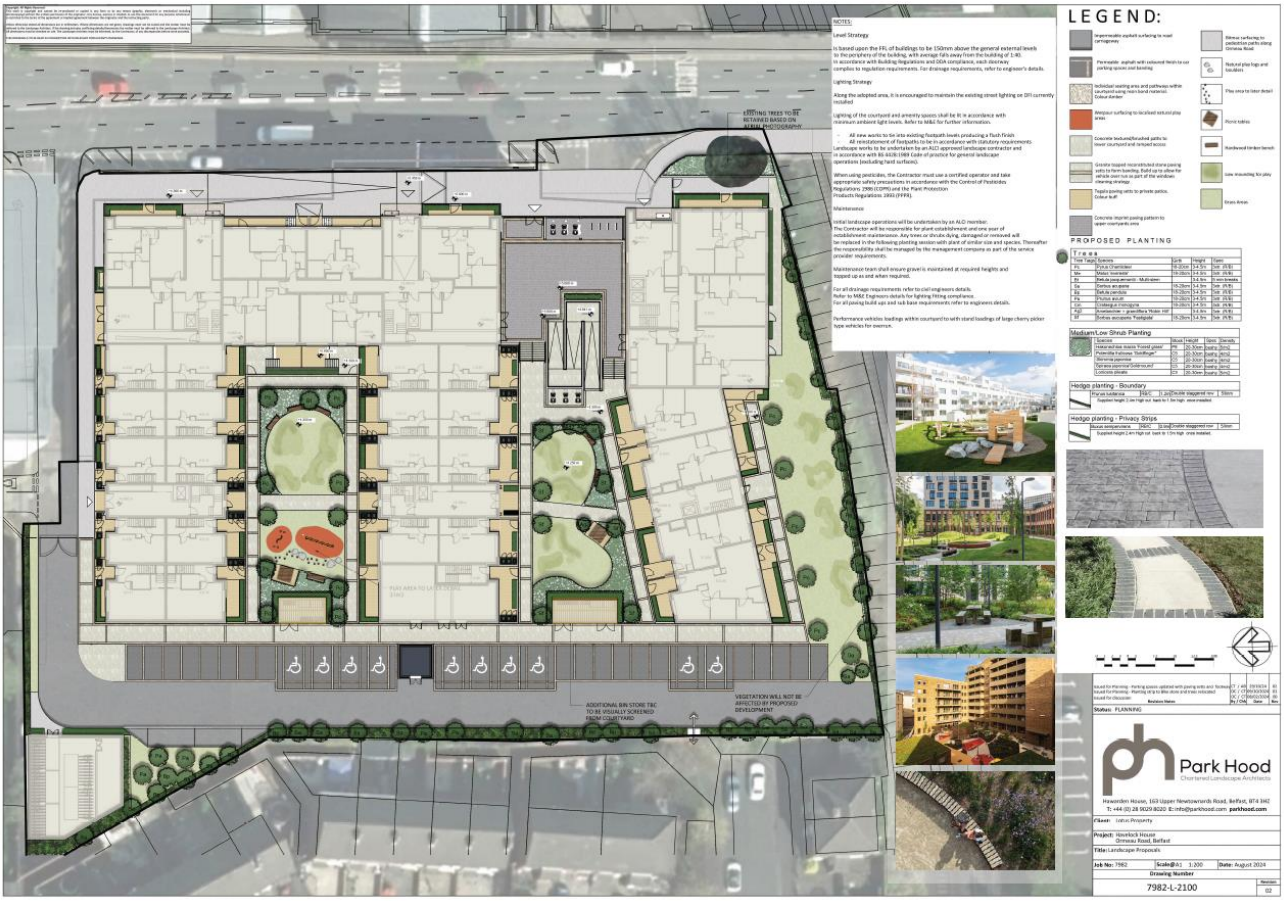
Proposed Side Elevations (south):

Proposed Side Elevations – Inner courtyard (south):

Proposed Side Elevations – Inner courtyard (north):

Contextual Front Elevation (east):

Landscaping proposals:



CGI: Front elevation, looking northwards on Ormeau Road:

CGI: Front elevation, looking southwards on Ormeau Road:

CGI: Side elevation, looking northwards from McClure Street:

CGI: Rear elevation, looking eastwards from Vernon Street:

CGI: Key view looking west from Cromac Avenue, Gasworks:

CGI: Key view looking west from Lagan:

1.0	**Characteristics of the Site and Area**
1.1	The site fronts onto Ormeau Road and is currently a vacant site, measuring approximately 0.73 hectares (1.81 acres). It was previously the site of a 3-storey building known as Havelock House, formerly the home of UTV, which has since been demolished. The southern boundary of the site is bounded by the railway line and is defined by a sloping embankment. The western boundary is defined by a mixture of brick wall and paladin fence. An existing layby is located along the Ormeau Road frontage of the site which accommodates approximately 7 parking spaces. The Ormeau Road rises on an incline along the site frontage before falling towards the city centre. The site itself falls from the Ormeau Road to the west. <u>Existing site condition:</u>
1.2	The surrounding area is comprised of a mix of uses including residential, office, commercial and educational. Terraced and semi-detached dwellings are located to the immediate west/northwest of the site on Walnut Street/Vernon Street and Walnut Court. The site is bounded to the north by Coyle's Place, where the 8-storey residential block (Portland 88) sits, also fronting onto Ormeau Road.
1.3	The site sits immediately opposite the listed Klondyke Building and its adjoining contemporary extension (Gasworks site). Number 7 Walnut Court (Rose Cottage) is also a listed building and abuts part of the northern boundary of the site. **Description of Proposed Development**
1.4	The application seeks full planning permission for the erection of 104no. residential units. This would include 84no. social rented units (approximately 80%) comprising a mix of General Social Housing and Category 1 over 55s accommodation. The remaining 20no. units (approximately 20%) would be other tenures.
1.5	The scheme also includes internal courtyard gardens, communal amenity provision and landscaping, 29 car parking spaces to the rear of the site, accessed via Ormeau Street, cycle parking and associated works.
1.6	The application follows Pre-Application Discussions with officers.

2.0	**PLANNING HISTORY**
2.1	*The following were undertaken in advance of this application being submitted*: • **LA04/2023/4400/PAD** ***Decision**: PAD concluded 14/03/2024* • **LA04/2023/4409/PAN** ***Decision**: PAN acceptable 28/11/2023* • **LA04/2022/0896/PAN** ***Decision**: PAN acceptable 23/05/2022*
2.2	*Previous planning history on this site:* • **Planning Appeal PAC Reference 2020/A0107 (appeal against refusal of LA04/2020/0067/F)** Demolition of existing buildings and erection of 270 no. apartment building comprising 8, 5 and 3 storey elements, provision of hard and soft landscaping including communal courtyard gardens, public realm, provision of 40 no. car parking spaces, cycle parking, substation and associated works. (Further information and amended plans received). ***Decision**: Appeal dismissed 05/10/2021* • **LA04/2020/0067/F** Demolition of existing buildings and erection of 270 no. apartment building comprising 8, 5 and 3 storey elements, provision of hard and soft landscaping including communal courtyard gardens, public realm, provision of 40 no. car parking spaces, cycle parking, substation and associated works. ***Decision**: Planning permission refused 18/11/2020* • **LA04/2018/2562/PAD** Demolition of existing building and erection of a 13 storey build to rent development with associated residents' amenity space, access, parking and landscaping. ***Decision**: PAD concluded 05/12/2022* • **LA04/2018/1982/PAN** Demolition of existing properties and erection of new purpose-built, multi-unit residential development for rental, C/W shared amenity spaces, all necessary ancillary/support accommodation, car parking and landscaping. ***Decision**: PAN Acceptable 16/08/2018*
2.3	*Relevant planning history adjacent to the application site*: • **LA04/2016/0967/F** Proposed erection of an eight storey residential development comprising 88 apartments with car parking, amenity space and associated site works, 55-71 Ormeau Road, Belfast, BT7 1EB. ***Decision**: Planning permission approved 10/03/2017* • **LA04/2017/1998/NMC** Non Material Change to LA04/2016/0967/F. ***Decision**: Non-material change approved 11/10/2017*

3.0	**PLANNING POLICY**
3.1	**Development Plan – local development plan** <u>Belfast Local Development Plan, Plan Strategy 2035</u> *Strategic Policies:* • Policy SP1: Growth Strategy • Policy SP1A: Managing growth and supporting infrastructure delivery • Policy SP2: Sustainable development • Policy SP3: Improving health and wellbeing • Policy SP4: Community cohesion and good relations • Policy SP5: Positive placemaking • Policy SP6: Environmental resilience • Policy SP7: Connectivity • Policy SD2: Settlement Areas *Operational Policies:* • Policy HOU1: Accommodating new homes • Policy HOU2: Windfall housing • Policy HOU4: Density of residential development • Policy HOU5: Affordable housing • Policy HOU6: Housing Mix • Policy HOU7: Adaptable and accessible accommodation • Policy DES1: Principles of urban design • Policy DES2: Masterplanning approach for major development • Policy RD1: New residential developments • Policy CGR1: Community cohesion and good relations • Policy BH1: Listed Buildings • Policy BH4: Works to grounds affecting built heritage assets • Policy BH5: Archaeology • Policy TRAN1: Active travel – walking and cycling • Policy TRAN 2: Creating an accessible environment • Policy TRAN4: Travel plan • 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 • Policy NH1: Protection of natural heritage resources

	Supplementary Planning Guidance • Affordable Housing & Housing Mix • Residential Design • Placemaking & Urban Design • Masterplanning Approach for Major Developments • 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 Responses from statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate. • ***DfI Roads**: No objection subject to conditions & Section 76 Planning Agreement* • ***DfC HED**: No objection subject to informatives* • ***DfI Rivers**: No objection subject to informatives* • ***DAERA (NIEA)**: No objection subject to conditions & informatives* • ***NI Water**: No objection subject to conditions* • ***NIHE**: No objection subject to Section 76 Planning Agreement*
4.2	Non-statutory Consultees Responses from non-statutory consultees are summarised below. Full details are provided in the main assessment section of the report, where appropriate. • ***BCC Urban Design**: No objection* • ***BCC Trees**: No objection subject to conditions* • ***BCC Environmental Health**: No objection subject to conditions & informatives* • ***BCC Landscape Planning & Management Team**: No objection* • ***BCC Waste Management**: No objection* • ***Translink**: No objection subject to conditions & informatives* • ***Shared Environmental Services**: No objection*

	Representations
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	A total of 52no. representations have been received and are summarised as follows: • *1 x petition of objection (462 x signatories)* • *49 x objections* • *1 x mixed response* • *1 x objecting to the petition*
4.5	The key material issues identified in the objections are: • *Wrong form of development* • *Wrong form of social housing* • *Not social regeneration* • *High density* • *Lack of retail use* • *Height* • *Dominance* • *Inappropriate design* • *High-rise residential development unsuccessful* • *Privacy impact* • *Loss of light* • *Overshadowing* • *Lack of amenity space* • *Security, anti-social issues, crime, nuisance* • *Noise impact* • *Pollution* • *Impact from construction & demolition* • *Impact on services / infrastructure* • *Parking* • *Traffic increase, noise & pollution* • *Community impact* • *Community not engaged / heard* • *Mental health impact* • *Human rights* • *Distribution of homes to NIHE priority list*
4.6	Two representations registered objections without giving specific reasons.
4.7	One representation of mixed support was received which noted support for the proposed social housing and density but registered objection to the lack of retail use and active frontage at ground floor level.

4.8	One further representation noted that they objected to the submitted petition.
4.9	All concerns noted in representations are fully considered within the assessment of the proposal below.
5.0	**PLANNING ASSESSMENT** **Main Issues**
5.1	The main issues relevant to consideration of the application are summarised in the executive summary above and set out in detail below. **Development Plan Context**
5.2	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. <u>Operational Polices</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1. <u>Proposals Maps</u>
5.6	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. • **Belfast Urban Area Plan 2001**: the site is un-zoned land within Belfast City Centre. • **Belfast Metropolitan Area Plan 2015 (2004)**: the site is un-zoned land within Belfast City Centre and falls with the Shaftesbury Square Character Area. • **Belfast Metropolitan Area Plan 2015 (v2014)**: the site is un-zoned land within Belfast City Centre and falls with the Shaftesbury Square Character Area.

	Background
5.7	This application represents the outcome of a number of previous PANs, PADs and a full application for the site. Where the previous refused scheme proposed 270no. units with a maximum height of 8 storeys, and included the demolition of Havelock House, the proposal as now submitted has now been reduced significantly to 104no. units with a maximum height of 5 storeys. As Havelock House has since been demolished, this is no longer a relevant consideration in the assessment of this application nor required to be included in the application description.
5.8	As before, this proposal was the subject of a PAN, and the council is satisfied that the pre-application community undertaken fulfilled the legislative requirements regarding engagement with the local community.
5.9	PAD discussions with the agent/applicant were undertaken over a period of 4 months prior to submission of this planning application, which included input from statutory consultees and BCC's Urban Design Officer.
5.10	Following submission of the application, concerns were raised by NIHE through the consultation process regarding the proposed tenure, which was initially 100% social housing. The scheme has since been amended to propose 84.no social housing units (approximately 80%), with a mixed split of General Social and Category 1 over 55s. The remaining 20 units are to be another tenure.
	Site context
5.11	The proposed site is located within Belfast City Centre along the key arterial transport route of the Ormeau Road, directly opposite the Listed Buildings associated with the Gasworks site to the south of the city centre.
5.12	Given its location, the site has excellent connectivity to wider parts of the city and further, within walking distance (approximately 950m) of the new Belfast Grand Central transport hub. The site is also 800m walking distance from Botanic Train station and is located on the new anticipated North/South Glider Bus Route.
5.13	The surrounding area is characterised by a mix of uses at this location including residential, employment/offices, commercial and educational uses.
5.14	The site does not fall within a Conservation Area or an Area of Townscape Character (ATC), and as noted above while it was previously developed, it is now a vacant site.
	Principle of housing in this location
5.15	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 the three criteria below. *a. The site is suitable for housing,* *b. The location is accessible and convenient to public transport and walking cycle infrastructure; and* *c. Provision is made for any additional infrastructure required as a result of the development.*

5.16	In respect of each of the above, the site is considered a suitable location within the city centre and suitable in principle for housing. It is located in an area that is accessible to shops, services, amenities and public transport. Suitable infrastructure is in place and no additional measures would be required.
5.17	The proposal for 104no. units will provide a form of quality residential housing that will add to the variety of housing stock in the city, delivering a new and sustainable mixed tenure scheme in a city centre location. It is within walking distance of the city core and can take advantage of the proximate waterside location for amenity value, providing the opportunity to mix residential development with other economic uses already established along the Waterfront and further strengthen a key city corridor. It will promote city centre living and given its proximity will support the city centre including shops, bars, restaurants, leisure and other amenities.
5.18	Due to the accessible location of the site within the City Centre, the proposal will also contribute to the creation of a high quality and healthy environment for people to work, live and stay connected. The subject site sits adjacent to the Donegall Pass and Lower Ormeau Communities which was a focus of the pre-application community engagement.
5.19	For these reasons, the principle of housing in this location complies with Policies HOU1 and HOU2 and is considered acceptable. For the same reasons it is also compliant with Strategic Policies SP1, SP1A, SP2 and SP4, and the relevant objectives of the RDS and SPPS.
	Housing density
5.20	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.21	With a site area of approximately 0.73 hectares, the proposed density equates to 142 dwellings per hectare (dph). This falls marginally below the policy bracket of 150-350dph for the city centre, roughly 6no. units short of what would be required to meet 150dph. In this instance however it is noted that through the design discussions it was agreed that the building height should be restricted to 5 storeys to the front and 3 storeys to the rear in order to suitably respect the built heritage and streetscape on Ormeau Road and residential properties to the rear of the site respectively. Furthermore, the number of 1-bed units was purposely reduced from an initial 40% to approximately 25% in response to community consultation feedback at the PAN stage.
5.22	For these reasons, and whilst the density is slightly below the recommended minimum, the shortfall is considered minor and enables subsequent, wider benefits to be achieved, resulting in overall planning gain. As such it is considered that the proposal does not conflict with the overall objectives of Policy HOU4.
	Affordable housing
5.23	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. Provision should be an integral part of mixed tenure development, integrated with general needs housing, and should include an appropriate mix in terms of size, type and tenure. In this case, in response to concerns raised by NIHE about a mono-tenure scheme, the application as revised proposes 80% social housing, which exceeds the minimum 20% policy requirement. This would be integral to the development and would be made up of 49no. General Social Housing units and 35no. Category 1 Over 55s accommodation. Given the high percentage of affordable units being proposed, this mix is considered

acceptable and is welcomed. The actual breakdown of these units is set out in the table below.

Unit size	General Needs Apartment	General Needs Maisonette	General Needs Accessible	Category1 Over 55s	Category1 Over 55s Accessible	Total
1B2P	5		1	12	2	20
2B3P	13	16	4	19	2	54
2B4P	2					2
3B5P	4	2	1			7
3B6P	1					1
Total	25	18	6	31	4	84

5.24 NIHE has confirmed it is supportive of the proposed 80% social provision and that a mixed tenure proposal on the site is in line with Policy HOU5 and the SPPS. In an earlier consultation response, NIHE confirmed the level of housing need. It advised that in March 2024 there were 5,252 total applicants and 4,130 stress applicants on the South and East Belfast Waiting List. There was a total of 622 allocations. NIHE recognises that a variety of house types, sizes and tenures is fundamental to the successful delivery of the Local Development Plan with housing that can meet the full range of housing needs. The provision of affordable housing will be secured by way of a Section 76 Planning Agreement.

Tenure mix

5.25 It is noted that the initial application proposed a 100% social housing scheme, which has been reduced to 80% on the basis that this would represent a better tenure mix having regard to Policy HOU5 and the 'Affordable Housing and Housing Mix Supplementary Planning Guidance', and that agreement has not yet been reached with NIHE on a 100% social housing scheme. The applicant has confirmed that discussions are continuing on this and there is potential for agreement to be reached with NIHE in the future about a 100% social housing scheme.

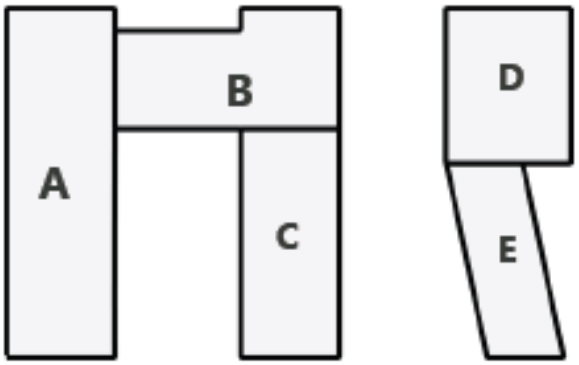
5.26 The council's 'Affordable Housing and Housing Mix' Supplementary Planning Guidance (SPG) states that: '*In all cases, whether or not a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by-case basis using the following factors*:

- *'The level of social housing need in the vicinity of the site and the availability of land to address such needs,*
- *The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and*
- *Whether a scheme is proposed as 'shared housing'*

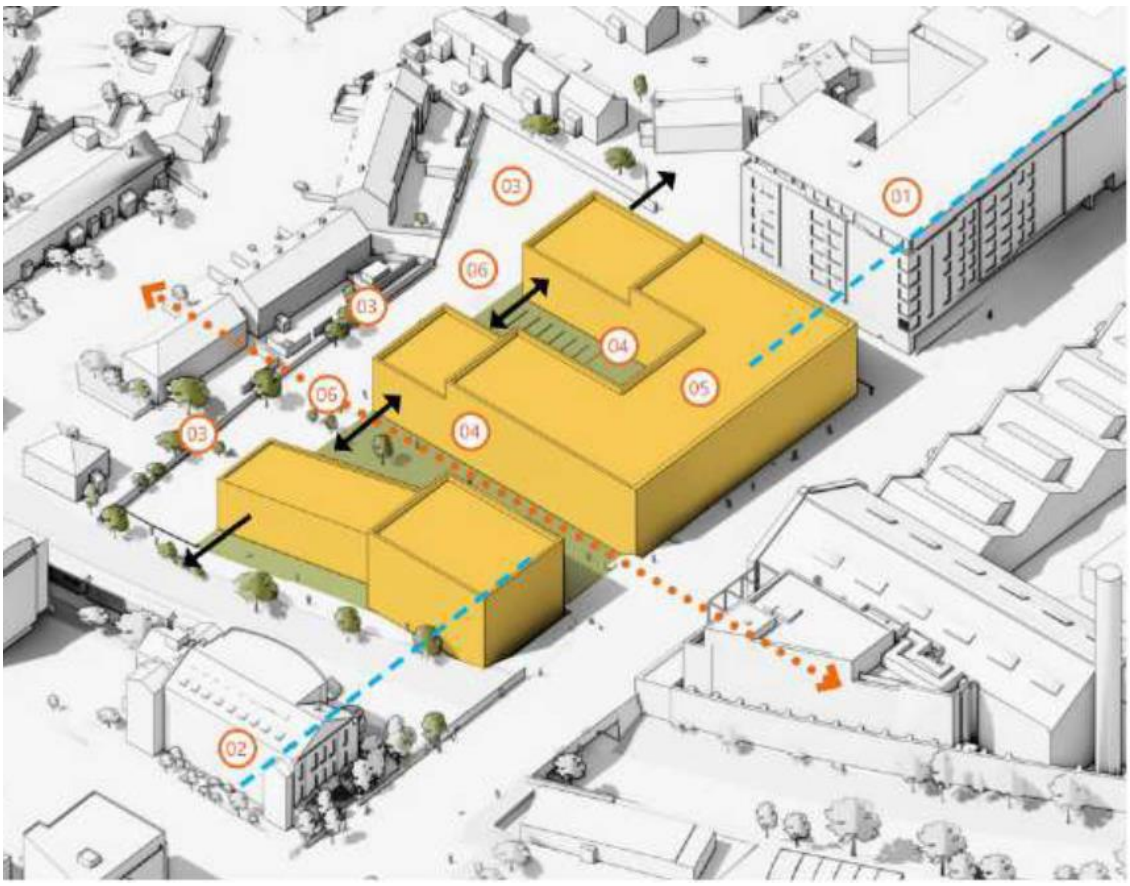
5.27 In respect of the first factor, NIHE has confirmed that there is a significant level of social housing need in the area. In relation to the second factor, there is a high level of social housing in the locality. Regarding the third factor, the applicant has indicated that the proposal is for shared housing.

5.28 The applicant has indicated their ultimate objective of a 100% social housing scheme. The application therefore needs to be assessed on this basis, notwithstanding the applicant's agreement to limit the scheme to 80% social housing. Whilst there is a high level of social housing already in the locality, regard is had to the significant social housing need; the applicant's commitment to both general and Category 1 social

	housing which would of itself provide a mix of accommodation type; as well as the applicant's proposal to provide the scheme as shared housing.
5.29	Having regard to these factors, and on balance, a 100% social housing scheme would be considered to be acceptable in this particular case.
	Housing mix
5.30	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 requirement for a mix of house types will not apply to single apartment developments such as the proposal, and in such cases, the housing mix will be considered acceptable through greater variety in the size of units. The SPG also suggests that 3 and 4-bedroom apartments should be encouraged to promote choice and facilitate the creation of sustainable and balance neighbourhoods.
5.31	The scheme proposes a good range of house types consisting of 1 bed, 2 bed and 3 bed units, including family maisonettes, and 10no. wheelchair accessible units. Whilst it does not include any 4 bed units, the proposed mix of 1B2P to 3B6P is considered to provide a satisfactory range of size and type. Taking these considerations into account, on balance, the proposed housing mix is acceptable under Policy HOU6.
	Adaptable & accessible accommodation
5.32	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 104no. units, 10% would equate to 11 accessible units (rounded up).
5.33	In this regard, the proposal includes 10no. wheelchair accessible units, which falls one unit short of the requirement. It is noted however that the Housing Mix Statement and Affordable Housing Proposal Form which were submitted in support of the application clarify that in addition to the 10no. wheelchair accessible units, all the new apartments have been designed with flexibility in mind for various stages of life. This includes the over 55's units as well as 1, 2 and 3 bed apartments for various family sizes, which will ensure that occupants can adapt and remain within the proposed development even as their needs change. Whilst the proposal falls short by one wheelchair accessible unit, this should be balanced against the fact that all the units within the whole development will be flexibly designed and the significant level of provision of much needed social housing. Therefore, the approach is considered acceptable in the planning balance, having regard to Policy HOU7 of the Plan Strategy.
	Design & placemaking
5.34	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and RD1 of the Plan Strategy.
5.35	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.).
5.36	Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development. Planning permission will be granted for major development where it accords with the principles (a.) to (j.). Policy RD1 requires new residential development to be in accordance with general urban design policies and other relevant policy requirements such as land use, neighbouring amenity, space standards, access, standard of living etc.
5.37	In respect of the above, the proposed scheme has evolved through close discussions with the Planning Service and its urban design team through both the PAD and application stage to ensure that each policy and relevant criteria have been met. *Scale, height & massing*
5.38	As now proposed, the scheme consists of five individual blocks, connected and contained within two larger separate blocks. These have been designed to take advantage of the site layout and surrounding context, in particular the relationship to the front of the site with the adjoining Portland 88 building to the north and Former Methodist Church to the south. To the rear a key design principle was to ensure an appropriate step-down in both form and mass towards the 2-storey residential housing. 
5.39	Looking specifically to the east of the site and fronting onto Ormeau Road, the higher 5 and 4 storey blocks will respond to the topography of the site, the shoulder height of Portland 88 and the roofline of the Former Methodist Church. Contextually, the height of the blocks to the front are considered sympathetic to their wider context and would provide an appropriate addition to the streetscape.
5.40	Moving westwards towards the rear of the site the blocks will step down to 3 storeys in height across three separate linear east/west blocks. These have been specifically designed to reference the historic street plan and will improve privacy to and reduce potential impact on neighbouring residential properties.
5.41	The council's SPG 'Residential Design' states that suitable separation is required between properties to ensure all residents benefit from adequate daylight and sunlight, and to achieve sufficient outlook and privacy. It recommends that a minimum of 20m should be maintained between facing windows of habitable rooms and 10m between blank gable walls or non-habitable rooms. In this instance, at its nearest point the elevation closest to the rear boundary will achieve a minimum separation distance of 20.7m from the closest neighbouring property to the west. The remaining distances from rear elevations will range from 22.4m to increasing to 24.6m at their furthest point.

5.42	Each of these rear elevations would be blank gables, with the internal layout specifically designed to provide inward facing apartments to further minimise overlooking issues to neighbouring dwellings. These distances are therefore considered sufficient to prevent impact on neighbours and are in line with the guidance.
5.43	Inner courtyards to the rear will provide high quality south-west facing amenity spaces, providing light and useable amenity space for residents and an opportunity to create visual links through entrances to the Ormeau Road.
5.44	The extract below from the DAS shows how each of these elements have been specifically designed to take cognisance of the surrounding context.



01 Relationship with neighbouring Portland 88 building
02 Relationship with former Methodist Church
03 Step-down in form and mass towards the 2-storey residential housing to the rear
04 Building form creates internal courtyards providing light, amenity space & visual links
05 Linear east/west blocks to rear of main front blocks referencing historic street plan
06 Inward facing apartments to minimise overlooking to the rear

<u>Shaftesbury Square Character Area Urban Design Criteria</u>

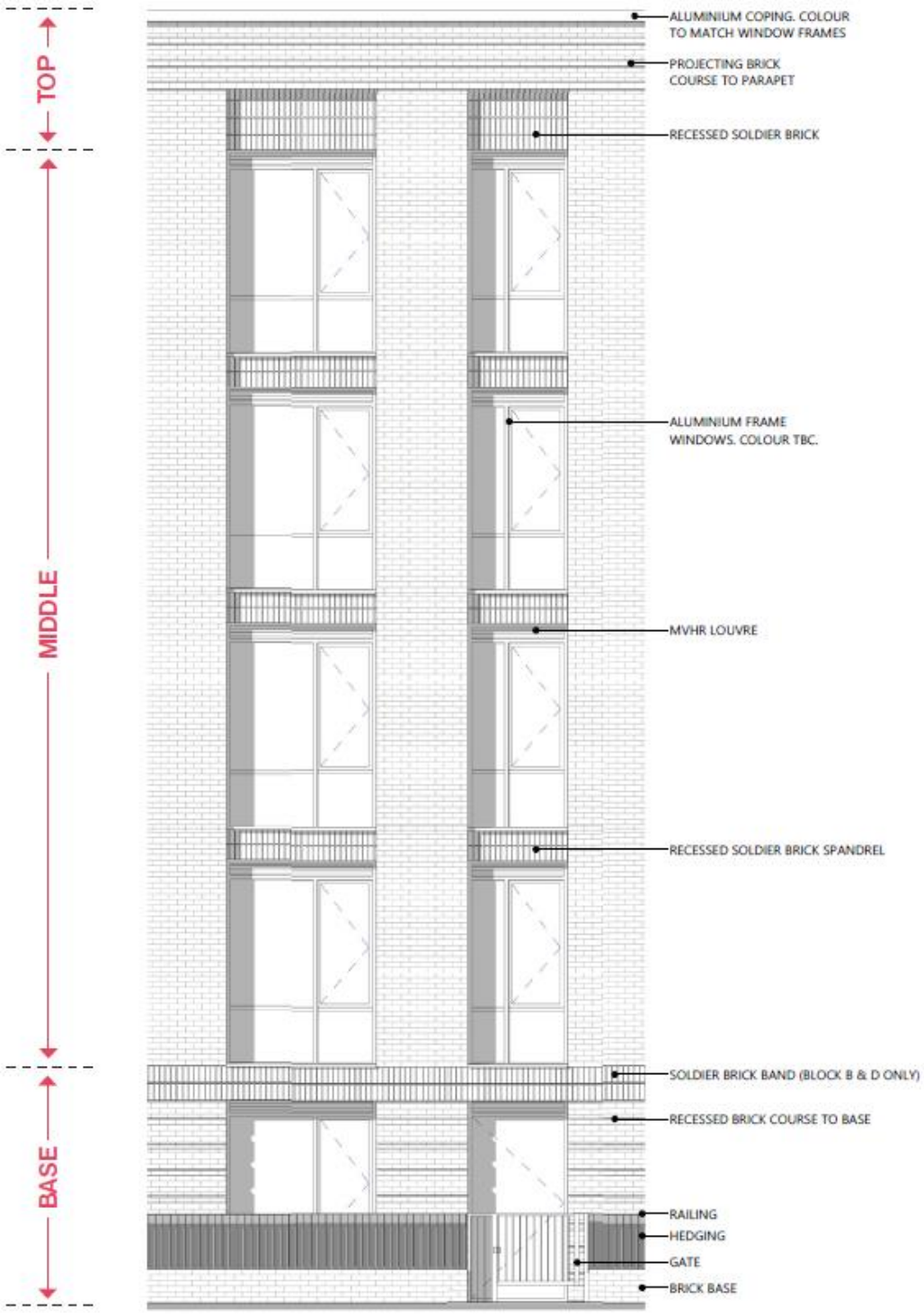
5.45 The site falls within Shaftesbury Square Character Area and Draft BMAP 2015 sets out the following design criteria to be applied within the area:

1. *Development proposals shall take account of the height of adjoining buildings Street Frontages*

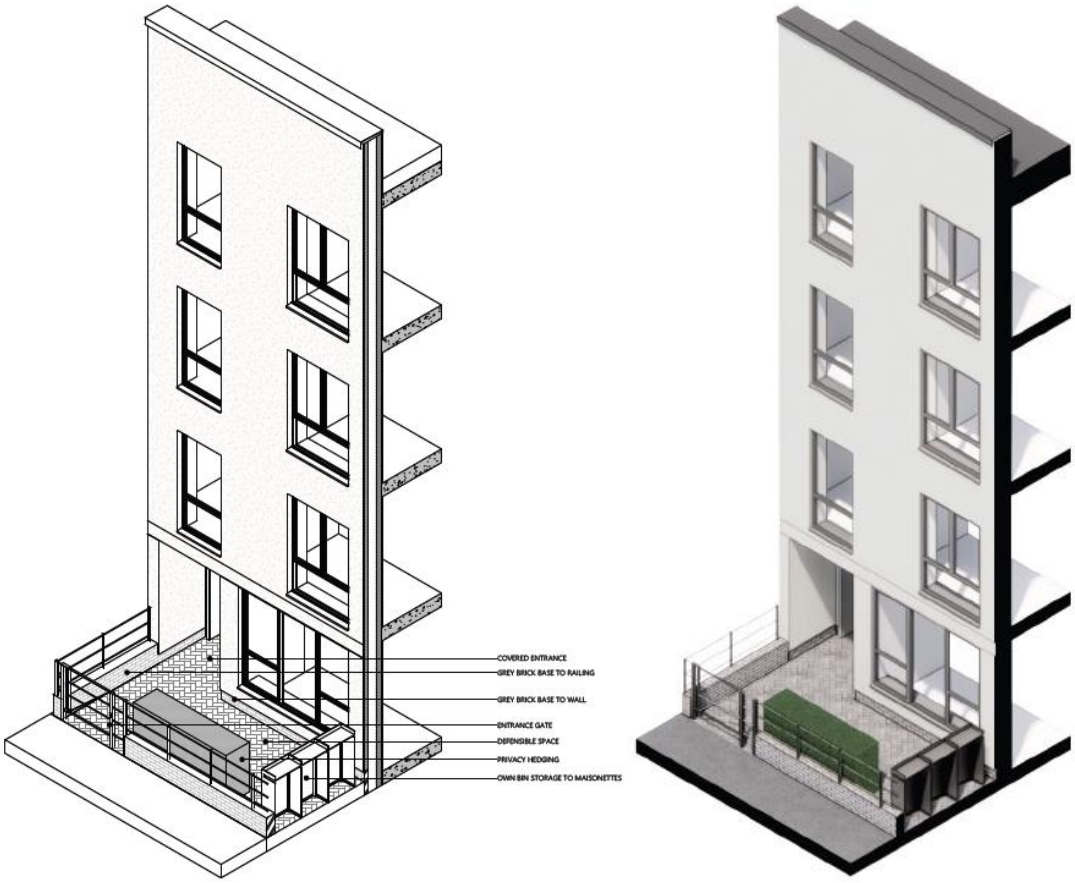
	2. *That part of any development which fronts Dublin Road or Bradbury Place shall be a minimum building height of 5 storeys, or 17 metres to building shoulder height, and a maximum height of 7 storeys,* 3. *Shopfronts shall be of high quality materials consistent with Conservation Area policy (where applicable),* 4. *New development shall respect the established building line,* 5. *Building heights shall be a minimum of 2 storeys and a maximum of 3 storeys; and* 6. *Development shall be fine grain in nature and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units.*
5.46	The proposal takes account of the height of surrounding buildings and meets the first criterion above. The second and third criteria do not apply given the location and nature of the proposal.
5.47	Whilst the fourth criterion states that building heights shall be a minimum of 2 storeys and a maximum of 3 storeys the first criterion is also relevant. Building heights within the area vary from 2 storeys to 8 storeys. The height of the proposed development varies from 3 storeys to 5 storeys which accurately reflects and respects existing building heights in the area. The adjacent Portland 88, at 8 storeys high, exceeds the maximum height set out in the urban design criteria above and must be given material weight in this assessment.
5.48	Given the variety of building heights adjacent and in the immediate area, it is concluded on balance that the proposal does not conflict the Character Area design guidance.
	Articulation & materiality
5.49	With regards to façade articulation and materials, it is considered that the proposed composition achieves a subtle and tonal distinction through red brick to the main blocks to the front. Various options were explored through the PAD and application process for these blocks, and officers are satisfied that the final composition would be the most contextually appropriate.
5.50	Facing Ormeau Road, the main blocks would be clad in brick in order to harmonise with the surrounding streetscape and Gasworks site and include simple yet intricate detailing. Variation between blocks across the main frontage would be achieved through slight tonal differences in the brick colour and changes in detailing between blocks, including spandrel detailing and base band, as shown on the next page. All windows and doors within the brick portion of the building are to be PPC aluminium.

5.51 In terms of articulation, significant time was again spent between officers and the applicant regarding the visual presentation of each elevation, in particular those fronting onto Ormeau Road and those to the side and rear of the site which may be visible from adjoining streets.

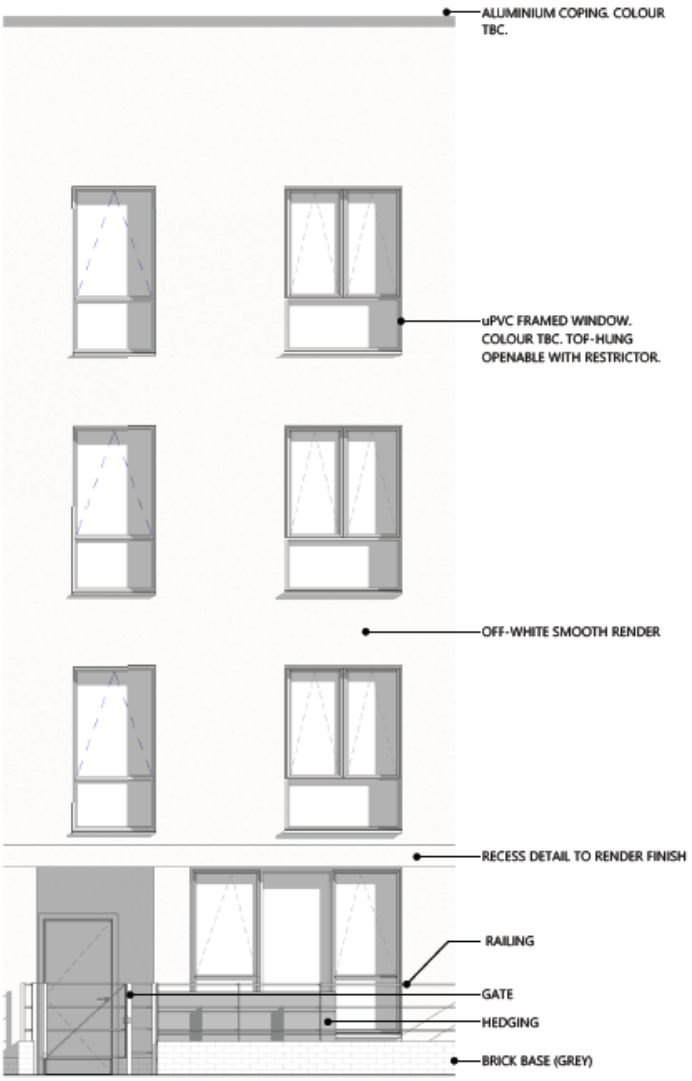
5.52 A key driver for all brick portions to the front sections was to provide a distinct top, middle and base, as shown in the next image. This has been achieved through the use of projecting brick coursing together with an elongated window head detail to denote the top section. The middle is identified by consistent soldier course detailing to the spandrel zones, whilst the base is established through recessed brick coursing in addition to a horizontal band in some locations to provide a degree of rustication. Due to the internal layouts of some units, blind window detail has had to be used in some instances however this is not dissimilar to the language of the coal shed buildings of the Gasworks site opposite the application site.



5.53 The rear sections, as shown in the following images, would be smooth render finish with additional articulation and tonal variety on those aspects that will be visible from adjoining streets and public vantage points, which again is considered acceptable. Given the less prominent nature of these elevations, the level of detailing and articulation is restrained in comparison to the brick portions.



5.54 As shown above and on the next page, recess detail would be provided at first floor to help visually articulate the base of the elevation which generally contains the maisonette living room windows, with three courses of grey brick at the base of the wall to improve longevity. The same brick is carried through to the defensible spaces for aesthetic continuity. All windows and doors in rendered portions of the building would be uPVC framed.



Public realm

5.55 The landscaping plan includes a variety of measures to provide an acceptable public realm within the site, with a number of quality materials proposed to external areas. Main external pathways will be granite topped reconstituted stone paving with paving sett banding, whilst paths to the lower courtyard and access ramps would be textured/brushed concrete. Individual seating areas and pathways within the courtyard areas will be amber resin bond, with concrete imprint paving pattern to the upper courtyard area, and wetpour surfacing to the localised natural play aeras. Picnic tables and benches will be hardwood timber, and private patio areas will be finished in feature buff tegula paving setts. The main driving areas will be permeable asphalt, with parking spaces and banding distinguished through a varying coloured finish. The external pedestrian paths on Ormeau Road would be bitmac surfacing to tie in with the existing. All of the above will be further complimented through a variety of natural landscaping including open grassed areas, tree planting, medium and low shrub planting and hedge planting to boundaries and privacy strips. Back of house uses such as car-parking, cycle parking and bin storage areas have been specifically located to maximise the amount of high quality landscaping and useable amenity space. Overall officers are satisfied that the proposed materials and features will provide a suitable and pleasant environment for users in accordance with Policies DES1, DES2 and RD1.

	Masterplanning
5.56	Policy DES2 requires a holistic approach to development to ensure it is appropriately located, designed and sensitive to surrounding uses and sites. As noted above, the proposal is considered to provide an appropriate development for the site and its context, providing a suitable addition to a vacant site that respects existing buildings within both the streetscape and surrounding area. It will provide a suitable density in a key city centre location, with suitable landscaping and public realm.
5.57	The DAS confirms that the proposal will adopt a fabric first approach, maximising insulation and airtightness to ensure a long-life building fabric that is environmentally sustainable. Indoor light and air quality have been carefully considered together with use of sustainable materials. The scheme has been designed to achieve an EPC rating of B which equates to SAP 81-91, through the use of both active and passive measures. The energy strategy is based on all-electric power supply, omitting the traditional use of oil or gas ensuring a level of futureproofing and promoting decarbonisation as the power network transitions to more renewable sources. Various sustainable measures have been incorporated, with a solar PV being provided for each associated unit and MVHR ventilation installed throughout the scheme. Window placement has been designed to provide optimal levels of thermal gain while preventing overheating. The overall orientation of the scheme's layout will improve access to light and natural ventilation. All relevant building elements will be insulated to meet Building Regulations performance requirements and achieve the targeted EPC rating, whilst the public realm and landscaping will supplement the overall SUDS strategy of permeable surfaces and stormwater attenuation.
5.58	Reduced parking provision together with suitable bicycle storage and inclusion of a green travel fund will promote green and active travel alternatives. Existing and planned (Glider) public transport links ensure a reliable and convenient connection to the City Centre further reducing the reliance on personal vehicle use.
5.59	The evolution of the scheme has also taken account of community feedback to ensure the protection of residential and neighbouring amenity through suitable scale, massing and separation distances. For these reasons it is considered that the proposal complies with the overall objectives of Policy DES2.
	Design summary
5.60	In light of the above, officers are satisfied that the scheme as now proposed will respond positively to local context and character through appropriate architecture and an urban form which addresses height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials and any impact on built and natural heritage. For these reasons it complies with Policies SP5, DES1, DES2 and RD1 of the Plan Strategy, the Residential Design SPG and the SPPS. The final materials selection will be subject to a condition.
	Impact on built heritage assets
5.61	Policy BH1 seeks to safeguard the setting of Listed Buildings. Policies BH4 and BH5 seek to protect built heritage and archaeological assets respectively.
5.62	There are a number of Listed Buildings in the vicinity of the site which could be affected by the proposal, as described below:

- *Former Presbyterian Church, 159-161 Donegall Pass – Grade B2*
- *The Meter House, Belfast Gasworks – Grade B+*
- *The Klondyke Building, Cormac Avenue – Grade B1*
- *The Gas Office, 4-14 Cromac Quay – Grade A*
- *Rose Cottage, 7 Walnut Court – Grade B*

5.63 DfC Historic Environment Division (HED) and Historic Monuments have been consulted and confirmed that there are no objections to the proposal, subject to informatives. HED is satisfied that the scheme now presented will not create a significant negative impact, harm or adversely affect the setting of the above listed buildings, built heritage assets or archaeological assets, and is compliant with SPPS and Policies BH1, BH4 and BH5. Officers are satisfied that the proposed development would respect the setting of the nearby Listed Building and that it complies with the relevant policies in these regards.

Residential quality and impact on amenity

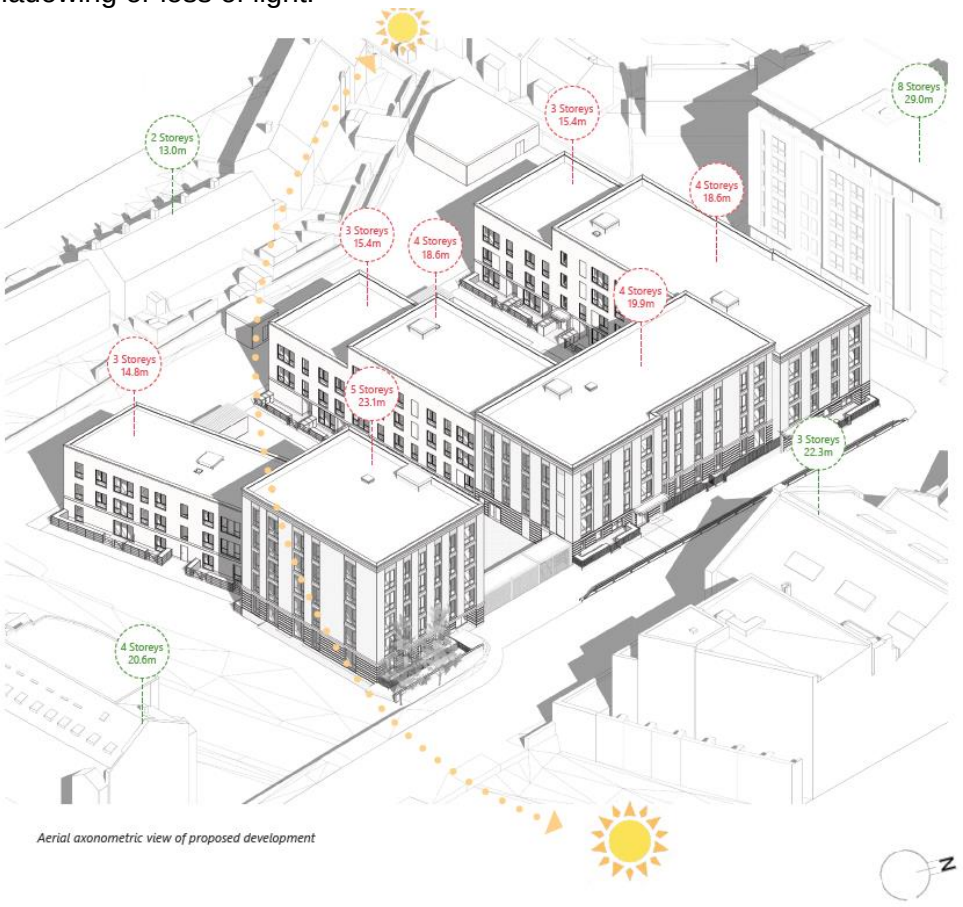
5.64 Policies DES1, DES2 and RD1 highlight the need to minimise the impact of new development, the protection of both new and existing residents and the promotion of quality residential environments.

Dominance

5.65 It is acknowledged that the overall scale and massing of the proposal is significantly greater than that found in the surrounding residential streets to the west (Walnut Street, Vernon Street, Walnut Court etc.) and a degree of dominance will result. In determining to what level this degree will impact neighbouring areas, there are a number of distinguishing factors which require to be taken into account.

5.66 Firstly, the impact on neighbouring properties has been carefully considered by providing a stepped down approach to minimise dominance. In terms of massing, studies provided in the DAS show that the relationship is actually an improvement on the previous situation residents would have experienced with Havelock House. The massing diagrams below help to demonstrate the comparative massing of what previously existed on site (green in first image) and what is now being proposed. The second image shows how the proposed scheme would step down from Ormeau Road to the 3 storey elements at the rear, highlighting that the new massing, combined with open space between, would be visually less dominant than the previous building when viewed from Walnut Court and the rear gardens of Walnut Street.

5.67	When viewed from the existing residential streets to the west, the 8 storey Portland 88 is significant in terms of its scale and height. The impact of the proposed development would be significantly less in terms of height, scale and massing. In this regard, the site depth is significantly deeper (c. 67 – 78.5m) compared to Portland 88 (c. 34-36m) which, while resulting in a larger footprint, has also allowed the building to incrementally step down to respond to the scale of the adjoining dwellings to the west.
5.68	It is also acknowledged that it would not be unusual in an urban context to have a hierarchical scale of development with taller elements fronting onto main/arterial routes and the scale, height and massing of such developments reducing towards a more domestic, subservient scale to the rear. In terms of separation distances between the existing dwellings to the rear and the proposed 3 storey blocks, these would be: • *c20m to the side of No. 71 Vernon Street,* • *c21 to 24m to the rear of Nos. 34 to 50 Walnut Street* • *c21m to the rear of No. 5 Walnut Court; and* • *c21m to the rear of the listed Rose Cottage, No. 7 Walnut Court*
5.69	Having regard for the separation distances between the rear elevations and the nearby dwellings, the proposed approach is considered an appropriate design response to development on the site. Whilst a degree of dominance will exist, the level to which it impacts neighbouring dwellings would be no greater than that which existed with Havelock House and would be significantly less than that of Portland 88. In these regards, there would be no harmful impact on neighbour amenity by way of dominance. *Overlooking & loss of privacy*
5.70	As noted in paragraph 5.43, the council's SPG 'Residential Design' requires suitable separation distances between buildings, with a recommended minimum of 20m between facing windows of habitable rooms and 10m between blank gable walls or non-habitable rooms. It also clarifies that in an urban context with higher density development, shorter distances may be deemed appropriate on a case-by-case basis and where there are material considerations that justify a reduction.
5.71	To ensure protection of adjoining residents' privacy, no windows or balconies are proposed to the rear elevations of the 3 storey blocks that extend westwards. The separation distance between these gables and the neighbouring properties ranges from 20.7m to the side gable of No. 71 Vernon Street and between 22.4m to 24.6m to the rear elevations of Nos. 34-50 Walnut Street. The main outlook for new residents has been intentionally orientated inwards towards the internal, communal courtyards, onto Ormeau Road at the front, or the railway embankment to the south side. The west facing windows on the inner central core of the main 4 storey block would be more than 50m from the nearest neighbouring property. For these reasons, officers are satisfied that there would be no adverse impact arising from direct overlooking or loss of privacy. The proposed distances are in line with the guidance and considered acceptable.
5.72	To the immediate north of the site is the existing 8 storey residential development of Portland 88. Apartments within this block have windows looking onto Coyle's Pace which separates the Portland 88 development from the site. It is considered that the proximity of the buildings, approximately 10.8m at its closest point, is not unusual in a city centre urban context where densities are higher than greenfield sites. There are many examples of similar developments with separation distances of less than 15m in the city, and the juxtaposition of the two schemes is on balance considered acceptable.

5.73	Residential units fronting the Ormeau Road will have an aspect looking onto this arterial route which will not cause an adverse impact on neighbouring amenity and is considered acceptable.
5.74	Along the southern elevation residential units will look onto an area of public realm within the site and the railway embankment which runs along the southern boundary. In terms of amenity for proposed residents and in particular the distance from the railway, the 5 storey Block D would be c10m at is closest point and c14m at its furthest. The lower Block E would be c19.5m at its closest point and c20m at its furthest. It is noted that the site is elevated above the railway embankment which sits at a significantly lower level, and with private amenity space between the building and boundary with the railway line, combined with boundary screening to the embankment, officers are satisfied that the distance from the railway line would not have a detrimental impact on the quality of living or amenity of the southerly facing units. The impact of noise on residents arising from the railway is assessed separately later in this report. *<u>Impact on daylight & sunlight</u>*
5.75	Concerns have been raised that the proposal will detrimentally impact neighbouring amenity by way of overshadowing and sunlight/daylight disruption.
5.76	In this regard details provided in the DAS confirm firstly the proposed massing has been specifically designed to provide a step-down in scale from 4 and 5 storeys to a lower 3 storey scale to the rear. As shown below, when combined with the specific orientation of the 3 storey blocks, this will provide suitable external amenity space for proposed residents which maximises the site orientation, the path of the sun and subsequent light levels, while also minimising any impact on the residential units to the west by way of overshadowing or loss of light.  *Aerial axonometric view of proposed development*

5.77	The specific impact on surrounding residential amenity by way of shadowing and loss of light has also been assessed using 3D modelling software. This analysis demonstrates that there will be no adverse impact on neighbouring residential amenity by way of overshadowing from the proposed development and it is considered that the proposed development would not result in an unacceptable loss of sunlight/daylight to neighbouring properties.
5.78	The comparative images from the submitted Light & Shadow Impact Study below show the impact of the proposed scheme on surrounding areas for both the Equinox (March and September) and Solstice (June and December).

Spring Equinox (March 21)
Proposed Massing

Morning - 9:00 AM

Midday -12:00 PM

Afternoon - 3:00 PM

Summer Solstice (June 21)
Proposed Massing

Morning - 9:00 AM

Midday -12:00 PM

Afternoon - 3:00 PM

5.79	These images demonstrate that due to the orientation of the site, the proposed massing of the development and the arc of the sun, there will be no significant impact on neighbouring dwellings by way of overshadowing or loss of light to the residential properties to the west. The only impact would be to the side elevation of the Portland 88 side elevation, which would only occur for any sustained period during winter months.
	Community cohesion and good relations
5.80	Policy SP4 seeks to ensure that new development maximises opportunities to build strong, cohesive communities, and that makes a positive contribution to good relations. This is further reinforced through Policy CGR1 which requires a number of key principles to be addressed.

5.81	The submitted Statement of Community Involvement and Good Relations Statement sets out the steps taken to engage with local communities from the outset and throughout the process. This included drop-in community consultation events and meetings with community groups and elected representatives. The statement confirms that concerns were raised from the local community regarding a number of issues such as the impact of the scheme through scale, massing, height and proximity to neighbouring dwellings, as well as interface issues including security and pedestrian access to the site, and in particular from Vernon Street & Walnut Street to the west. In direct response to the community consultation, feedback was taken on board which directly informed revisions to the layout, scale, massing, design and house types that were being considered.
5.82	Within the Belfast Agenda, the Council has committed to developing an Interfaces Programme which has yet to be delivered. Nonetheless Policies SP4 and CGR1 both require the Council to consider the impact that development will have on affected communities. In this instance, whilst access through this site was historically a through route/right of way, the application site is now private land and rights of way across the site were extinguished/abandoned in the 1980s/1990s. Following redevelopment of the area at that time, a number of streets including Lake Street and Outram Street were also extinguished / abandoned. Since this time the site has been occupied by Havelock House and its associated car park. An existing 2m high wall is being retained along the western boundary, which is in the ownership of NIHE, who did not raise any objection to its retention. Feedback from the community consultation further indicated that there was no desire to reopen the interface and therefore, whilst the council remains keen to promote active accessibility across all new development, in this instance it would not be considered appropriate to incorporate full and open pedestrian access through the site.
5.83	The Statement of Community Involvement and Good Relations Statement confirms that the scheme is being specifically proposed as a Shared Housing Programme through 'Together: Building a United Community' (T:BUC), which demonstrates the aim to improve housing choice and tackle barriers that prevent people living in shared and balanced communities. There is no evidence in this instance that the proposal would cause a negative contribution to existing community relations, and it does not raise unsatisfactory concerns regarding the deterrent of crime and personal safety. For these reasons it is considered to accord with Policies SP4 and CGR1. *Security and design*
5.84	The pedestrian access from Vernon Street, as noted previously, will be a secure access-controlled gated access which can only be utilised by residents and visitors to the proposed development. Officers are satisfied therefore that the existing established boundary with the adjacent residential area will be suitably retained. BCC Good Relations Unit were consulted on the previous application and did not raise any specific concerns on this matter. Given that the current application is of a similar nature, i.e. it does not include the provision of open public access through the rear of the site, it was not considered necessary to consult again as the circumstances remain unchanged.
5.85	Security throughout the site was also carefully considered through the community consultation process and the overall design stage, which included early engagement with a Secured by Design officer, to establish a series of varying but appropriate relationships to the surrounding area.
5.86	Facing Ormeau Road, private door access units are provided with defensible space. The central threshold structure provides access control to the inner site and short term bicycle and mobility scooter storage. The south boundary of the site faces the railway

	with no public access and a tall NI Railways security fence, whilst the combination of brick wall and metal fencing boundary between the site and the Donegall Pass residential area will be retained, ensuring that all rear elements of the boundary will be at least 1.8m tall.
5.87	All main entrances to individual Blocks will be access-controlled and all pedestrian and vehicular entrances will be both access-controlled and gated, establishing a clear boundary between the public and the semi-private realm. This includes the gated pedestrian access point on the western boundary linking to Vernon Street. A central Telecom system will link to all units, including the maisonettes, to provide residents with controlled remote visitor access both from Ormeau Road and Vernon Street.
5.88	CCTV cameras will provide surveillance to the main entrances, inner courtyards and the parking and bicycle storage area, whilst internal unit layouts have been designed to provide a degree of natural surveillance while minimising overlooking. Well-designed external lighting will provide discrete and effective lighting to the parking and landscaped garden areas. Furthermore, a central management and caretaker office will also be incorporated near the entrance to Block B, which will enable arrivals and departures from the building to be closely monitored. *Residential quality and impact on amenity summary*
5.89	Having considered all of the above, officers are satisfied that the proposal has been appropriately designed to take account of and avoid detrimental harm on residential quality and amenity in terms of dominance, overlooking, loss of privacy, separation distances, daylight, sunlight, accessibility, community relations and security. As such it is considered acceptable under policies DES1, DES2 and RD1.
	Open space
5.90	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 normal expectation will be at least 10% of the total site area and should include complementary and ancillary equipment and facilities for active or passive enjoyment of residents. *Creating Places* advocates external private amenity space of between 10 and 30sqm per residential unit. For residential development for this size, i.e. over 100 units, Policy OS3 also requires an integral, equipped children's play area. An exception to this requirement can be considered where a sufficient equipped children's play area exists within reasonable walking distance (generally, around 400m).
5.91	In this instance, residential amenity space would be provided in the form of both private defensible space at ground floor level, and communal shared space through external courtyards, roof terraces and an area of open space to the south of the building. *Private defensible space*
5.92	All ground floor apartments would benefit from a degree of private defensible space, which is welcomed, and equates cumulatively to an average of 19sqm per unit. This would be provided through a variety of type related to the individual unit components. Ground floor maisonettes facing onto the inner courtyard will have private defensible space with lockable bin stores, railing, gate and brick base. Other ground floor units (i.e. non-maisonette style) would have similar defensible space opening onto the inner courtyard albeit bin stores would not be provided as these units are served by the communal bin stores.

Ground floor maisonettes fronting onto Ormeau Street (North face of Block A) will have a similar provision as the courtyard facing units but with higher railings to increase security. For those units on the front elevations fronting onto Ormeau Road and abutting the public footpath, individual doors and windows would either be recessed away from the street or placed on a different level to promote privacy and strengthen the perceived separation from the street. A series of covered entrance canopies will identify the primary access-controlled entrances to the main blocks. Balconies have not been proposed for units above ground level, and therefore the assessment of communal shared space below will be key to ensure that all residents have the benefit of suitable amenity space.

Communal shared space

5.93 The proposal incorporates approximately 24% of the site area as shared open space, compliant with Policy OS3, which equates to approximately 17.5sqm per unit and exceeds the minimum policy requirements. This would be provided through two central courtyards and additional communal areas to the rear of the development to preserve amenity and environmental quality. The two courtyard areas will provide secure, shared outdoor amenity space for residents, which are south-west facing to maximise sun and light levels. A further area of secure, shared space would be provided between Blocks D & E and the southern boundary of the site. In addition to the outdoor amenity space, internal amenity space will also be provided on the first floor above the entrance lobbies of Blocks A and C. Furthermore, it is acknowledged that the application site is also located within reasonable walking distance of a number of areas of open space in the vicinity including McClure Street (160m, c3 minute walk), Lagan green walkway (250m, c5 minute walk), Ormeau Park (805m, 10 minute walk), City Hall, (966m, c. 13 minute walk) and Botanic Gardens, (1127m, c. 14 minute walk). The total open space provision is set out in the table below.

Provision type	Size (sqm)
Private defensible space	590
Shared outdoor amenity space	1770
Shared indoor amenity space	55
Total shared amenity space	1825
Shared amenity space per unit	17.5

Equipped play area

5.94 A dedicated area for small children to encourage natural play has been located within the open space area adjacent to the General Needs Block. It is also noted that there are two council maintained Local Equipped Areas for Play (LEAPS) located within 400m (5-10 minute walk) at McClure Street and Balfour Avenue. McClure Street in particular is in very close proximity and the equipped children's play area was refurbished in March 2020.

5.95 The BCC Landscape Planning & Development Team have been consulted as part of the application process and confirmed there were no objections. The proposed layout is considered to provide good natural light levels to both private residential units and outdoor space. The submitted Landscape Management & Maintenance Plan is acceptable, and the combination of the proposed natural play area and proximity of the McClure Street LEAPS would meet the policy requirements for equipped play areas.

Open space summary

5.96 Having regard for all the considerations above, officers are satisfied that the development can be successfully absorbed into, and contribute to, the local area's character without resulting in significant adverse effects on the quality, character or features of interest in the receiving townscape. The proposed open space is of good quality and is compliant with Policy OS3 and Creating Places.

Space Standards

5.97 As noted above the proposal comprises a mix of accommodation. General Needs units would be located throughout Blocks A, B and C, of which 18no. would be maisonette units, with private individual access and defensible space. These include a range of 1, 2 and 3 bed apartments. 6no. of these would be wheelchair accessible. The 20no. additional units will also offer the same range of type. Category 1 over 55s accommodation units would be provided in Blocks D and E in the form of 1 and 2 bed apartments, of which 4no. units would be wheelchair accessible.

5.98 The space standards for each are set out below and are in accordance with the minimum requirements as set out in Appendix C of the Plan Strategy and the relevant policy criteria of Policies HOU7 and RD1.

General Needs Social

Accommodation type	No.	SS minimum sqm	Proposed sqm
1B2P apartment	5	50	54-59
1B2P wh. accessible	1	60	65
2B3P apartment	13	60	63-70
2B3P maisonette	16	70	77
2B3P wh. accessible	4	80	80-86
2B4P apartment	2	70	73-79
3B5P apartment	4	80	85-90
3B5P maisonette	2	90	97
3B5P wh. accessible	1	105	111
3B6P apartment	1	85	115

Category 1 over 55s accommodation

Accommodation type	No.	SS minimum sqm	Proposed sqm
1B2P	12	50	54-55
1B2P accessible	2	60	65
2B3P	19	60	63-67
2B3P accessible	2	80	83-85

Other tenure

Accommodation type	No.	SS minimum sqm	Proposed sqm
1B2P	5	50	54-59
2B3P	10	60	63-70
2B4P	2	70	73-79
3B5P	3	80	85-90

	Access & transport
5.99	Policy SP7 supports connectivity to and within the city by sustainable transport modes, such as public transport, walking and cycling. These principles are further reinforced through the provisions of Policy TRAN1.
5.100	The site has excellent connectivity to wider parts of the city centre and further. It is well served by sustainable modes of transport, such as walking, cycling, and public transport. It benefits from a high level of passing pedestrians along Ormeau Road and is within walking distance (approximately 1,000m) from the recently opened Belfast Grand Central Transport Hub. It is also 800m walking distance from Botanic Train Station and the Ormeau Road is confirmed as the preferred North/South Glider bus route. A Transport Assessment Form and Travel Plan have been submitted in support of the application. Due to the nature of the proposal being a mixed social housing scheme and its location within the city centre, the proposal includes a parking provision of around 0.28 spaces per unit. It would provide 29no. spaces in total, of which 10no. are allocated for disabled parking, which promotes more car-free sustainable environment. This will be complemented by on-site sheltered and secured bicycle storage provision (100no. spaces) and a dedicated Green Travel Fund to promote sustainable transport modes amongst residents. For these reasons the proposal accords with Policies SP7 and TRAN1.
5.101	Policy TRAN2 requires new developments to take account of the specific needs of people with disabilities and others whose mobility is impaired through appropriate external layout. In this regard the proposed layout that has been designed for convenient movement along pathways, with unhindered approach to buildings and ease of access to both car-parking and public transport facilities. The disabled car-parking will be clearly demarcated and of appropriate dimensions in line with guidance. As such the proposal complies with Policies SP7 and TRAN2.
5.102	In line with Policy TRAN 4, a Framework Travel Plan has been provided which will further promote active and sustainable travel. This formed part of the evidence base for the scheme and includes a package of measures. Given the sites accessible location, the implementation of the Travel Plan will encourage residents to travel using sustainable modes including walking, cycling and public transport. The proposal includes for a provision of 100no. bicycle spaces and a Green Travel Fund of £202,737.00 (index linked) to promote sustainable transport choices. The Green Travel Fund would fund initiatives for residents including opportunity to purchase travel cards, Belfast Bikes membership, bicycle vouchers and car club membership. This would be secured by Section 76 Planning Agreement. DfI Roads has confirmed that the Travel Plan and Green Travel Fund are appropriate.
5.103	Policy TRAN 8 seeks to ensure adequate car parking and appropriate servicing arrangements are provided. It aims to assist in reducing reliance on the private car in particular for commuting into the city, tackling congestion, and bringing about changes in travel behaviour. The precise amount of parking should be determined according to specific nature of the proposed development and its location, taking into account areas of parking restraint and published parking standards. DfI Roads have clarified that the current parking standards for this Belfast City Centre location requires 1 space per dwelling.
5.104	With 29no. on-site parking spaces, the proposal obviously falls short of the standards at 0.28 spaces per unit. That being said, there are a number of material considerations which must be taken into account. Firstly, the site is highly sustainable being located on Ormeau Road, an arterial route and key transport corridor with frequent bus services,

	and which will also be part of the future glider route. It is close to the city centre core, Grand Central Station transport hub, other services, shops and amenities. Furthermore, the proposal incorporates 100no. secure and sheltered cycle spaces, and a Belfast Bike docking station is located in close proximity at the Gasworks.
5.105	The applicant has also provided a parking survey of the surrounding area, which demonstrated that there is sufficient capacity based on the current car ownership census data. They also confirmed that parking on the site will not be allocated to individual units. Given the nature of the scheme, its accessibility and reduced numbers of car-parking, it would not be reasonable to allocate spaces as this would prejudice their availability to all residents and visitors and would discourage the promotion of alternative, sustainable transport means.
5.106	The scheme also includes proposals for future proofing car-parking for greater EV car usage by providing suitable infrastructure (underground wiring and ducting etc.) to allow future charging points to be installed at a later date under Permitted Development Rights. It is noted that such a reduction in parking is also in line with recent city centre developments approved by the Planning Committee and will have environmental benefits in terms of improving air quality. Finally, and as noted above, the proposal includes a Travel Plan Framework which will promote reduced levels of car ownership and encourage more sustainable modes of transport.
5.107	Officers also note that the previous application LA04/2020/0067/F, which was refused by council and the subsequent appeal (reference 2020/A0107) was dismissed by the PAC, was not refused on grounds of lack of parking. With a total of 270no. residential units and 40no. parking spaces, this equated to a ratio of 0.15 spaces per unit which, together with a Travel Fund, was considered acceptable by officers and DfI Roads. Given that this application now proposes a higher ratio of 0.28 spaces per unit and is supported by additional information such as the parking survey noted above, this represents an improvement over that which was previously accepted.
5.108	DfI Roads has confirmed it is satisfied with the reduced level of parking provision providing that the supporting green travel measures are secured by way of Section 76 Planning Agreement, and having assessed the parking survey and census data, there are no concerns regarding parking outwith the site. Enforcement of illegal parking on public roads would be a matter for the PSNI. Taking account of all of the above, the council is satisfied that on balance the proposal complies with Policy TRAN8.
	Access & transport summary
5.109	DfI Roads are satisfied with the access arrangements, the level of parking proposed for vehicles and bicycles and support the green travel measures proposed. As such and for the reasons outlined above, subject to securement through a Section 76 Planning Agreement, the proposal complies with Policies SP4, SP7, TRAN1, TRAN2, TRAN4 and TRAN8.
	Health impacts
5.110	Policy SP3 requires new development to maximise opportunities to improve health and wellbeing. Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public

	open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.111	As noted previously, the site is highly accessible and provides excellent opportunities for active travel, including walking and cycling through good linkages with the city centre and the River Lagan.
5.112	Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of a number of areas of open space as well as local amenities.
5.113	Good levels of open space and amenity space are proposed in the form of the outdoor courtyards, landscaping and suitable public realm.
5.114	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant living environment for residents, as well as enhancing the character and appearance of the surrounding area.
5.115	As such the proposal is considered to satisfy the requirements of Policies SP3 and HC1.
	Environmental protection & climate change
5.116	Policy ENV1 requires new development to maintain and, where possible, enhance environmental quality. Existing communities and the environment should be protected from materially harmful development, including consideration of ground contamination, air quality, water quality, noise and light pollution. Policy SP6 states that the council will support development where it helps to reduce greenhouse gas emissions and is adaptable in a changing climate to build environmental resilience. Policy ENV2 further reinforces this by requiring new development to incorporate 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. 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.
5.117	In response to these the application has been accompanied by a suite of supporting information including: • *Air Quality Impact Assessment* • *Contamination Report* • *Climate Change Statement* • *Flood Risk & Drainage Assessment* • *Waste Management Plan* • *Noise Impact Assessment*
5.118	Each of the above demonstrate that the proposal has been designed to incorporate a number of sustainable features which are welcomed, incorporating open space, building materials and good construction practices which are considered to help meet the objectives of Policy ENV2 (and parts of ENV3). Hard and soft landscaping elements at ground floor level will assist an overall sustainable drainage solution, whilst site levels have been designed to alleviate the flood risk from the development and maintain the safety of residents and their homes in the future. This is supported by the Flood Risk &

	Drainage Assessment. The proposal will also include appropriate SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. In particular, the following sustainable design features will be incorporated: • *Ventilation – MVHR (Mechanical Ventilation and Heat Recovery) throughout,* • *Main Heating – Electric Heating (only) made up of a mixture of Storage and Panel Heaters,* • *Water Heating – Hot Water Cylinder with Immersion,* • *Renewables – 0.5kW PV Panels (1no. provided per unit),* • *Reduced Parking Provision – supported by Green Travel Fund,* • *Future provision for EV Vehicles – underground ducting and wiring to allow for simple above-ground charger installation in future; and* • *Sustainable Drainage – through open space areas and permeable material to the parking area*
5.119	As part of its assessment of the above, the council has consulted with Environmental Health, DAERA (NIEA) and the BCC Waste Management Team, all of which have confirmed that the details provided in the submitted documents demonstrate that, subject to conditions and informatives, the proposal will not result in detrimental impact in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. This includes both the impact of the proposal itself and the protection of new resident's amenity on account of the buildings' proximity to the adjoining railway line. The council is satisfied therefore that subject to such conditions and informatives, the proposal will comply with Policies ENV1, SP6, ENV2, ENV3 and ENV5.
	Flood risk & drainage
5.120	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.
5.121	DfI Rivers has confirmed the details submitted are satisfactory. The site is not located within a flood plain, and there are no designated watercourses within the site. A portion of the sites' northern boundary does lie within an area of predicted pluvial flooding, however the submitted Drainage Assessment confirms that flood risk to and from a portion of the development will be managed by SuDS. DfI Rivers have no objection subject to informatives, however given that SuDS measures sit outside DfI Rivers directorate, a condition is attached to ensure that all sustainable measures are appropriately managed on the site. Subject to this, the proposal would accord with Policy ENV4.
	Waste-water infrastructure
5.122	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has confirmed there is sufficient capacity at the Belfast Wastewater Treatment Works. Subject to conditions, there is no conflict with Policy SP1a.

	Waste management
5.123	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. The application is supported by a Waste Management Plan (WMP) which outlines the operational waste management measures, and the council has consulted with BCC's City & Neighbour Services Department, which has confirmed that on balance there are no objections. It is noted that the travel distance for bin stores 4 & 5 would slightly exceed the recommended 30m threshold for some units, with the majority measuring c35m or less and the furthest being 41.5m. This would be mitigated however by the fact that the stores are located on the way to the car park and therefore on a natural egress path from the building. Furthermore, it is noted that relocation of the bin stores to meet this threshold would prejudice the quality of soft landscaping and open space that would be delivered for residents, and in this instance a closer location would not outweigh the loss of such space. On balance therefore, it is considered that as proposed, the waste management plan and arrangements are acceptable, and in accordance with Policy RD1.
	Natural heritage
5.124	Policy NH1 relates to the protection of natural heritage resources. Policy TRE1 seeks to protect existing trees, particularly those that are of visual, biodiversity or amenity quality and significance. There will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment and amenity.
5.125	There are no significant landscape features of natural heritage importance nor is the site located within any form of protected designation. An Ecology Survey has been undertaken, and detailed landscaping proposals have been submitted in support of the application. These clarify that the hard and soft landscaping areas will include proposed trees, shrubbery, hedging, (box) low mounding and grass areas for social interaction and outdoor enjoyment. In addition, approximately 45no. boundary trees will be planted along the south and west of the site to help with future screening and act as a natural visual buffer as the trees establish over time. The Ecology Report recommended mitigation measures including bat and swift boxes and there is a recognised biodiversity gain by the planting of landscaped garden areas.
5.126	The council has consulted with the BCC Tree Officer who has confirmed that when the proposed landscaping is established it will help with mitigating any potential aspects of overlooking, and integration into the surrounding urban fabric. The proposed wide species mix will offer pleasant seasonal contrasts and promote biodiversity with opportunities for local wildlife to thrive. SES and DAERA have also been consulted and confirmed there were no objections. Subject to planting and protection conditions, the proposed landscaping complies with Policies NH1 and TRE1 and the relevant provisions of SPPS.
	Employability & skills
5.127	The Developer Contribution Framework requires proposals to make a contribution towards Employability and Skills where necessary.
5.128	The Economic Development Unit advises that given the scale of the construction employment required to implement the proposal, together with current skills shortages, employability and skills related Developer Contributions are required in relation to the construction phase. Officers advise that an Employability and Skills Plan is required to

	be submitted and implemented, and that this should be secured by way of a Section 76 planning agreement.
5.129	Typical interventions in the Employability and Skills Plan may include: • *Creating access to employment opportunities* • *Delivering training to upskill people* • *Creation and delivery of apprenticeship opportunities* • *Ring-fencing opportunities for under-represented groups* • *Delivery of employability interventions* • *Addressing barriers to employment and skills development* • *Delivery of youth interventions*
	Section 76 Planning Agreement
5.130	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. • **Social housing** – no less than 84 of the residential units constructed at the property shall be occupied as Social Housing Units. • **Housing mix** – unless otherwise agreed in writing by the council, 49no. of the Social Housing Units shall not be occupied unless as General Social Housing. 35no. of the Social Housing Units shall not be occupied unless as Category 1 over 55's accommodation. • **Green travel measure** – secure implementation of Travel Plan, Green Travel Measures fund (£202,737.00, index linked), and suitable redistribution of the Travel Fund if necessary. • **Employability and Skills** – requirement for the submission and implementation of a Construction Employability and Skills Plan. A draft Section 76 planning agreement has been provided with the application and will need to be finalised before planning permission is granted.
5.131	**Pre-application Community Consultation**
5.132	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant. The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement: • **Elected Representative & Community Group engagement**: all elected representatives and community groups who received PAN notifications were invited to meet with the design team to discuss the proposal – November - December 2023 • **Local community engagement**: distribution of an informative letter to all homes and businesses within a 200m radius of the site re demolition of Havelock House – December 2023 & January 2024

	• **Advertising**: newspaper adverts containing details of the in-person consultation events, how to access the community consultation exhibition website and basic project information, and contact details for Community Consultation Manager – January 2024 • **Neighbour notification**: 400no. information packs hand delivered to residents and businesses identified within a 200m radius of the edge of the proposed development site, containing information leaflets, comment cards and information on both the in-person and online Pre-Application Community Consultation (PACC) process, the proposals and point of contact details for the Technical Team – January 2024 • **Local Stakeholder Audit**: carried out of all local businesses and organisations located within the immediate area of the site • **Press coverage**: press statement issued detailing the proposal, covered by local newspapers • **Community Exhibition event**: two in-person Pre-Application Community Consultation Events were held in The Gasworks Hotel and Donegall Pass Community Centre. The design team in both included the applicant, Clanmill Housing Association, planning consultants, communications consultants and architects. Comment cards were provided for feedback – January 2024 • **Digital exhibition**: virtual consultation website hosted specifically to all visitors to submit feedback, browse and download plans – January - February 2024 In addition to the statutory consultation period, additional meetings with elected representatives, community groups and local residents were also held between January and March 2024.
5.133	All feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.
5.134	The main areas of concern noted following community engagement were the height of the building, the number of one-bedroom units, the need for more family units and more Category 1 over 55s accommodation, lack of amenity space and anti-social issues. The applicant states that the feedback received through this process directly informed the
5.135	evolution of the scheme's design. Specifically, this has informed the scale, height and massing to ensure they are sufficient to avoid impact on neighbouring amenity by way of dominance, overlooking, overshadowing and loss of privacy, daylight and sunlight. These aspects have been fully considered in this report.
5.136	It also resulted in a significant reduction in the number one-bedroom units from 40no. to 25no., in addition to a more adequate distribution to avoid clustering and with the split of one-bedroom units being almost even across the two different needs group blocks. As a result, a more suitable mix of General Needs and Category 1 accommodation could
5.137	subsequently be incorporated. The applicant states that concerns regarding community relations and security were also taken fully on board, which have been considered previously in this report. The Statement of Community Involvement and Good Relations report further clarifies that the scheme will have access to a full time Housing Officer, Scheme Coordinator,

5.138	Caretaker (approx. 20 hrs per week), call out security and potentially an on-site property warden as and when required. It will also include full access control systems for each block, with 24hr internal and external CCTV systems.
5.139	Concerns were raised regarding the level of information provided at the pre-application consultation stage, however the information contained in the Pre-Community Consultation Report demonstrates that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 to consult the community in advance of submitting an application, and has adhered to council recommendations during the PAN process. The PACC report is considered acceptable.
	<u>Matters raised in representation</u>
	All matters raised in representation have been fully considered throughout this assessment. For the purposes of clarity, these are summarised below and grouped by theme:
5.140	• ***Wrong form of development, inappropriate social housing, not social regeneration, high density, lack of retail use***
	The principle of housing in this location is considered acceptable under the relevant strategic and housing policies, the SPPS and RDS. It would provide appropriate regeneration of a vacant site in a sustainable location through delivery of adaptable and accessible homes, with a housing density and mix that comply with policy requirements and provide an effective use for its location. Both officers and NIHE consider the proposed density, tenure and mix of affordable housing acceptable under policy and guidance, subject to Section 76 Planning Agreement.
	Provision of retail use is not a policy requirement, and as above the principle of housing in this location is considered acceptable. The application is located within close proximity of a variety of uses and is highly accessible. A lack of retail use would not justify refusal of an acceptable proposal that is otherwise policy compliant.
	• ***Height, dominance, inappropriate design, high-rise development has been unsuccessful elsewhere***
	The scale, mass and design of the proposal have been fully assessed under the relevant strategic, design and placemaking policies and SPG. With a maximum of 5 storeys fronting to Ormeau Road, the massing steps down to 3 storeys as one moves westward across the site, which is considered a suitable transition to ensure a respectful relationship to the adjacent residential context.
	Having regard for its massing and the separation distances between buildings, officers are satisfied that the proposal would not cause harm by way of dominance and would have less of an impact than that experienced from the previous Havelock House building.
	The design and external materials are considered sufficient to provide a high quality urban development that will respect its context and sit well within the streetscape.

With a maximum height of 5 storeys to the front of the site, the proposal is not considered a tall building or high-rise development. Crucially it has fully considered and taken clear design cues from the height of surrounding buildings. It would provide an appropriate addition to the streetscape whilst avoiding detrimental impact on neighbouring residential properties.

All aspects of form, height and design comply with the relevant policy requirements, and there are no material considerations in this instance that would outweigh this policy position or justify refusal of the application on these grounds.

- ***Privacy impact, loss of light, overshadowing***

  The supporting information provided has demonstrated that by way of its specific design and orientation, there would be no loss of privacy, sunlight or daylight, and no impact from overshadowing.

  Neighbouring properties are located a sufficient distance from the rear elevations of the proposed scheme, and with no windows to the rear gables combined with the retained and proposed boundary screening, there would be no overlooking of residential properties or private gardens.

  For the same reasons and having regard for the orientation of the site and the arc of the sun, there would be no direct loss of sunlight or daylight, and no overshadowing of neighbouring dwellings.

  All of the above have been demonstrated through supporting information, and officers are satisfied that they comply with policy. There has been no evidence presented that would contradict this position or prove that the proposal would cause demonstrable harm to residential amenity.

- ***Lack of amenity space***

  The proposed amenity space will provide a combination of high quality materials, hard and soft landscaping, which will provide an appropriate and pleasant residential environment. The amount of space provided is in line with policy requirements and therefore considered appropriate.

  Subject to conditions that will require the landscaping and public realm to be implemented as per the landscaping plan, it is considered acceptable and fully compliant with all recommended standards set out in policy and guidance.

- ***Security, anti-social issues, crime, nuisance***

  Security has been carefully considered through the design stage and there is no evidence that the scheme would give rise to unsatisfactory concerns regarding the deterrent of crime and personal safety.

  Full regard has been given to the site location and its relationship with surrounding areas and communities, and officers are satisfied that the proposed scheme is in line with policy and incorporates suitable secured by design principles, including a number of measures to enhance security and mitigate the potential for anti-social activity, crime or nuisance.

	• ***Noise impact, pollution, impact from construction & demolition*** The application was supported by a number of technical reports and assessments including a Noise Impact Assessment, Air Quality Impact Assessment, Demolition Justification Statement, Contamination Report, Climate Change Statement, Flood Risk and Drainage Assessment and Waste Management Plan. BCC's Environmental Health Service has fully considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations. In terms of air quality, suitable mitigation measures have been identified to ensure no impact through the development's construction phase. No ambient air quality concerns are identified regarding the operational phase. In terms of noise and ventilation, a Verification Report shall be submitted to the council for approval, prior to occupation, which will ensure that all required rating levels are achieved and maintained thereafter. In the event of contamination being encountered during works, a Remediation Strategy and Verification Report must be submitted for approval and implementation. A further condition requires submission and approval of a Construction Noise and Vibration Management Plan, prior to the construction phase, to ensure that residential amenity is protected against any adverse impacts arising during construction in respect of noise, vibration and other environmental impacts. The previous demolition of Havelock House is not relevant to this determination. In conclusion, a number of specific conditions are attached to require the implementation of appropriate mitigation measures on site before, during and after construction to ensure that the amenity of the area will be suitably protected in all the aspects noted above. Subject to these, the proposal would comply with all policy requirements and technical guidelines, and there is no evidence to justify refusal on these grounds. • ***Impact on services, infrastructure, parking, traffic increase, noise & pollution*** As above, a number of supporting technical documents have been provided for consideration which have allowed these issues to be fully assessed by officers and through the consultation process with direct input from both statutory and non-statutory consultees. In terms of existing services and infrastructure, DfI Roads, DfI Rivers, NI Water and Translink have all confirmed that subject to conditions and Section 76 Planning Agreement, the proposal can be successfully accommodated in this location without detrimental impact to servicing or requirement for additional infrastructure. DfI Roads are also satisfied that the combination of reduced parking levels, promotion of green travel measures and utilisation of an appropriate travel fund will ensure that traffic use within the site will not result in a detrimental impact by way of noise, pollution or air quality.

BCC's Environmental Health Service have also assessed the proposal in terms of noise, air pollution, general amenity and ambient air quality, and confirmed that subject to conditions, the proposed specifications are in line with recommended guidelines and levels to mitigate any negative impact on residential amenity in the surrounding area.

Subject to conditions and Planning Agreement, the proposal is found to accord with all relevant transport, infrastructure and environmental policies and guidance.

- ***Community impact, community not engaged or heard***

  The direct impact of the development on the wider community has been fully assessed. The Pre-application Community Consultation report clarifies the level of engagement that was undertaken with the community and how this has informed the overall design process.

  In terms of legislative requirements, the applicant has met their duty under Section 27 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 to consult the community in advance of submitting an application and adhered to council recommendations during the PAN process. This included the required opportunities for the local community to register opinions and feedback on the scheme through various means of communication and engagement.

  The scheme has evolved throughout the design process to specifically take account of the feedback received during the consultation process with a number of welcomed revisions as a result. Officers are satisfied that each area of concern has been fully considered and satisfactorily addressed, as assessed in this report.

- ***Mental health impact, human rights, distribution of homes via NIHE***

  It is acknowledged that any new development can have an impact on neighbouring communities by way of construction noise, disturbance and pollution which in turn can impact mental health. That being said, as noted above officers are satisfied that all impacts of both the construction and operational phases of the scheme have been fully considered and suitable mitigation measures will be implemented to minimise any negative impact.

  Whilst an element of disruption may be inevitable as a result of construction, this would be short-term and would be typical of delivering any new major development. Crucially, the long-term impacts have been assessed and are considered to be within appropriate levels and in line with all relevant policy and guidelines, and the applicant has met their legislative duty in all relevant aspects. On that basis there is no evidence that the human rights of any individual would be affected.

  The distribution of homes through the NIHE waiting list or priority list is not a material planning consideration. The concerns are noted; however, they can have no influence on the determination of this application, which has been assessed under the Belfast Local Development Plan and all material considerations.

	• **Other considerations** As noted previously in this report, 2no. representations registered objections to the proposal without clarifying which areas they were opposed to. Nonetheless, all aspects of the proposal have been fully considered, including all concerns noted in other objections, and the proposal is found to comply with all relevant policy and guidance, subject to conditions and Section 76 Planning Agreement. The support of social housing and density noted in representation is welcomed.
6.0	**Recommendation**
6.1	The proposal will result in the regeneration of a brownfield site and a significant number of affordable homes in a highly sustainable location which would support city centre living, in line with the Belfast Agenda and the LDP Plan Strategy.
6.2	It would make very effective use of land, a finite resource within the city centre, whilst the provision of social housing responds to the significant unmet need for social housing in Belfast. The scale, height, massing and design of the building are considered appropriate to the site's context, and the approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations. All statutory and non-statutory consultees have confirmed their support for the proposal, with all previous concerns being suitably addressed by the applicant through appropriate revisions, mitigation measures, Section 76 Planning Agreement and attached conditions.
6.3	The proposal has been fully assessed against the Belfast Local Development Plan, Plan Strategy policies SP1, SP1a, SP2 SP3, SP4, SP5, SP6, SP7, SD2, HOU1, HOU2, HOU4, HOU5, HOU6, HOU7, DES1, DES2, RD1, CGR1, BH1, BH4, BH5, HC1, TRAN1, TRAN2, TRAN4, TRAN8, ENV1, ENV2, ENV3, ENV4, ENV5, OS3, NH1, TRE1, all relevant Supplementary Planning Guidance, Creating Places and the relevant provisions of the SPPS and RDS. Taking account of these and all relevant material considerations, the proposal is considered on balance to be acceptable, subject to conditions and Section 76 Planning Agreement.
6.4	Full consideration has been given to all matters raised in representation, and officers are satisfied that these have been suitably addressed by way of the revisions made to the proposal, and subject to Section 76 Planning Agreement and appropriate conditions. Due regard has been given to all concerns received, however in this instance they would neither outweigh the above policy position nor justify refusal of the application.
6.5	It is recommended that planning permission is granted subject to conditions and a Section 76 Planning Agreement to secure the details noted previously. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement, and deal with any other matters that may arise, provided that they are not substantive.
7.0	**DRAFT CONDITIONS** **Time implementation**

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

Waste

2. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

   Reason: To ensure that appropriate provision is made for storage and disposal of waste

Climate change

3. The development hereby permitted shall not be occupied until the sustainability measures set out in the Flood Risk Assessment and Drainage Strategy, dated March 2024, have been constructed and installed and independent written verification of such as been submitted to and approved in writing by the Council.

   Reason: To ensure that the proposal incorporates appropriate measures to mitigate and adapt to climate change.

External finishes

4. No external facing panels or materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials.

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

Trees & landscaping

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

   Reason: In the interests of visual amenity.

6. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

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

7. Prior to any work commencing all protective barriers (fencing) and ground protection shall be erected and 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.

8. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Area of trees within the site and adjacent lands during the construction period.

   Reason: To safeguard trees of amenity and biodiversity value.

Roads

9. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with the approved drawing, to provide for parking and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development. The parking shall be made freely available without charge to residents of this development.

   Reason: To ensure adequate provision has been made for parking and traffic circulation within the site.

10. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

    Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

11. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated in accordance with the approved plans.

    Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

12. The development hereby permitted shall not be occupied until a give way triangle and give way lines have been permanently marked on Coyle's Place in accordance with the approved drawing numbered by Planning Service 04A on 18/11/24.

Reason: In the interests of road safety.

13. The development shall operate in accordance with the Service Management Plan.

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

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

    Reason: To ensure acceptable cycle parking facilities on the site and promote active travel and to mitigate the absence of dedicated parking within the development.

Environmental Health

15. 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.

16. Prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council, which demonstrates that the Rating Level (dB LAr) of sound from all combined plant and equipment associated with the development does not exceed the background sound level (for both daytime and night time hours) at sound sensitive residential premises when determined in accordance with the assessment methodology outlined in BS4142:2014+A1:2019 - Methods for rating and assessing industrial and commercial sound. The approved Rating Level (dB LAr) shall be maintained at that level, or below, thereafter.

    Reason: Protection of residential amenity.

17. Prior to occupation of the development, the noise mitigation measures and alternative means of acoustically attenuated ventilation (in addition to that provided by open windows) as specified within the submitted RPS Memo, Havelock House, Belfast, dated 28/11/2024 (Tables 10 and 11) shall be installed within habitable rooms of the development and retained at all times.

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

18. Prior to commencement of the construction phase of the development, a Construction Noise and Vibration Management Plan (CNVMP) shall be submitted to and approved in writing by the Council. The CNVMP shall specify measures to control and minimise noise and vibration impacts during the construction phase. The CNVMP shall include rationale for and details of the chosen piling methodology and must pay regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites and demonstrate the use of 'best practicable means'. The CNVMP must be implemented as agreed on commencement and during the construction phase and the associated records shall be made available to the Council at any time upon request.

    Reason: Protection of residential amenity against adverse construction impacts.

NI Water

19. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

    Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

DAERA Regulation Unit

20. No piling shall be undertaken unless a piling risk assessment, carried out 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 to and approved in writing by the Council. The methodology is available at:
    https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http:/cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf.
    No piling shall take place unless in accordance with the approved piling risk assessment.

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

21. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease, and the Council should be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be submitted to and approved in writing by the Council, and subsequently implemented. This strategy should be completed by

competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks.

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

22. After completing any required remediation works required by condition 21, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

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

Informatives

Section 76 planning agreement

1. This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which secures the following planning obligations:

    - **Social housing** – no less than 84 of the residential units constructed at the property shall be occupied as Social Housing Units.

    - **Housing mix** – unless otherwise agreed in writing by the council, 49no. of the Social Housing Units shall not be occupied unless as General Social Housing. 35no. of the Social Housing Units shall not be occupied unless as Category 1 over 55's accommodation.

    - **Green travel measure** – secure implementation of Travel Plan, Green Travel Measures fund (£202,737.00, index linked), and suitable redistribution of the Travel Fund if necessary.

    - **Employability and Skills** – requirement for the submission and implementation of a Construction Employability and Skills Plan.

Compliance with planning permission

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

Discharge of condition(s)

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

Non-planning requirements

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

Protected Species

4. The applicant or developer's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence to:
    a) Deliberately capture, injure or kill a wild animal including a European protected species, which includes all species of bat;
    b) Deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
    c) Deliberately disturb such an animal in such a way as to be likely to:
        (i) affect the local distribution or abundance of the species to which it belongs;
        (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or
        (iii) Impair its ability to hibernate or migrate;
    d) Deliberately obstruct access to a breeding site or resting place of such an animal; or
    e) To damage or destroy a breeding site or resting place of such an animal.

    If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 9056 9605.

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Development Management Report

Summary	
Committee Date: 10th December 2024	
Application ID: LA04/2024/1138/F and LA04/2024/1141/DCA	
Proposal: Demolition of existing buildings and construction of Purpose Built Multi Storey Managed Student Accommodation (821no. rooms) with additional Short Term use outside of term time. Proposed heights of between 6-9 storeys and associated shared/ancillary spaces with ground floor retail/retail service units, resident's gym/cinema and ancillary development/uses. (Amended Description)	**Location:** Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: MRP NUH Ltd Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street, Belfast.	**Agent Name and Address:** Clyde Shanks 2nd Floor 7 Exchange Place Belfast BT1 2NA
Date Valid	16th October 2024
Target Date	14th May 2025
Contact Officer	Ed Baker, Planning Manager

Executive Summary:

This application relates to lands comprising the rear of Nos. 24-54 Castle Street, Nos. 2-6 Queen Street and Nos. 1-7 & 21 Fountain Street, Belfast. The application site is within the City Centre Conservation Area and within close proximity to a number of listed buildings.

The site is approximately 0.6 hectares (ha) and is occupied by a number of existing buildings. Fronting Castle Street and Fountain Street is the six storey building known as Norwich Union House; it contains a number of retail units on the ground floor and vacant offices above. To the rear of the building is a multi-storey car park. On the junction of Castle Street and Queen Street is a four-storey building known as Westgate House which contains retail on the ground floor and offices above. Two smaller scale buildings of two and three storeys infill Norwich Union House and Westgate House, both contain one retail unit at ground floor. There is a significant gap site along Queen Street currently used as a surface level car park.

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

- Principle of PBMSA in this location
- Design, Placemaking, and impact on Conservation Area
- Impact on heritage assets
- Impact on Conservation Area
- Impact on amenity
- Climate change
- Open space
- Access and transport
- Health impacts
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Waste management
- Section 76 planning agreement
- Pre-Application Community Consultation

The site is a highly sustainable location within the City Centre and close to transport links such as Grand Central Station and other public transport services. The application is supported by satisfactory evidence of need for the proposal.

Following negotiations and amendments to the scheme, the proposed building is considered to be of a very good quality design appropriate to its context within the City Centre Conservation Area and setting of Listed Buildings. The proposal will develop an existing vacant building and large gap site within Queen Street, introducing active frontages and supporting the regeneration of the surrounding area.

NI Water have recommended refusal and this is addressed within the report.

DAERA NIEA have raised concerns about the submitted Ecology Report. This has subsequently been amended and NIEA have been re-consulted. Delegated Authority is requested to deal with the outstanding consultation response and any issues arising providing they are not substantive.

Three letters of support have been received as detailed within the main report.

The proposal was subject to a Pre-Application Discussion (PAD), although not all officers' design advice was followed when the application was submitted. A range of design issues had to be resolved and the applicant entered into a Planning Performance Agreement with the Planning Service to work through the issues. This involved several design workshops.

The applicant intends that if approved the development will be constructed with practicable completion in time for the 2027/28 academic year.

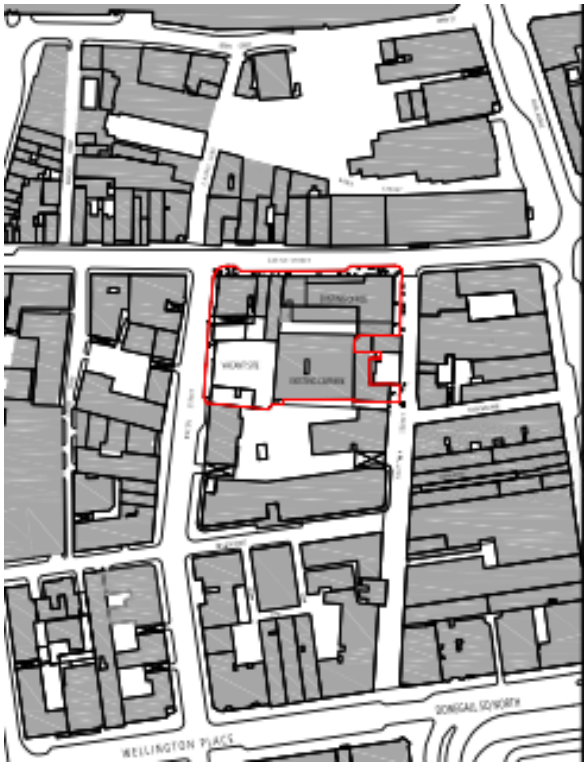
Recommendation

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.

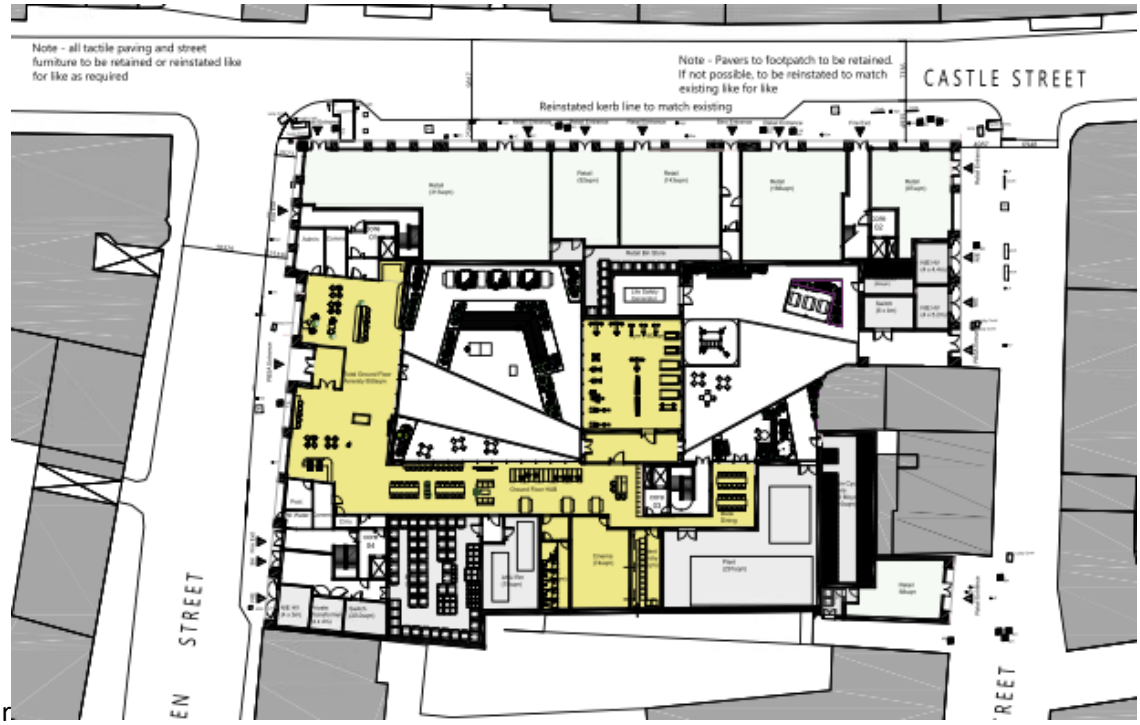
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and resolve the outstanding consultation from by DAERA NIEA in relation to the ecology report, and deal with any other issues that arise, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

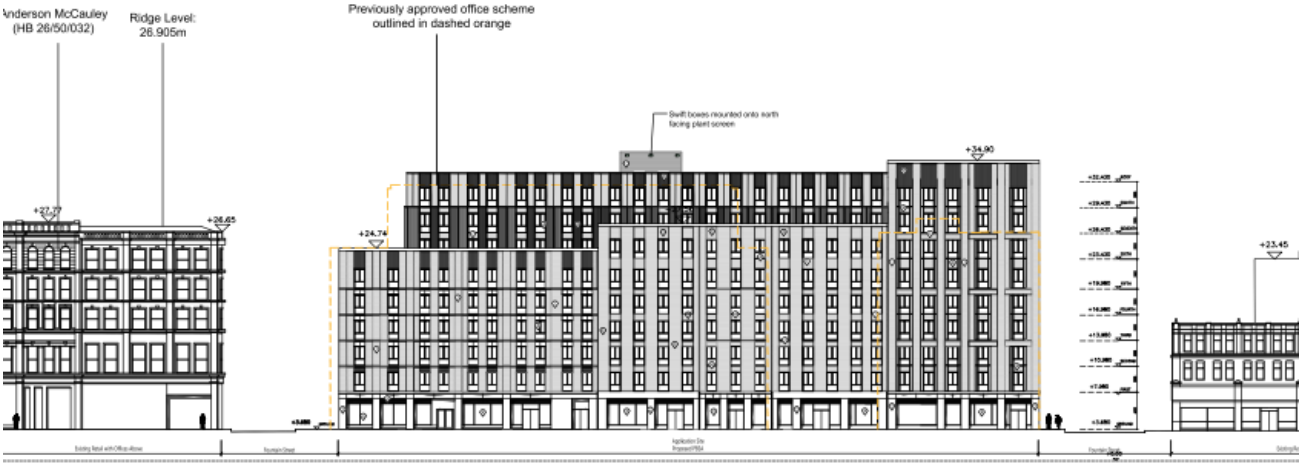
Site Location Plan:



Proposed Site Layout:

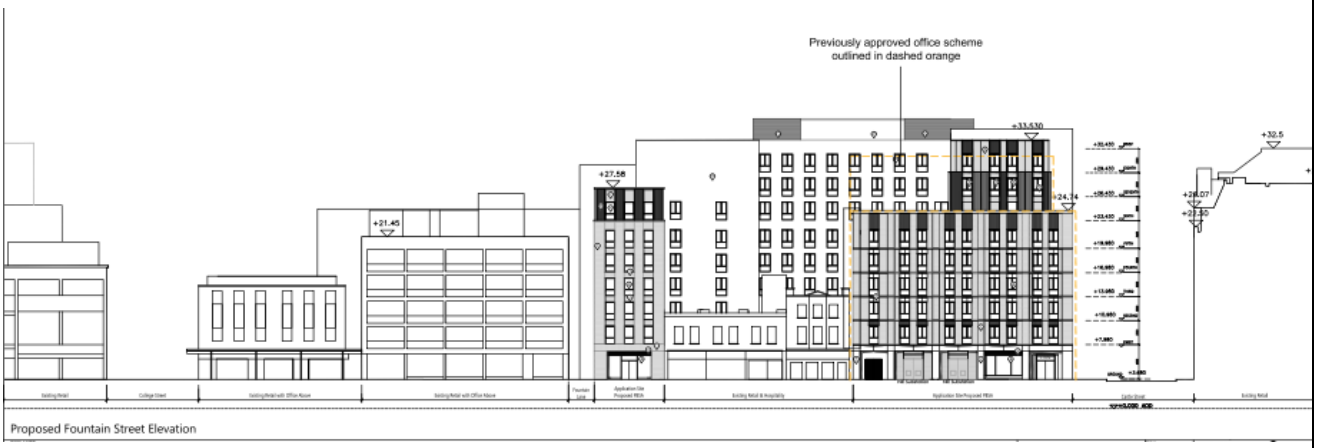


Proposed Elevations:



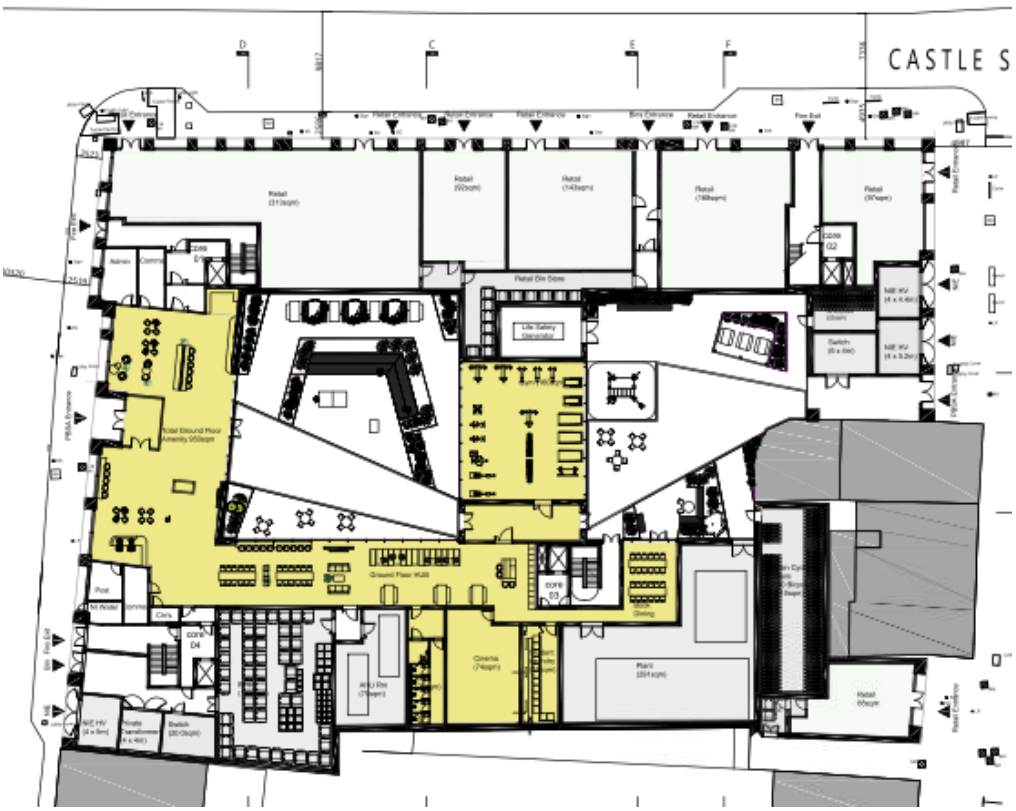
Proposed Castle Street Elevation

Proposed Queen Street Elevation



Proposed Fountain Street Elevation

Ground floor plan:

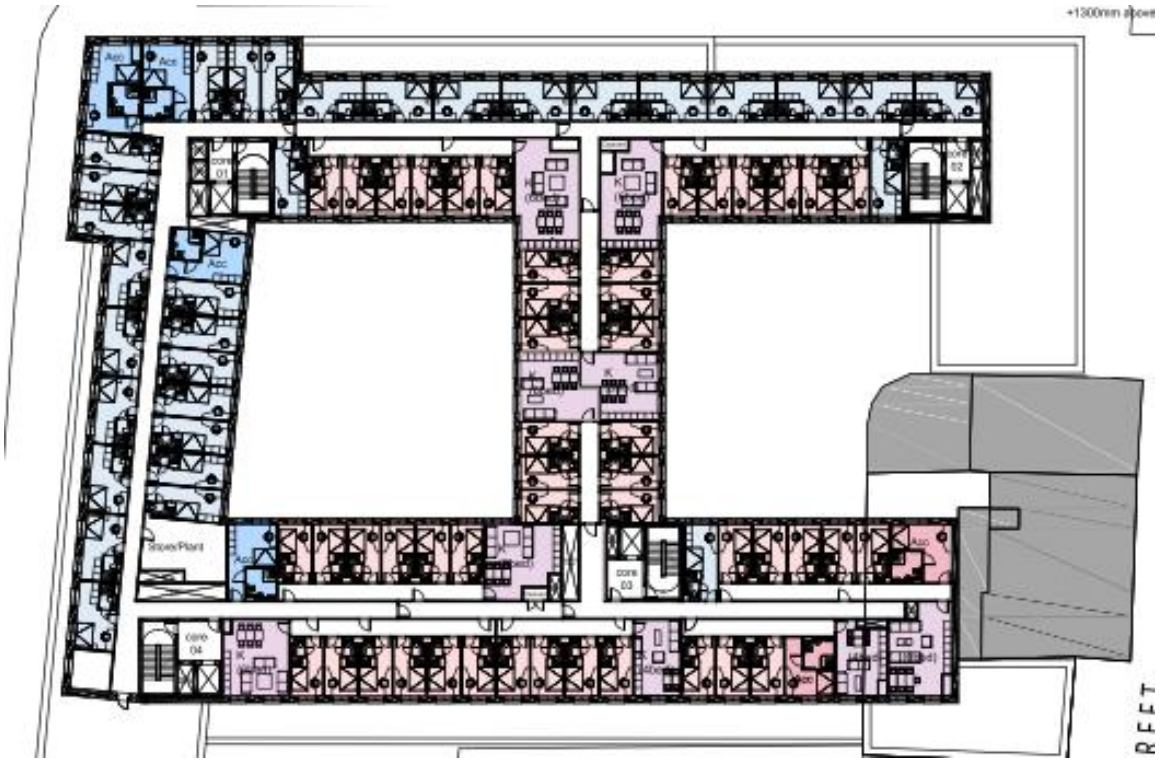


1st Floor Plan:

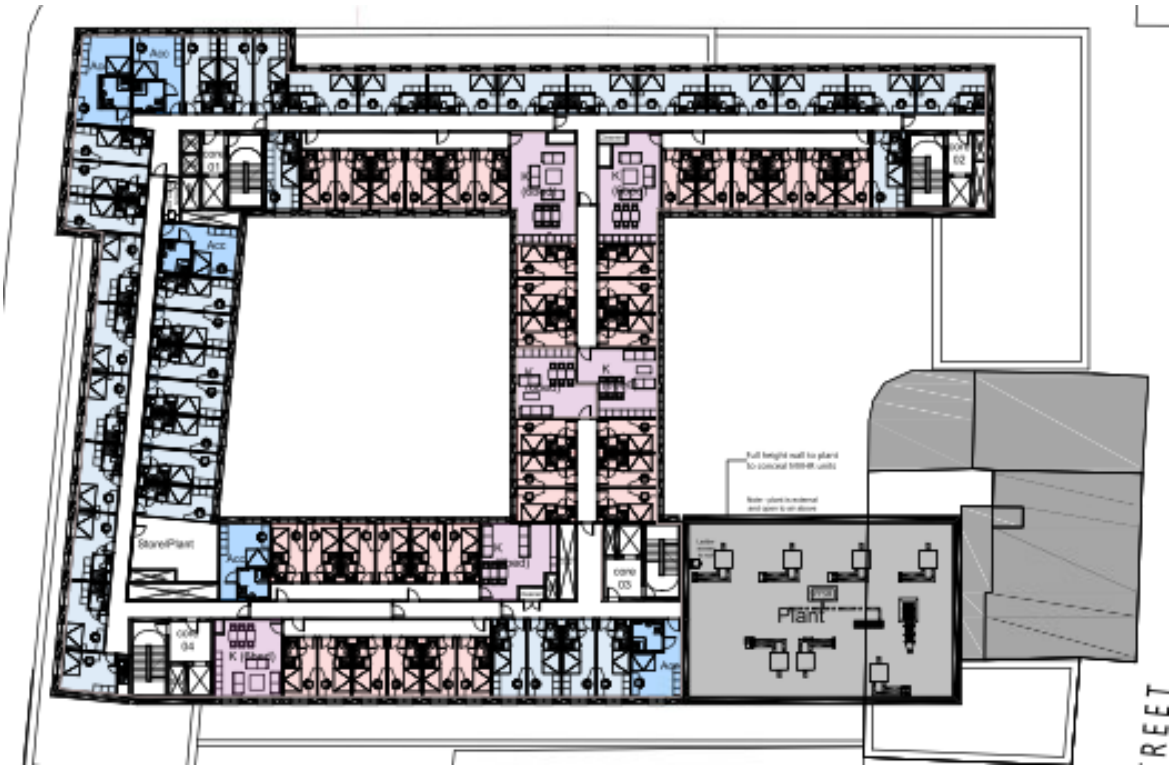
Levels 2 to 5:

Level 6:

Level 7:



Level 8:



CGIs

View from Castle Place:

Fountain Street:

Views from Castle Street:

Queen Street:

1.0	**Characteristics of the Site and Area**
1.1	This application relates to lands comprising the rear of Nos. 24-54 Castle Street, Nos. 2-6 Queen Street and Nos. 1-7 & 21 Fountain Street, Belfast. The application site is within the City Centre Conservation Area and within close proximity to a number of listed buildings.
1.2	The site is approximately 0.6 hectares (ha) and is occupied by a number of existing buildings. Fronting Castle Street and Fountain Street is the six storey building known as Norwich Union House; it contains a number of retail units on the ground floor and vacant offices above. To the rear of the building is a multi-storey car park. On the junction of Castle Street and Queen Street is a four-storey building known as Westgate House which contains retail on the ground floor and offices above. Two smaller scale buildings of two and three storeys infill Norwich Union House and Westgate House, both contain one retail unit at ground floor. There is a significant gap site along Queen Street currently used as a surface level car park.
1.3	The surrounding area is commercial in nature reflecting the City Centre location. Typically, ground floors are occupied by retail/café/restaurant/bar uses and offices above. The nearest residential use is College Court Central, an apartment block approximately 70m from the site.
1.4	The immediate context is of varied heights and design. There is a general graduation in height along Castle Street towards Castle Place with building heights increasing from three stories to six stories of the existing Norwich House and Bank Buildings. Typical building heights on Fountain Street and Queen Street vary between two and six stories although it is acknowledged there are taller buildings at the junction of Queen Street and College Street with buildings increasing to ten stories.
1.5	The site is within the City Centre Conservation Area.
	Description of Proposed Development
1.6	The application seeks full planning permission for the demolition of the existing buildings on the site and construction of a new PBMSA development of 6 to 9 stories. The proposal includes 821 rooms made up of 210 studio rooms and 611 cluster rooms. There will be an associated café, communal facilities including a gym, cinema, meeting/study rooms, laundry rooms, landscaped roof garden and inner courtyards. The proposal includes additional Short Term use outside of term time with no restriction on who can avail of the short-term use outside of term time.
1.7	The proposed material treatments of the building include a mix of red brick tones, grey/beige brick and profiled red PPC aluminium for the areas of the building to be set back.
1.8	The proposal was subject to a Pre-Application Discussion (PAD), although not all officers' design advice was followed when the application was submitted. A range of design issues had to be resolved and the applicant entered into a Planning Performance Agreement with the Planning Service to work through the issues. This involved several design workshops.
1.9	The application was originally submitted in June 2024 but later found to be invalid due to the red line boundary being incorrect. This has since been corrected and the new valid date of the application is 16th October 2024.

2.0	**RELEVANT PLANNING HISTORY**
2.1	LA04/2019/2299/F + LA04/2019/2303/DCA Proposal: Demolition of existing property and redevelopment of the site including the provision of approximately 230,730sqft gross new build floorspace comprising class B1(a) office on 6 levels over active ground floor uses including retail (A1), restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment. Address: 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street Belfast BT1 5EA. Decision: Approval Decision Date: 30.04.2020
2.2	LA04/2019/0068/F Proposal: Demolition of existing building and construction of 54 apartments with associated landscaping and a retail unit at ground floor. Address: Westgate House, 2-4 Queen Street, Belfast., Decision: Approval Decision Date: 07.07.2020
2.3	Z/2009/0622/F Proposal: Erection of 122 room budget hotel with bar/ restaurant and conference facilities, 2 No. retail units & associated car parking. Address: 6-8 Queen Street, Belfast. BT1 Decision: Approval Decision Date: 14.11.2012
2.4	Z/2008/2433/F Proposal: Amendment to previous scheme (Z/2006/2044/F) to include demolition of existing building and erection of an 8 storey building with retail on ground and first floors and offices above. Address: Olive Tree House, 23-31 Fountain Street, Belfast. Decision: Approval Decision Date: 16.04.2009
2.5	Z/2006/2044/F Proposal: Demolition of existing building and erection of new 7 storey building, retail on ground and first floor with offices on upper floors. Address: Olive Tree House, 23-31 Fountain Street, Belfast Decision: Approval Decision Date: 24.01.2008
2.6	Z/2004/2278/F Proposal: Renewal of permission granted for a 6 storey building (previous planning ref: Z/1999/2151) Address: 6-8 Queen Street, Town Parks, Belfast, Northern Ireland, BT01 6ED Decision: Approval Decision Date: 28.02.2005

3.0	**PLANNING POLICY**
3.1	**Development Plan – Plan Strategy** <u>Belfast Local Development Plan, Plan Strategy 2035</u> *Strategic Policies:* 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 *Operational Policies:* Policy HOU12 – Purpose Built Managed Student Accommodation (PBMSA) Policy HOU13 – Short-term Let Accommodation Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development Policy DES3 – Tall buildings Policy RD1 – New residential developments Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH5 – Archaeology 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 TRAN9 – Parking standards within areas of parking restraint 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 GB1 – Green and blue infrastructure network Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources
3.2	<u>Supplementary Planning Guidance</u> Placemaking and Urban Design Tall Buildings Masterplanning approach for Major developments Residential Design Sustainable Urban Drainage Systems

	Transportation Planning and Flood Risk Development and Trees
3.3	**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)
3.4	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
3.5	**Other Material Considerations** Purpose Built Managed Student Accommodation in Belfast (June 2016) Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework (2020) Belfast Agenda (Community Plan)
4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	Statutory Consultees **DfI Roads** – No objections with conditions. **DfC HED** – No objection. **DfI Rivers** – No objection. **DAERA** – Concerns raised with the submitted bat survey. Amended information has been submitted and NIEA re-consulted; the response remains outstanding. **NI Water** – Recommends refusal (see main assessment).
4.2	Non-Statutory Consultees **Conservation Advice** – Concerns raised and addressed in the report. **Environmental Health** – No objections with conditions. **BCC Landscape and Development** – No objection. **BCC Economic Development Unit** – Recommends an employability and skills Developer Contribution for the construction phase. **Shared Environmental Services (SES)** – No objection. **Development Plan Housing Team** – No objections, comments provided and set out in main report.

	Representations
4.3	The application has been advertised in the newspaper and neighbours notified.
4.4	Three letters of support have been received and are summarised below: • Site currently vacant and subject to anti-social behaviour; • Area in need of regeneration; • Good transport links and facilities to support students; • QUB and Ulster University have confirmed additional demand; • Proposal supports Belfast being a 'learning city' as well as grow the city centre economy.
5.0	**PLANNING ASSESSMENT** **Main Issues**
5.1	The main issues relevant to consideration of the application are set out below. • Principle of PBMSA in this location • Design, Placemaking, and Impact on Conservation Area • Impact on heritage assets • Impact on Conservation Area • Impact on amenity • Climate change • Open space • Access and transport • Health impacts • Environmental protection • Flood risk and drainage • Waste-water infrastructure • Natural heritage • Waste management • Section 76 planning agreement • Pre-Application Community Consultation
	Development Plan Context
5.2	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

	("Departmental Development Plan") remain part of the statutory local development plan until the Local Policies Plan is adopted.
	Operational Polices
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.
	Proposals Maps
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan"), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	**Belfast Urban Area Plan 2001** – the site is un-zoned "white land" within the Development Limit.
5.8	**Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014**) – the site is within the City Centre, the Primary Retail Core and an Area of Parking Restraint. The proposal is also within the City Centre Conservation Area.
	Principle of PBMSA in this location
5.9	The site is located within the urban development limit in the BUAP 2001 and both versions of dBMAP 2015.
5.10	Policy HOU12 of the Plan Strategy relates to proposals for PBMSA and lists a number of criteria that proposals should meet, as discussed below.
	Accessibility:
5.11	In locational terms, criterion a. requires that PBMSA proposals are easily accessible to higher education institution campuses by sustainable transport modes and not within established residential areas. The site is located within the City Centre boundary. It is located approximately 0.5 miles from Ulster University and 1.1 miles from Queens University with walking times of 11 and 26 minute respectively.
5.12	The site benefits from excellent access to public transport services due to its very central City Centre location. There are nearby bus stops on Castle Street, Queen Street and Royal Avenue. The closest train station is Grand Central which is an 11 minute walk. The site benefits from easy access to shops, services, leisure and amenities.
5.13	Having regard to these factors, the proposal satisfies the accessibility requirements of criterion a.

	Development not within an Established Residential Area:
5.14	In addition, criterion a. of Policy HOU12 requires that new PBMSA development is not within an established residential area. Appendix B of the Plan Strategy states that an Established Residential Area is '…*normally taken to mean residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens. These areas may include buildings in commercial, retail or leisure services use, usually clustered together and proportionate in scale to the size of the neighbourhood being served*.
5.15	The site is located in the City Centre which is a mixed commercial area forming the primary retail core. The nearest residential use is an apartment block some 70m from the site and therefore there is no recognisable form of housing.
5.16	It is concluded that the site is within a mixed-use area and not within an Established Residential Area.
	Minimum of 200 occupants:
5.17	Criterion b. specifies that PBMSA proposals should consist of a minimum of 200 occupants. The proposal is for 821 bedrooms, therefore satisfying this criterion.
	Need for additional PBMSA:
5.18	Criteria e. requires that proposals meet an identified need for the type of accommodation proposed, demonstrated through a statement of student housing need. The application is supported by a "Statement of Student Need". The applicant's statement details that in 2021/22 there were 34,660 full time students and that Belfast has the 13th largest full time student population in the UK outside of London. In Belfast, the higher education institutions are Queens University (QUB), Ulster University, Stranmillis University College, St. Mary's University College and Belfast Met the largest Further and Higher Education College in Northern Ireland.
5.19	QUB and Ulster University gave a joint presentation to the Council's City Growth and Regeneration Committee (CGRC) in December 2022. The Committee was advised that the city required a further 6,000 rooms for students by 2028/30. In addition, there was a growing demand for PBMSA over private rental sector accommodation and insufficient rooms either in the planning process or being constructed to address the shortfall.
5.20	In reality, in light of the emerging trend of PBMSA accommodation being increasingly favoured over traditional house shares, the increase in the number of international students choosing to study in Belfast and the projected increase in NI school leavers seeking university places by 2030, the scale of need for student beds is likely to continue to grow beyond the previously projected 6,000 beds.
5.21	Lambert Smith Hampton commissioned a report into PBMSA, dated March 2024, and states that the ration of students to PBMSA will reduce to 3.7:1 if all schemes in the pipeline were developed and that should the projected demand come to fruition, the current development pipeline would not be sufficient to meet demand. The report concluded that investor activity in the market will increase.

5.22	The Statement of Student Need confirms that QUB has stated that an additional 3,000 beds will be needed over the next five years. The Statement confirms that 3,194 beds have been identified with consent to be developed with 2,349 awaiting consent. It is noted that the Plan Team have differing figures in this regard although they are broadly comparable.
5.23	The Statement of Student Need confirms that while Queen's University guarantees accommodation for all undergraduate and postgraduate first year students, Ulster University can only guarantee accommodation for overseas students in their first year of study. The Statement of Student Need goes on to state that the student population in Belfast has grown by 4,020 between 2019/20 and 2021/22 which is 30% greater than the number of beds which have been developed in that timeframe.
5.24	The Statement of need includes the following table, which shows the potential unmet demand as below. **Table 1: CBRE Unmet Demand for PBMSA**

DEMAND POOL	Belfast	
Total Full-time Students (2021/22)	34,660	
Less living with parent/guardian	13,530	
Less not in attendance	700	
Less living in own residence	4,080	
Total Potential Students in the Target Market (Demand Pool)	**16,250**	
SUPPLY (bedspaces) (2023/24)		
University Halls	4,815	
Private Halls	4,058	
Current PBSA Supply	**8,873**	
PBSA in the Pipeline (with consent)	3,194	
Total PBSA Supply including pipeline	**12,067**	
UNMET DEMAND	**Excluding Pipeline**	**Including Pipeline**
Demand Pool less Supply	**7,377**	**4,183**

5.25	The Statement concludes that the unmet demand pool including the pipeline of development is 4,183. The calculations do not include students living with parents or those who live in their own residence and the Statement therefore suggests that the number could be greater than calculated.
5.26	The Council's Plans and Policy Team has been consulted on the issue of need. It states that there have been 5,423 bed spaces constructed since 2015 (Table 2). It confirms that 2,055 beds are currently under construction and 551 beds have been approved but not started (Table 3). There are also 3,913 beds pending from PBMSA Planning Applications currently under assessment (Table 4).

Table 2: Existing operational PBMSA supply

Project Name	Address	Beds	Operational	CBRE (Oct, 2023)
John Bell House	1A College Square East	413	Sept 16	413
Botanic Studios	78-86 Dublin Rd, Belfast BT2 7HP	156	Sept 17	156
Great Patrick Street	28-30 Great Patrick Street	475	Sept 18	474
Elms BT1	78 College Avenue	747	Sept 18	747
Elms BT2	McClintlock Street	490	Sept 18	490
Swanston House	41-49 Queen Street	317	Sept 18	317
123 York Street	123-137 York Street	407	Sept 19	428
Little Patrick Street	26-44 Little Patrick Street	430	Sept 20	774
101 York Street	81-107 York Street (Liv student)	717	Sept 21	717
Bruce Street	Little Victoria St, Bruce St & Holmes St	271	Sept 23	269
Aster House	University Rd & Botanic Avenue (over railway)	253	Sept 23	253
Alma Place	18-26 Library Street	393	Sept 23	462
Completed	**12**	**5,423**		**5,500**

Table 2: Future Supply figures for PBMSA accommodation in Belfast

Under Construction			
Project Name	**Address**	**Beds**	**CBRE (Oct, 2023)**
Athena House	Little York St, Great George's St & Nelson St	774	774
Bradbury Place	30-44 Bradbury Place	156	?
	48-52 York Street	307	307
123 York Street Extension	8-12 Little Patrick Street	94	94
	140 Donegall Street	724	724
Total Under construction	**5**	**2,055**	**1,899**

Approved (Not started)		**Beds**	**CBRE (2023)**
Sinclair House	89-101 Royal Avenue	30	30
	118-122 Royal Avenue	21	-
Catholic Chaplaincy	28-38 Elmwood Avenue	41	41
QUB Dublin Road	14 Dublin Road, Belfast, BT2 7HN	459	459
Total Not started	**4**	**551**	**530**
Total constructed/ Under construction/ Approved not started	**19**	**8,029**	**7,929**

Table 3: Pending PBMSA Planning Applications

Reference	Address	Beds
LA04/2022/1284/F	Library Street and Little Donegall Street	862
LA04/2023/2922/F	Site bounded by Glenalpin Street, Wellwood Street and Norwood Street, Belfast	354
LA04/2023/3030/F	41-49 Dublin Road and 3-5 Ventry Street, Belfast, BT2 7HD	201
LA04/2024/0664/F	Lands comprising existing Fanum House, Norwood House and adjacent lands, No's 96-110 Great Victoria Street	594
LA04/2024/0681/F	Lands to the northeast of Olympic House, east of Queen's Road and south of Belfast Metropolitan College	1,007
LA04/2024/1138/F	Lands including and to the rear of 24-54 Castle Street, 2-6 Queen Street, 1-7 & 21 Fountain Street	895
Total pending		**3,913**

5.27 Since the tables above were provided by the Plans and Policy team, there have been a number of updates to PBMSA applications as shown below:

Table 2:
The referenced QUB Dublin Road scheme is now under construction.

Table 3:
LA04/2022/1284/F – Application has been Refused but there is a pending appeal.
LA04/2023/3030/F – Application has been Approved.
LA04/2024/0681/F – Application has been Approved.
LA04/2024/0664/F – Application has been Approved by Committee with delegated authority granted for outstanding consultation responses and the S76.

5.28 The above updates increase the number of beds constructed/under construction/approved, not started from 8,029 to 9,797 and decreases the total pending beds currently under assessment from 3,913 to 2,145.

5.29 The need for 6,000 spaces by 2028/30 expressed by QUB and Ulster University in 2022 will have been met by the existing supply should all of the approved PBMSA developments be implemented, equating to around 6,350 spaces. However, evidence points towards the demand being higher.

5.30 Moreover, the Plans and Policy team advises that '*based on CBRE's assessment quoting 10,458 existing bedspaces and should all applications submitted to Council be approved and developed it would total 16,977 bedspaces in Belfast. The total student numbers are not known for future academic years and therefore a ratio or percentage of bedspaces to future student numbers would be a prediction at best.'*

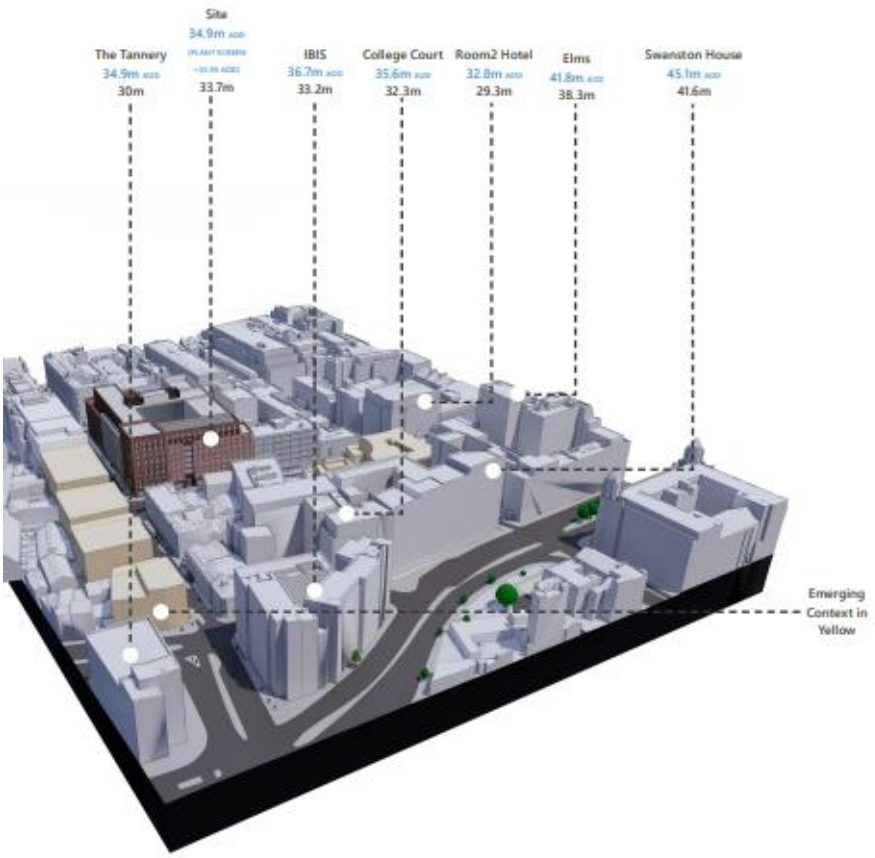
5.31 The Plans and Policy team state that the pipeline of PBMSA would result in a bed ratio of 2.65:1 and conclude this is broadly comparable with other university cities elsewhere in the UK.

5.32 The Plans and Policy Team response acknowledges that the fact Ulster University cannot guarantee accommodation for all first-year students provides an insight into the current PBMSA market as students may need to seek accommodation in the private rental market such as HMOs. The response also acknowledges that there has been a 27.7% increase in the full-time student population in Northern Ireland from 2017/18 to 2021/22.

5.33	The Plans and Policy Team is content that the increase in demand for PBMSA is likely to continue and a shortfall of PBMSA bed spaces currently exists in Belfast when considered as a ratio of the student population as a whole. The response does state it is unclear as to what extent the existing pipeline of PBMSA developments will meet the existing demand but even if all current and proposed PBMSA bed spaces are delivered, the ratio of PBMSA bed spaces to full time students is likely to remain broadly comparable with other university cities elsewhere in the UK.
5.34	Having regard to these factors, it is considered that a need for the proposal is established and that criterion e. is satisfied. *Purpose Built Managed Student Accommodation in Belfast SPG:*
5.35	In the absence of specific planning policy at that time, in 2016 the Council published PBMSA Supplementary Planning Guidance to support the consideration of such planning applications. Updated SPG is currently the subject of public consultation and does not currently have determining weight.
5.36	The 2016 SPG is material and sets out similar requirements to Policy HOU12 and other relevant policies in the Plan Strategy, covering areas such as accessibility, controlling development in established residential areas, open space, space standards, parking, waste and recycling. The Plan Strategy is the statutory Development Plan and carries greater weight than the 2016 SPG. Nevertheless, for the reasons set out in this report, it is considered that the proposal is consistent with the objectives of the guidance. *Economic development:*
5.37	The Council's Economic Development Unit notes that the estimated construction cost of the development is £80 million. It is expected that approximately 311 construction jobs will be created and 12 jobs at operational phase. These are material considerations that support the case for the granting of planning permission.
5.38	The Economic Development Unit advises that an Employability and Skills Developer Contribution is required for the construction phase and that this should be secured by a Section 76 planning agreement.
5.39	Having regard to the factors discussed above, the principle of PBMSA development in this location is considered acceptable. **<u>Principle of Short Term Let in this Location</u>**
5.40	The proposal includes the proposal to be used as short term let accommodation outside of term time when the building will not be occupied by students. HOU13 provides 6 criteria to be met for short term let accommodation. Criteria e and f do not apply as the proposal is not within an HMA and does not involve a change of use from permanent residential use.
5.41	The proposed short term use would be considered to strengthen and diversify the range of short term accommodation in the city. The proposed location is within the city centre where the surrounding tourist accommodation is in the main provided by hotels. The proposal would strengthen the short term range of accommodation and provide a meanwhile use when the building is not occupied by students. The proposed location is highly accessible by public transport with bus stops located on Castle Street and Queen Street and the Belfast Grand Central a short distance from the site.

5.42	The proposal is within close proximity to visitor attractions such as Belfast City Hall, Linen Hall Library and the Grand Opera House.
5.43	Appropriate management arrangements will be secured through the Section 76.
5.44	The short term use is welcomed to ensure the building is in use while students are not occupying the building, the proposal complies with Policy HOU13.
	Design, Placemaking and impact on the Conservation Area
5.45	The proposal has been assessed against Policies SP5, DES1, DES2 and DES3 of the Plan Strategy, the SPPS and *Creating Places*. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development, while Policy DES3 relates to the assessment and siting of tall buildings. *Previous planning approval:*
5.46	Planning permission was previously granted for a 6-storey office building on part of the site in April 2020 (LA04/2019/2299/F). The proposal excluded Westgate House to the north-west corner of the site and the two/three storey buildings which infill between Westgate House and Norwich House. The permission remains extant and establishes the principle of a six-storey building on the site. This is an important material consideration setting a baseline for the consideration of height, scale and massing. *Demolition:*
5.47	To facilitate the proposed redevelopment, the following buildings are proposed to be demolished: • Norwich Union House – 6 storeys Westgate House – 4 storeys • No. 44 Castle Street – 3 storey building • No. 46 Castle Street – 2 storey building • No. 21 Fountain Street – 3 storey building • Multi Storey car park to the rear of Norwich House.
5.48	An application for Conservation Area Consent has been submitted(LA04/2024/1141/DCA) and is assessed as part of this report.
5.49	With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of; (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.
5.50	The SPPS states that: '*in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist*'.

5.51	Policy BH2 relates to development proposals in the Conservation Area. In relation to demolition, it states that there will be a presumption in favour of retaining listed buildings and non-listed buildings in conservation areas. Total or partial demolition of a building will only be permitted where: *j. It makes either a negative or no material contribution to the character and appearance of the area; and* *k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.*
5.52	The proposed buildings to be demolished are not historic in nature and of no architectural merit. Internal conservation advice was sought and states that: '*it is considered that none of the buildings contribute to a sense of historicity or aesthetic value of the area, or its reading as a Victorian / Edwardian commercial centre.*' The buildings do not make a material contribution to the character and appearance of the Conservation Area. The demolition of the proposed buildings is considered acceptable in principle subject to suitable replacement that enhances the character of the Conservation Area (criterion k). Demolition should not commence until a valid contract is in place for the redevelopment and it is recommended that this requirement is secured by means of the Section 76 planning agreement. *Scale, height and massing:*
5.53	The proposal comprises a single large block fronting Fountain Street, Castle Street and Queen Street. There is a break in the development along Fountain Street with No. 11 to 19 Fountain Street to be retained which are two to three stories in height. There are two central courtyards provided either side of a central element that connects the Castle Street frontage of the building to the rear of the building.
5.54	The proposal is comprised of five sub-blocks (Blocks A to E) separated by changes in the shoulder height and/or materials. Block A (Fountain Street) is separated from Block B by Nos. 11 to 19 Fountain Street and is 7 stories in height. The proposal then rises to 9 stories with the shoulder height graduating along Castle Street and to the tallest block at the corner of Castle Street and Queen Street which has no setback of upper floors.
5.55	The five blocks are described below. • Block A is to be located along Fountain Street and has a shoulder height of 19.8m and a total height of 24m. • Block B is the red brick section at the junction of Fountain Street and Castle Street. This block has a shoulder of 21m with a three-storey setback and a total height of 29.9m. • Block C is a buff brick and has an increased shoulder height of 23.9m. The total height remains at 29.9m • Block D – this is the tallest element of the scheme with no setback and a total height of 31.3m. • Block E is the section along Queen Street with a shoulder height of 23.9m and a total height of 29.9m.

5.56	In comparison, the heights of other buildings in the vicinity include: • Bank Buildings to the North at 6 stories (32.5m), • Anderson McCauley Building to the East at 5 stories (27.77m), • The Tannery (30m), College Court (32.3m), IBIS (33.2m) and Swanston House (41.6m) to the West (32.3m) between 7 and 10 stories. • Room2 Hotel (29.3m) at 10 stories and Elms (38.3m) to the south at 11 stories. **Aerial Image showing proposal within surrounding tall buildings:** 
5.57	The immediate surrounding context of Castle Street, Fountain Street and Queen Street is typically 2 to 6 stories in height. There is a collection of taller buildings towards the periphery of the city core such as College Court, The Tannery, IBIS and Swanston House which are up to 11 stories in height. Queen Street contains taller buildings towards the junction of College Street such as the Room2 Hotel at ten stories.
5.58	The site is located within the Old City Character Area as designated in the original version of the draft Belfast Metropolitan Area Plan (2004) and also within the latest version of draft BMAP (2014) (CC009). This sets out a number of urban design criteria for the area and criteria specific to the area. There is a general criterion that affects the site: '*That part of any development which fronts onto Donegall Place, Royal Avenue, Castle Street, Castle Place, or High Street shall be a minimum height of 5 storeys, or 17 metres to building shoulder height, and a maximum of 7 storeys with use of setback, articulated roof forms reinforcing traditional character*.'

5.59	There are no site specific criteria which affect the proposal however there are three further criteria which apply throughout the Character Area: • New development shall respect the established building line. Exceptions may only be permitted where development creates significant public open space. • Building heights shall be a minimum of 3 storeys and a maximum of 4 storeys, or 5 storeys with use of set-back, articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected; • Development shall be fine grain in nature and aim to reflect traditional plot widths. • The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units – subdivision of block into 4 to 2 buildings.
5.59	Block A is proposed to be 7 stories with a height of 24m. The existing Norwich Union House adjoins buildings of two to five stories and there is a variance in height throughout Fountain Street. While Block A is proposed to be taller than the surrounding context, it would sit comfortably with the height being just above that of the shoulder of the proposed Block B. Given the further separation distance from the listed building, the proposed height of Block A will not detract from the listed buildings or the Conservation Area.
5.60	Block B turns the corner from Fountain Street onto Castle Street. This block contains a shoulder height of six stories (21m) and a total height of 9 stories (29.9m). The shoulder height is lower than the adjacent Anderson McCauley building and the three upper stories are set 7.6m off the corner and 3m behind the building line. The proposed shoulder line being below that of the adjacent Anderson McCauley building and of a similar height to the Bank Buildings ensures the height sits comfortably in the street-scene. The height and massing ensure that the building does not detract from the surrounding listed buildings and strikes a consistent height within the block that enhances the Conservation Area when compared to the existing Norwich House. The proposed shoulder height is the same as the previous approval and while the total height is taller, the setback of the upper floors from the corner and the building line is greater to mitigate any concerns of the increased height.
5.61	Block C is of the same height of Block B with though the shoulder height increases by one storey (2.8m). The increased shoulder height along with the change in brick tone successfully breaks up the building to reflect the historic plot widths within the Conservation Area and ensures the proposal does not dominate the street-scene. The shoulder height, whilst increase, is of a similar height to that of the Anderson McCauley building and the use of buff brick compliments that of the listed building.
5.62	Block D is located at the corner of Castle Street and Queen Street and proposes a height of 31.3m which is the tallest element of the development and unlike the other elements of the proposal, the upper floors are not set back from the building line. The increased height on the corner element is considered acceptable by placing emphasis on the junction and appearing as a focal point of the development. There is sufficient separation distance from the listed buildings which allows the increase height without competing for focus. The previous extant approval under the reference LA04/2019/2299/F excluded West Gate House on this corner of Castle Street and Queen Street; the inclusion of the corner block allows a cohesive development with logical steps up in height to the corner.

5.63	Block E along Queen Street mirrors the height of Block C with a shoulder height of 7 stories (23.9m) and the upper two floors setback from the building line with a total height of 29.9m. The upper two floors are also set approximately 6m from the gable end and the neighbouring building Queen's House. The proposed block is sympathetic to the neighbouring building by ensuring its steps down to be only 2.7m greater in height where it meets the neighbouring building. The proposed block acts as a transition piece between Queen's House and the taller corner (Block D) and provides legibility to the street-scene. To ensure the scale and massing of the block along Queen Street is sufficiently broken up, the main entrance is set back into the building with a change in materials and an increase in glazing.
5.64	Following negotiations and amendments to the scheme, it is considered that the scale, height and massing of the proposal are contextually appropriate. Blocks C to E have been lowered by one storey to sit comfortably within the street-scene and not dominate the neighbouring listed buildings or the Conservation Area. Treatment of the upper floor setback and facades has been amended to be sympathetic to its historic surroundings. *Architectural treatment:*
5.65	The proposed architectural treatment of the building is modern but with reference to historic design cues in terms of fenestration and bay treatment. The façade treatment includes vertical emphasis through the ordering of windows, vertical pilasters and horizontal bands to reflect that of the surrounding listed buildings and its historic context within the Conservation Area. Variations in the articulations of the façade aids to break up the massing such as variations in shadow gaps, horizontal bands and window head variations within the central block of Castle Street. Recessing the entrance into the Queen Street elevation and use of aluminium in this section provides a high quality, notable entrance to the building.
5.66	The proposed material treatment includes a palette of different tones of red brick for the majority of the scheme on Castle Street, Queen Street and Fountain Street. This is broken up with the central block of Castle Street which is a grey/beige brick similar to complement the tone of the Anderson McCauley Building and assists in breaking up the massing of the building. The upper floors are to be treated with red profiled aluminium panels. The brick tone is considered acceptable with regards to the location of the development and aids to break the scheme up to reflect that of the historic plot widths.
5.67	The proposal has been amended to provide subtle variations in detailing across the buildings and decrease the solid to void ratio which has aided in preventing the building from appearing heavy and monolithic in nature.
5.68	In summary, the proposed architectural treatments and materials compliment the scheme and are appropriate for the historic location.
5.69	A condition is recommended to require final approval of the external materials including a physical sample panel. *Active frontage:*
5.70	The proposal contains active frontage along Fountain Street, Castle Street and Queen Street. Two retail units are located on Fountain Street with one situated on the corner of Fountain Street and Castle Street. Four retail units are located on Castle Street. The ground floor amenity space occupies the frontage of Queen Street. The number of retail units is a reduction of the current number along Castle Street but the proposed floorspace will remain similar.

5.71	Due to the level of plant required to service the building, there is an inevitable level of inactive frontage proposed along both Queen Street and Fountain Street. On Queen Street, the inactive frontage is due to the location of an NIE HV and NI Water plant; this is in the location that is currently a car park and therefore no active frontage is currently in this location. The development of the car park with the remaining active frontages is considered an improvement to the street-scene.
5.72	On Fountain Street, two proposed NIE HVs will replace the entrance to Norwich Union House and a café (both now vacant). While a level of inactive frontage in this location is not ideal, consideration is given to the restrictions to where the plant must be located, the current vacant units and regenerative benefits of the scheme as a whole. A design solution to achieve a betterment of the current proposed plant has not yet been agreed and delegated authority is requested to deal with this matter.
	Wind Microclimate
5.73	Policy DES3 states that proposals should avoid the effects of wind turbulence and other adverse microclimatic impacts. The application includes the submission of a Wind Microclimate Assessment Report. The Report concludes that given the favourable orientation, configuration of the blocks and the shelter provided by nearby buildings, there is a low risk of raised winds on the ground. The level 6 amenity terrace is suitably sheltered such as to have a low risk of raised winds. It is not considered the proposal would cause any adverse microclimatic impacts.
	Public realm:
5.74	The proposed site contains a high quality public realm and therefore no improvements are considered necessary. The paving and street furniture is to be retained or replaced like for like as required.
	Masterplanning:
5.75	Policy DES2 contains a number of masterplanning principles for major development.
5.76	The proposal adopts a holistic approach, including the incorporation of Westgate House into the site and ensures a coherent block of form and scale. The proposal is mindful adjacent buildings by incorporating an appropriate shoulder height and avoiding prejudice by ensuring no windows are proposed on any gable walls. The proposal seeks to achieve BREEAM Excellent rating.
	Impact on the Conservation Area:
5.77	Internal conservation advice was sought regarding the proposed new building and a number of concerns were raised as detailed below: The conservation advice considers that the proposal at 9 stories in height is excessive and unsympathetic to the characteristic built form of Castle/Fountain/Queen Streets. The advice refers to the BMAP urban design guidance with a minimum 5 stories and a maximum of 7 storeys for Castle Street. The advice acknowledges that historically streetscapes increase in height at corners and that 8 stories may be considered acceptable at the corner or Castle Street and Queen Street but that 9 storeys represents an over-elaborate corner marker feature in terms of the hierarchical status of the node.

5.78	It is acknowledged that the proposal is taller than the dBMAP urban guidance, however, appropriate weight must be given to the opportunity to enhance the Conservation Area when the proposal is considered against the existing built form on the site. Due consideration is also given to the extant approval which along Castle Street is of a similar height to that proposed. The proposed building has been reduced from 10 to 9 storeys during the application process in order to sit more comfortably within the Conservation Area and surrounding Listed Buildings. Although the building at the corner of Castle Street and Queen Street will appear more prominent due to the upper stories not being set back the increase in height is marginal but ensures that the corner provides a focal point of the development. The perceived prominence of the building then lowers towards the Listed Buildings to ensure their setting is not impacted.
5.79	When considering the existing buildings and the extant approval the proposed height along with high quality design is considered acceptable within the context of the Conservation Area.
5.80	The conservation advice accepts that the new building re-establishes frontage, definition and enclosure to both Castle and Queen Streets promoting legibility. The advice states that there should be visual links to the courtyard but officers do not consider this would be necessary from the public realm given the Student Accommodation is not a publicly accessible building and the courtyards are considered amenity space.
5.81	In terms of massing, the conservation advice supports the approach of breaking up the building into three elements to achieve a finer grain development. The advice advocates a preference for this to be three separate buildings but given the proposed use of the building, officers are content this would not be practicable.
5.82	Conservation advice considers that further visual differentiation is required to achieve buildings of differing elevations and attic forms. The advice further states that the Castle Street elevation does not provide the colour of facing brick to the three elements and the middle block to Castle Street should be the same treatment throughout. The materials will be conditioned to be submitted prior to construction and it is considered that the middle block of Castle Street with the change in shoulder height and materials successfully differentiates this elevation into three distinct blocks, and helps to reduce perception of its overall massing.
5.83	The advice states that within the Conservation Area, middle sections of elevations were uniformed in terms of form/materials. It states that in relation to the lower Queen Street, block panels between windows should be masonry rather than PPC panels, terminating courses at the top of the elevation should provide a stronger visual stop and that the monolithic nature of the elevation should be broken up with façade modulations i.e. projecting terminating/central bays. Officers consider that the use of PPC panels reflects the modern design of the building while ensuring the proposal ties in with the Conservation Area. The elevation is considered to be broken up sufficiently with façade modulations such as the recessed entrance to the building.
5.84	The response states that the attic form is alien in context of area and the building appearing as separate boxes unrelated to the rest of the design. It states that attic floors should be articulated in a manner reflecting traditional character, lesser height than the floors below, pitched back at an angle with a sloping form with dormers faced in a contextually appropriate, roofscape material. The proposed upper floors have been amended to reduce the attic form to a uniform height, a consistent single material and to appear as a mansard roof design to appear contextually appropriate within the Conservation Area. It is considered that a more traditional design would jar with the

	overall contemporary design of the proposal and the setting of the listed buildings. Conservation advice also states that the roof forms should be differing to the three visually differentiated elements of the proposal. It is considered the elements of the proposal are sufficiently broken up through the differing materials and articulation of the facades, differing materials were for the attic form were assessed but considered too dominant. The approach to the attic design also ensures a consistency of design and overall legibility of the building as a single block.
5.85	It is considered that the proposal would enhance the Conservation Area by replacing contextually inappropriate buildings and a significant gap site with a contemporary building that acknowledges its historic setting, complies with Policy BH2 and relevant provisions of the SPPS, and satisfying the legislative provisions.
5.86	In summary, the proposal is considered acceptable having regard to Policies DES1, DES2, DES3 and BH2, and relevant provisions of the SPPS.
	Impact on the heritage assets
5.87	In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council must have special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest.
5.88	Policy BH1 of the Belfast Plan Strategy contains five criteria to be met when considering the impact of new development on the setting of Listed Buildings.
5.89	There are a number of listed buildings within close proximity to the site, these are listed below: • HB26/50/153 Bank Buildings Castle Place , Grade B1 • HB26/50/032 Anderson and McCauley, 1-9 Donegall Place, 2-16 Castle Street, Grade B1 • HB26/50/027 Former Children's Hospital (RUC Barracks) Queen Street, Grade B1 • HB26/50/109 St Mary's Roman Catholic Church Chapel Lane, Grade B1
5.90	The proposal is opposite the southern elevation of Bank Buildings and adjacent to the west of the Anderson McCauley building. St Mary's Church is located to the north west of the site while the former Children's Hospital on Queen Street is to the south west of the site and is currently subject to a planning application to restore the building with an associated 9 storey extension (LA04/2020/0568/F). The recommendation to approve was agreed by Planning Committee in November.
5.91	The Anderson McCauley and Bank Buildings, by reason of their proximity to the proposed site, form key views of the proposal along Castle Street and Fountain Street and are therefore of particular importance.
5.92	The proposed scale, design and massing of the proposal is considered to be sympathetic to the essential characteristics of the nearby listed buildings. The proposed shoulder height at the corner of Castle Street and Fountain Street is set lower than the adjacent Anderson McCauley to ensure the proposed building does not result in a loss of key views of the listed building or detract from its setting. Likewise, the proposed shoulder height along Castle Street is similar to Bank Buildings to ensure that the proposal does not dominate the setting of the listed building. The proposed design,

articulation of facades and materials compliment the surrounding listed buildings. The existing buildings on site contain no such architectural details or characteristics that reflect the listed buildings and therefore the proposal is considered to enhance the setting of the listed buildings.

5.93 DfC HED (Historic Buildings and Monuments) was involved in the design negotiations which led to improvements to the scheme. It offers no objection to the proposal in terms of potential impact on historic buildings and archaeology. HED considers that the planning application addresses concerns in relation to Policy BH1.

5.94 DfC HED (Historic Monuments Section) was consulted in regard to the submitted Archaeological Impact Assessment and is content subject to conditions for the agreement and implementation of a developer funded programme of archaeological works.

5.95 DfC HED welcomes an early archaeological investigation of the multi-storey carpark and advises that the archaeological programme of works should be updated to reference the excavation of part of the Belfast Ditch and bastion in Spring 2024 at 31-33 Queen Street.

5.96 The conditions recommended by DfC HED stipulate that no site works of any nature shall take place until a Programme of Archaeological Works (POW) has been submitted and approved. However, given the developer's tight development programme which requires them to commence demolition as soon as possible, DfC HED has that it would be content with a condition that allows demolition to ground level prior to the POW being submitted and approved. This is considered a reasonable approach.

5.97 Having regard to the advice from DfC HED and the further assessment by officers, it is considered that the setting of the Listed Buildings in the vicinity of the site, would be safeguarded. The proposal accords with Policies BH1 and BH5, and relevant provisions of the SPPS.

Impact on amenity

Space standards:

5.98 Criterion c. of Policy HOU12 requires PBMSA proposals to provide a quality residential environment for students in accordance with the space standards for HMOs set out in Appendix C of the Plan Strategy. The proposed bedrooms would exceed the relevant space standards as set out in the table below. Criterion c. is therefore satisfied.

Room type	Appendix C standard	Proposed
Standard bedroom	6.5 sqm	Min 10 sqm
Studio	13 sqm	13.5 sqm

Space standards for the proposed bedrooms

	Open space and amenity space:
5.99	Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.
5.100	The proposal includes two ground floor courtyards and a rooftop amenity space measuring approximately 1,123sqm in size which will includes planting and seating areas. The amount of open space would be 21% of the site area, therefore, exceeding the 10% open space requirement. The requirements of Policy OS3 are met.
5.101	The external amenity areas would equate to an average of 1.4sqm per bedroom. *Creating Places*, published in 2000, recommends that private communal open space should range from 10 sqm to around 30 sqm, however, this applies to apartment or flat developments, or 1 and 2-bedroom houses on small urban infill sites, and is not directly applicable to PBMSA development. In any event, Policy OS3 (open space) carries greater weight as part of the statutory Local Development Plan and is satisfied. In addition, the scheme would provide internal amenity areas such as lounges and a gym, which would support the residential living environment. The overall external and internal amenity space would be 3.5sqm per bedroom. This level of private amenity space provision is considered acceptable.
5.102	The proposal is considered compliant with Policy OS3.
	Daylight and sunlight to bedrooms:
5.100	A Daylight/Sunlight Assessment was carried out to ascertain whether the proposed development would offer acceptable daylight/sunlight amenity for prospective residents. In terms of daylight, 691 (84%) of student rooms would comply with the BRE guidelines with 91% meeting the criteria of 100lux. 72 bedrooms would achieve a median less than 100lux. In terms of sunlight, 47% of student bedrooms comply with the BRE guidelines with 49% of bedrooms receiving a minimum of 1.5hrs of sunlight on 21st March. There is a greater compliance in terms of common rooms with a 64% compliance. The rooms which are below target are generally located on the lower floors on the northern/eastern elevations or face the inner courtyards. The proposal is constrained by its location within the city centre and being surrounded by built form. The levels or daylight/sunlight are comparable to other approved PBMSA schemes in the City Centre and considered acceptable.
	Impact on neighbouring amenity:
5.101	There are no residential properties within close proximity of the site and therefore there are no concerns raised in terms of impacts to neighbouring amenity. There would be no conflict with adjacent commercial uses.
	Management plan:
5.102	A draft student management plan has been provided with the application and a final student management plan will be secured through the Section 76 planning agreement.

5.103	This will deal with, amongst other matters, anti-social behaviour, helping to mitigate potential impacts on neighbouring businesses, satisfying criterion d. of Policy HOU12.
5.104	In these regards, the proposal is considered to satisfy Policies DES1 and RD1, and relevant provisions of the SPPS.
5.105	**Climate change** *Proposed Demolition:*
5.106	To facilitate the proposed redevelopment, the following buildings are proposed to be demolished: • Norwich Union House – 6 storeys Westgate House – 4 storeys • No. 44 Castle Street – 3 storey building • No. 46 Castle Street – 2 storey building • No. 21 Fountain Street – 3 storey building • Multi Storey car park to the rear of Norwich House.
5.107	Policy ENV 2 states: *'Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible. Where demolition is proposed, measures should be included to minimise any waste through the reuse of as much building material as possible.*
5.108	A Demolition Justification Statement has been submitted and states the reuse of buildings is not appropriate as they do not conform to BREEAM standards as required for the scheme, nor would they be able to be retrofitted to current standards of building performance for conservation and sustainability. Furthermore, the buildings have been vacant for a number of years and showing signs of urban decay. The buildings were built for commercial purposes which makes them difficult to adapt to other uses resulting in an inefficient layout.
5.109	Having regard to these factors, the demolition of the existing buildings is considered acceptable.
5.110	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.
5.111	The proposed building is targeting BREEAM Excellent rating, which is considered to satisfy both policies. Specific measures include energy efficient solutions such as air source heat pump, ecology and landscaping through the proposed rooftop amenity areas and reduced reliance on the private car and therefore reducing emissions associated with private car travel. A condition is recommended that requires the building to be constructed to BREEAM Excellent rating as required by Policy DES3 and to satisfy Policy ENV2.

5.112	The building would not be at risk of flooding and would be constructed to a high environmental standard, ensuring that it would be adaptable to climate change. In these regards, the proposal accords with Policy ENV3.
5.113	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The application proposes SuDS features such as the provision of a green roof. A condition is recommended to require implementation of the SuDS scheme and landscaping.
5.114	The proposal is considered to accord with Policy ENV5.
	Access and transport
5.115	The site is within a highly accessible location. The site is located within the City Centre boundary. It is located approximately 0.5 miles from Ulster University and 1.1 miles from Queens University with walking times of 11 and 26 minute respectively.
5.116	The site benefits from excellent access to public transport services due to its central City Centre location. There are nearby bus stops on Castle Street, Queen Street and Royal Avenue. The closest train station is Grand Central which is an 11 minute walk.
5.117	There is no parking proposed and given the highly accessible location within the City Centre and proximity to public car parks, this is considered acceptable.
5.118	The application is supported by a Travel Plan, which would further promote sustainable travel.
5.119	DfI Roads offers no objection to the proposal and it is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6, TRAN 8 and TRAN 9, and relevant provisions of the SPPS.
	Health impacts
5.120	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.
5.121	The site is highly accessible and provides excellent opportunity for active travel, including walking and cycling, through strong linkages within the City Centre, its shops, services and amenities, and the riverside. Active travel will be further encouraged through the proposed green travel measures.
5.122	Acceptable levels of open/amenity space are provided in the form of the courtyards and rooftop terrace. The proposal includes a gym, which would support the physical and mental wellbeing of occupants of the development.
5.123	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant living environment for students with good levels of amenity space, and well as enhancing the character and appearance of the area.

5.124	The proposal is considered to satisfy the requirements of Policy HC1.
	Environmental protection
5.125	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, lighting, odour and noise.
	Contaminated land
5.126	The contaminated land reports provided with the application identified lead, dibenzo(ah)anthracene and asbestos in soils but concluded a low risk to future occupants on the basis there was to be hardstanding across the site. The proposal accords with Policy ENV1.
	Air quality
5.127	The application is accompanied by an Air Quality Impact Assessment which concludes that the development is not predicted to have significant effects on the local air quality. Mitigation measures are proposed for the construction phase to ensure no significant adverse dust effects arising. Environmental Health has no objections subject to a condition.
	Noise
5.128	In relation to noise, a Noise Impact Assessment was submitted and notes it is necessary to install windows with a high sound reduction performance across octave bands. Environmental Health has no objections subject to conditions.
5.129	The proposal is considered to accord with Policy ENV1.
	Flood risk and drainage
5.130	DfI Rivers advises that the site is not with a present day or climate change flood plain, nor are there any watercourses within the site. DfI Rivers has reviewed the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions. Accordingly, it offers no objection to the proposal.
5.131	Having regard to the advice from DfI Rivers and submitted SuDS scheme, the proposal is considered compliant with Policy ENV5.
	Waste-water infrastructure
5.132	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted and objects to the proposal due to the downstream catchment being constrained by overloaded sewage infrastructure. However, no clear evidence has been provided to demonstrate specific harm resulting from the development**.** Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of extant residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.

5.133	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.
	Natural heritage
5.134	Policy NH1 relates to the protection of natural heritage resources.
5.135	The site is not located within the boundary of any statutory or non-statutory designated sites or sites of national or local nature conservation. However, the site is immediately adjacent and hydrologically linked to designated sites within Belfast Lough.
5.135	Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough. Water quality of Belfast Lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.
5.136	Following an Appropriate Assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to a condition requiring no development until the method of sewage disposal has been agreed in writing with NI Water. A condition requiring approval of the final details of foul and surface water is recommended.
5.137	DAERA has provided advice from its Natural Environment Division (NED) and has concerns with the proposal. The response raised concerns about the Preliminary Ecological Appraisal Report and that the categories used for Bat Roosting Potential are not valid categories resulting in the survey effort not being sufficient and that the emergence survey remains incomplete. An amended Preliminary Ecological Appraisal Report has been submitted following discussion with NED and NED has been re-consulted. The response remains outstanding and delegated authority is requested to resolve the consultation response, provided that the issues are not substantive.
5.138	The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
	Waste Management
5.139	The application is supported by a Waste Management Plan. This sets out provision for accommodating total waste generated from the building, associated retail units, how convenient and safe access for depositing waste and collecting waste will be facilitated via Queen Street. The Waste Management Plan is considered to comply with the SPG.
	Employability and Skills
5.140	The *Developer Contribution Framework* requires proposals for Major development to contribute towards Employability and Skills where necessary.

5.141	The Council's Economic Development Unit notes that the estimated construction cost of the development is £42 million. It is expected that approximately 280-300 jobs will be created during the design and construction stages. The Economic Development Unit advises that an Employability and Skills Developer Contribution is required for the construction period and this should be secured by a Section 76 planning agreement. This is recommended accordingly.
	Section 76 planning agreement
5.142	Should the application be approved, the following planning obligations are necessary to make the proposed development acceptable. These should be secured through a Section 76 planning agreement. • **Student management plan** – requirement for the submission, approval and implementation of a final student management plan; • **Employability and Skills** – to secure the submission and implementation of a Construction Employability and Skills Plan for the construction phase of the development; • **Demolition** – demolition not to commence until a valid contract is in place for the redevelopment.
5.143	A draft Section 76 planning agreement has been prepared without prejudice and will need to be finalised before planning permission is granted.
	Pre-Application Community Consultation
5.144	For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
5.145	Applicants are required to submit to the council a "Proposal of Application Notice" (PAN) in advance of making the application, which sets out their proposals for the pre-community consultation. A PAN was submitted in July 2024 (LA04/2024/0562/PAN) and confirmed by the Council to be acceptable.
5.146	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received.
5.147	In summary, a public event was held in May 2024 and dedicated community consultation website established. A total of 3 responses were received supporting the scheme from a regeneration perspective along with the wider benefits the development would bring.
5.148	The PACC report is considered compliant with the legislative requirements.
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 resolve the outstanding consultation from by DAERA NIEA in relation to the ecology report, and deal with any other issues that arise, provided that the issues are not substantive.
7.0	**DRAFT CONDITIONS** **LA04/2024/1138/F** 1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. No external brickwork, external cladding panels or external materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works. The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials and panelling. Reason: In the interests of the character and appearance of the Conservation Area. 3. No windows or external doors shall be installed unless in accordance with joinery details which shall have first been submitted to and approved in writing by the Council. The detail details shall include the final design of the windows and external doors, their detailed profile and materials. Reason: In the interests of the character and appearance of the Conservation Area. 4. No external rainwater goods shall be installed unless in accordance with details which shall have first been submitted to and approved in writing by the Council. The detail details shall include the final design of the rainwater goods, their detailed profile and materials. Reason: In the interests of the character and appearance of the Conservation Area. 5. Within one year of the occupation, evidence that the building has been constructed to at least Passivhaus “Classic” or BREEAM Excellent standard, or equivalent, shall be submitted in writing to the Council. Reason: To ensure that the development mitigates and adapts to climate change. 6. The development hereby approved shall not be occupied until the external terraces have been provided in accordance with the approved plans. The amenity areas shall be retained as such at all times.

Reason: To ensure that a quality residential environment is provided for occupants of the approved development.

7. The SuDS and other drainage measures shall be implemented as specified in the application and the building shall not be occupied until verification and evidence of such has been submitted to and approved in writing by the Council. The SuDS and other drainage measures shall be retained at all times.

   Reason: In order that the development provides sustainable drainage

8. The development hereby permitted shall not be occupied until the waste storage areas have been provided in accordance with the approved plans and shall be permanently retained as such at all times.

   Reason: To ensure that appropriate provision is made for storage and disposal of waste.

9. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with Drawing No.03A uploaded to the Planning Portal 24th October 2024.

   Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

10. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan uploaded to the portal on the 24th October.

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

11. The development hereby approved shall not be occupied or operated unless in accordance with the approved Service Management Plan uploaded to the Planning Portal on the 24th October 2024.

    Reason: In the interests of highway safety and free flow of traffic.

12. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

    Reason: To ensure appropriate foul and surface water drainage of the site in the interests of safeguarding the environmentally protected Belfast Lough. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

13. The development hereby approved shall not be commenced until a final Construction Environmental Management Plan (CEMP) has been prepared and submitted to the Council. The CEMP shall clearly demonstrate the mitigation measures to be put in place to minimise adverse impacts from vibration, noise and dust on nearby premises during the construction phases in line with BS 5228:2009 *Code of practice for noise and vibration control on construction and open sites*. All construction shall be carried out in accordance with the approved CEMP.

    Reason: In the interests of neighbour amenity.

14. Prior to installation of window units within the hereby permitted development, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades and floors shall be submitted to and approved in writing by the Council. The window specification for habitable rooms shall be capable of achieving, as a minimum, the internal noise standards presented in the Noise Impact Assessment uploaded to the planning portal on the 16th October 2024. The window units shall not be installed unless in accordance with the approved details.

    Reason: Protection of future occupants against adverse noise impact.

15. Prior to the occupation 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 letter from RSK Ireland Ltd uploaded to the planning portal on the 25th November 2024.

    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 (residential without homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards. In particular, the Verification Report must demonstrate that:

    a) A minimum of 400mm of soils that are demonstrably suitable for a residential without homegrown produce end use have been emplaced in all ground floor landscaped areas.

    Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

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. Should new contamination or risks be encountered during the construction phase which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be submitted to and approved in writing by the Council and subsequently implemented. After completing any required remediation works, and prior to occupation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives. Reason: To protect the groundwater environment. 18. No site works of any nature or development shall take place (excluding demolition to ground level) until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: • The identification and evaluation of archaeological remains within the site; • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 19. No site works of any nature or development shall take place (excluding demolition to ground level) other than in accordance with the programme of archaeological work approved under condition L15a. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 20. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition L15a. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

LA04/2024/1141/DCA

1. The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

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

2. This consent only relates to the buildings hatched in red on drawing no. 02A uploaded to the planning portal on the 17th October 2024 and to no other part of the buildings or structures within the site.

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

DRAFT INFORMATIVES

NOT04 Section 76 planning agreement
This planning permission is subject to a planning agreement under Section 76 of the Planning Act (Northern Ireland) 2011. This decision should be read in conjunction with the planning agreement, which requires the submission, approval and implementation of a Construction Employability and Skills Plan, Final Student Management Plan and requirement for a contract to be in place for the redevelopment prior to demolition.

NOT02 Compliance with planning permission
Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

NOT03 Discharge of condition(s)
This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

NOT05 Non-planning requirements
The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer, consents or permissions under other legislation or protocols.

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Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date: 10th December 2024	
Application ID: LA04/2023/4405/F	
Proposal: Redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories.	**Location:** Westland House, 40 Old Westland Road, Belfast, BT14 6TE
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions	
Applicant Name and Address: NI Water Ltd, 40 Old Westland Road, Belfast, BT14 6TE	**Agent Name and Address:** Resolve Planning, Pearl Assurance House, 1 Donegall Square East Belfast, BT1 5HB
Date Valid: 15.11.2023	
Target Date: 17.07.2024	
Contact Officer: Lisa Walshe, Principal Planner	

Executive Summary:

This application relates to an area of the Northern Ireland Water (NIW) Headquarters site at No.40 Old Westland Road, located in North Belfast. The application seeks full planning permission for the erection of three buildings with parking, service yards and surrounding landscaping.

The proposal involves the removal of existing storage sheds, temporary office structures and includes redevelopment of the yard area within the site to provide new replacement Analytical Services Laboratories and associated ancillary works.

The key issues for consideration of the application are:

- Principle of Development
- Demolition / Removal of Structures
- Design, Character and Appearance
- Impact on Amenity
- Flood Risk & Drainage
- Health Impacts
- Access, Movement and Parking
- Natural Heritage / Biodiversity
- Noise, Odour, and other Environmental Impacts including Contamination.

- Climate Change, Trees, and Landscaping
- Developer Contributions and Employability and Skills
- Open Space
- Pre-community Consultation

Statutory Consultees, as well as BCC Environmental Health, Landscape and Development team and BCC Trees team were consulted and have raised no objections subject to conditions.

No third-party representations have been received.

The site falls within the development limits of Belfast in the Belfast Urban Area Plan 2001 (BUAP) and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) (dBMAP). The entire NIW site at Westland is shown in dBMAP as open space. This is not a formal zoning but is illustrated on the mapping for information only. The NIW site also has a similar designation in BUAP – where it is identified as "lands reserved for landscape, amenity or recreational uses". Given the current identification of the lands as existing open space in these development plan maps, until such times when the Local Policies Plans has formally been adopted, the zoning within previous development plan maps will hold weight and be a material consideration in the assessment of this proposal.

Given the current identification of the lands as existing open space in the BUAP and dBMAP, Policy OS1 is a policy consideration that must be addressed in this proposal. Policy OS1 operates a presumption against the loss of existing open space. Whilst designated as open space, in reality the site has been used for many years for buildings, storage and hard standing and the proposed redevelopment will result in a betterment in terms of visual amenity, landscaping and SuDs. Landscaping provided will result in a net gain and improvement to the overall visual and biodiversity of the area. On balance, taking account of the considerable benefits of the proposal, it is deemed acceptable.

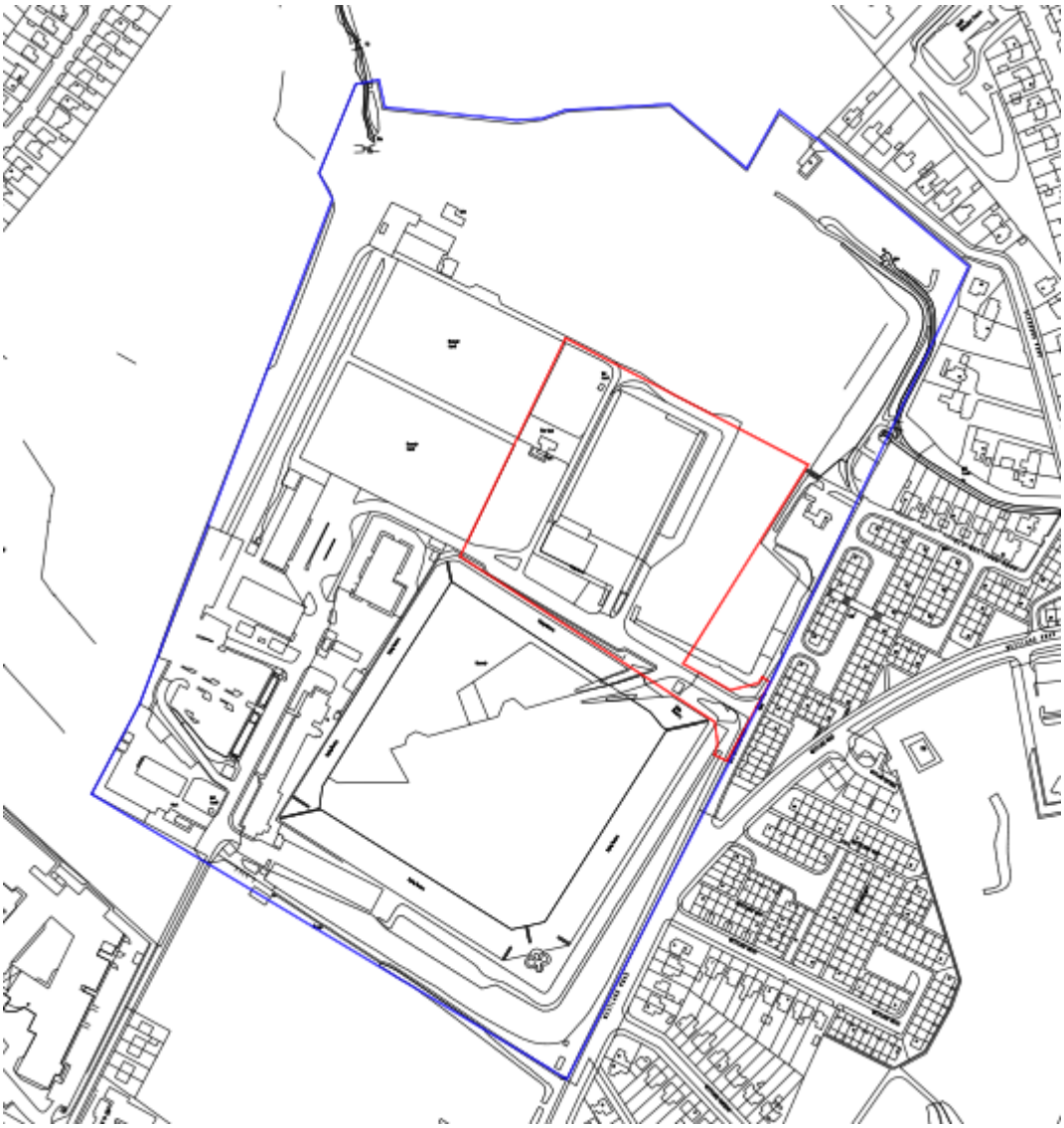
The development represents a major investment in NI Water facilities that will provide the layout, space and resilience required for current and future activities. The current facilities are outdated, and the redevelopment is required to support the analytical services which are presently carried out on site and to provide a modern and fit-for-purpose replacement facility. The principle of development of the proposal for these purposes is acceptable.

The design of the proposal is considered in keeping with the area. Sufficient parking would be provided and there will be no unacceptable impacts on nearby residential properties.

Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

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

1.0 Drawings
Site Location Plan



Proposed Block Plan

Aerial image

Proposed Elevations (South & West)

1 A-1101 Clean Elevation - South
Scale: 1 : 125

2 A-1101 Clean Elevation - West
Scale: 1 : 125

Proposed Elevations (North & East)

2 A-1101 Clean Elevation - North
Scale: 1 : 125

1 A-1101 Clean Elevation - East
Scale: 1 : 125

2.0	**Characteristics of the Site and Area**
2.1	The application site measures approximately 2.8 hectares and is located within the Settlement Development Limits of Belfast as set out in both the Belfast Urban Area Plan and the draft Belfast Metropolitan Area Plan. The site is identified as an area of existing open space in both the statutory BUAP and draft BMAP but neither constitute a formal zoning.
2.2	The site currently constitutes a large hard-standing area currently used for car-parking and office development formed by a series of mobile units and large portal-framed sheds currently used for the storage of an alternative water supply. The application site also includes an area used for the storage of waste-material that currently makes a negative contribution to the general amenity and character of the site. The alternative water supply building will be relocated to NI Water's site at Kennedy Way, which received planning permission in April 2023 (Ref LA04/2022/1479/F).
2.3	The site is accessed via the Old Westland Road and is heavily screened by dense trees and vegetation. Adjacent to the site entrance (east) is a row of residential terraces which are set down off the main Old Westland Road. The NI Water site is surrounded by Carr's Glen Local Landscape Policy Area and Cliftonville Golf Club to its north, south and west. The context of the site location is in a mixed-use area that includes extensive residential areas, schools, shops, parks, and other amenity areas.
2.4	**Description of Proposed Development** Full planning permission is sought for the redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories with associated landscaping and ancillary works.
3.0	**Planning Assessment of Policy and Other Material Considerations**
3.1	**Development Plan – operational policies** Belfast Local Development Plan, Plan Strategy 2035
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)
3.5	**Relevant planning history** Z/2010/0715/F – Erection of portable modular buildings for new office accommodation – Approved for a period of 3 years – 16/08/2010. There is no other recent relevant planning history on site other than a Pre-Application Discussion (PAD) LA04/2021/2237/PAD linked to this proposal.

3.6	**Consultations and Representations**
3.7	**Statutory Consultees** DFI Roads – No objection (**awaiting final conditions**) NI Water – No objection DfI Rivers – No objection SES – No objection NIEA – No objection
3.8	**Non-Statutory Consultees** BCC Environmental Health – no objection subject to conditions. BCC Tree Officer – No objection subject to conditions. BCC Landscape, planning and development – No objection.
3.9	**Representations** The application has been neighbour notified and advertised in the local press. No third-party representations have been received.
4.0	**Planning Assessment**
4.1	**Development Plan Context**
4.2	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.
4.3	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.
4.4	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.
4.5	**Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below. Policy SP1 – Growth strategy Policy SP1a – Managing growth and supporting infrastructure. Policy SP2 – Sustainable development Policy SP3 – Improving health and wellbeing. Policy SP5 – Positive placemaking Policy SP6 – Environmental resilience Policy SP7 – Connectivity Policy SP8 – Green and blue infrastructure network Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas Policy DES1 – Principles of Urban Design

	Policy DES2 - Master planning approach for major development Policy HC1 – Promoting Healthy Communities Policy EC1 – Delivering inclusive economic growth. Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating environmental change. Policy ENV3 – Adapting to environmental change. Policy ENV4 – Flood Risk Policy ENV5 – Sustainable urban drainage systems (SuDS) Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment. Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy TRAN10 – Design of Car Parking Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources Policy OS1 – Protection of open space Policy OS2 – New open space within settlements Policy OS3 – Ancillary open space Policy LC1 – Landscape Policy LC1C - LLPAs
4.6	**Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. The relevant zonings are set out below.
4.7	**BUAP 2001** – The site is within the BUAP and is identified as “lands reserved for landscape, amenity or recreational uses”.
4.8	**dBMAP (v2004)** – The site is identified as an area of existing open space.
4.9	**dBMAP2015 (v2014)** – The site is identified as an area of existing open space.
4.10	**Key issues** The key issues to be considered in the assessment of this application are: • Principle of Development • Demolition / Removal of Structures • Design, Character and Appearance • Impact on Amenity • Flood Risk & Drainage • Health Impacts • Access, Movement and Parking • Natural Heritage / Biodiversity

	• Noise, Odour, and other Environmental Impacts including Contamination. • Climate Change, Trees, and Landscaping • Developer Contributions and Employability and Skills • Open Space • Pre-community Consultation
4.11	**Principle of Development** The proposed development represents a significant investment in Belfast City and is of key importance to NI Water Ltd. The redevelopment will deliver greater environmental benefits to the site through the creation of a modern science facility on an existing industrial site. The proposal will also bring significant economic and social benefits.
4.12	The proposal seeks to provide a layout, space and resilience required for current and future activities. The current facilities are now outdated, and the redevelopment is required to support the analytical services which are presently carried out on site and to provide a modern and fit-for-purpose replacement facility.
4.13	The proposal seeks to demolish and remove existing site structures and introduce new Analytical Services Laboratories. The proposed development is comprised of three buildings with parking, service yards and surrounding landscape, as follows: • **Science Centre** – This is the main building accommodating laboratories, laboratory support space, write up and meeting spaces, canteen, ancillary space, and service space. • **Trade Effluent Building** – Small building adjacent to the main building keeping trade effluent activities separated from the main building; and • **Chillers Building** – Small louvered building housing stores and building chillers.
4.14	In line with the aims of the RDS 2035 to strengthen the role of the Belfast Metropolitan Urban Area (BMUA) as the regional economic driver, the proposal would create several economic benefits through increased investment. Below is summary of the key economic benefits the project will create: • £18.6 million construction cost (£6.5 million Gross Value Added) • Approximately 105-job years created. • 55 no. NI Water staff will be based at the proposed Science Centre, Westland. The remaining staff are remote mobile operatives, managed by science centre staff, and attending the premises as required, for short periods of time only.
4.15	The proposal is considered to meet the aims of the RDS 2035, by creating a development which would bring substantial economic benefits and investment to underutilised sites within the BMUA, while making use of the existing infrastructure within the surrounding area. There would be significantly improved biodiversity and landscaping improvements and a better use of an underused and deteriorating site that has significant potential. Having regard to these factors, the proposals are acceptable in principle and welcomed.
4.16	**Demolition / Removal of Structures** The application site does not include or is adjacent to protected heritage or buildings. The existing structures on this site do not hold any significant value regarding design or character. The site comprises a large hard-standing area currently used for car-parking, an office development formed by a series of mobile units, and large portal-framed sheds

	for the storage of an alternative water supply. The application site also includes an area used for the storage of waste-material that currently makes a negative contribution to the general amenity and character of the site. The alternative water supply building will be relocated to NI Water's site at Kennedy Way, which received planning permission in April 2023 (under LA04/2022/1479/F).
4.17	The demolition / removal of these existing structures is acceptable with regards to the visual amenity of the site and area and are not listed or within a Conservation Area or Area of Townscape Character. The key issues are the potential impact the demolition / removal will have from an environmental and biodiversity perspective.
4.18	Policy ENV2 states that for environmental reasons, development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. In this case the existing structures on site temporary in nature and their materials and construction are therefore not suitable for reuse. The reuse of these materials would not hold any environmental substance and new measures to aid environmental sustainability are proposed to off-set any potential lack of reuse.
4.19	The application is supported by an Outline Construction Environmental Management Plan (oCEMP). The site preparation works, and main contract works phase will be developed and will refer to legal compliance and environmental good practice which includes. • No serious pollution incidents. • Minimise outputs of pollutants to the atmosphere and aquatic systems. • Protect biodiversity. • Minimise disturbance of wildlife
4.20	Taking account of the supporting documentation and environmental response, it is considered that the proposal is compliant with Policy ENV2.
4.21	**Design, Character, and Appearance** The proposal was subject to a detailed PAD process and amendments during the processing of the planning application which have refined the design.
4.22	The proposal is comprised of 3no. buildings: - the main building known as the science centre, - a trade effluent building adjacent the main science centre, and - a chiller building, which is a small louvered building housing stores and building chillers.
4.23	<u>Science Centre Building</u> The Science Centre is the main operational building and will generate the most activity. The height of the building has been limited to two stories (9.95m height), in keeping with other buildings on the site, with all the occupied rooms at ground floor and the plant room servicing the building situated on the level above (level 1). The building is approximately 39m in width and 63m in length with an approximate overall footprint of 2,512m2 floor space.
4.24	The building is predominately constructed of buff brick at a lower level with grey lightweight cladding located above ground level. Grey PPC metal louvres on galvanised steel frames surround the level 1 plant room. Grey panels make up the fascia and soffits

	and brick piers along the elevations provide visual interest along the long elevation. The internal courtyard elevations are glazed to allow maximum daylighting into the building, and the roof has been kept flat to limit the overall height and therefore visual impact of the building.
4.25	The area designated for the science building is at a lower ground level from the main access road within the site. The building will not be an overbearing feature within the area as it is set off the Old Westland Road by approximately 110m and the boundary of the site is densely screened by tall vegetation acting as an effective privacy screen.
4.26	The scale and form of the science building is considered appropriate in the context of the site and surrounding area. The design of the building is high quality and fitting of the proposal. It is considered that the proposed building would make a welcomed enhancement to the site and character of the area.
4.27	<u>Trade Effluent Building</u> This is a small building adjacent to the main science centre, which seeks to keep trade effluent activities separate. The building reflects the form and design of the science centre building utilising buff brick finish and is 4.2m in height to reflect the ground level of the science centre. The trade effluent building is seamlessly connected via a buff brick header creating uniformity. The plan dimensions of this building are 4.4m width x 5.5m length, creating approximately 24.2m2 floorspace. There is only one access point to this building which is located to the front (south elevation) via solid entrance doors. This building complements the ancillary use of the main building and is consistent in design.
4.28	<u>Chillers Building / Stores</u> This is a small louvered building housing 2no. stores and a chiller room. The building is located adjacent to the north facing elevation of the main science centre building. It is constructed to reflect level 1 of the main building, housing plant. The finish of the building is grey PPC metal louvres on galvanised steel frames. The plan dimensions are 12m length x 6.6m width, providing approximately 79.2m2 of floorspace. The 2no. stores are accessed via 2no. solid doors to the front (south elevation) and the chiller entrance is accessed via the rear (north elevation) of the building. This building complements the ancillary use of the main building and is consistent in design.
4.29	<u>Additional & Ancillary Site Works</u> The application sets out a range of additional / ancillary site works and improvements to the design and layout of the existing site. A new paved public entrance will be provided adjacent to the internal NIW access road which will allow improved access to the new science centre building. The cycle shelter and parking will be situated at this location. The existing retaining wall perimeter of the site on the west facing area will be landscaped to provide shrubs and planting to clean up the sites appearance while enhancing the biodiversity of the area. A 1m high Armco barrier will be implemented along this area to provide protection of the landscaped area. To the rear of the science centre building will be a large, landscaped paving and grass area which will provide a mix of shrubs and species rich grass laid lawn. This will replace an unsightly and underused concrete hardstanding area.
4.30	Towards the rear of the new science building adjacent the North and East facing elevations, a new set of 3m high paladin security fencing and gates will be implemented to control vehicular and pedestrian flow from entering the service yard. A retaining wall

	will be constructed at this location to ensure the adequate arrangements on site to a high standard.
4.31	Other additional / ancillary elements of the proposals which include access and parking, landscaping and biodiversity will be adequately refenced in specific sections throughout this report. The proposals in their entirety are considered compliant with Policies DES1, DES2 of the LDP and are deemed acceptable. The new buildings will have a positive contribution towards placemaking by way of its carefully considered design.
4.32	**Impact on amenity** The proposed development would not impact unduly on the nearby residential amenity of Old Westland Road. The application site is a sufficient distance from all other public amenity areas including Cliftonville Golf Club and landscape areas. The proposed scale, massing and design of these functional buildings are considered acceptable for the site and surrounding area.
4.33	**Flood Risk & Drainage** The applicant has provided a comprehensive analysis of the existing and proposed flood risk and drainage within the site.
4.34	The Buildings Research Establishment (BRE) Environmental Assessment Method (BREEAM) is a widely used sustainability assessment method and rating system which sets the standard for best practice in sustainable design. The BREEAM assessment process evaluates projects against targets that are based on performance benchmarks and is independently certified. Section POL 03 of the BREEAM Scheme Document for New Construction: Non-Domestic Buildings Technical manual relates to Surface Water Run-off, Flood Risk, and Minimising Water Pollution. There are five available credit points within this section. The proposal has been awarded 4 points out of 5. Two points awarded relate to flood risk, 1 point related to surface water run-off and 1 point for minimising water pollution.
4.35	The conclusion from the BREEAM assessment regarding flood risk demonstrates that the proposed development has a low annual probability of flooding from tidal and fluvial sources. No fluvial or tidal flooding on the site is shown on DFI Rivers mapping. With consideration of this, a detailed Flood Risk Assessment was not deemed necessary as there is no risk of Fluvial or Tidal Flooding to the site. DFI Rivers have been consulted as part of the overall assessment and have no objections to the proposal and agree with the logic of the analysis presented to the council.
4.36	The findings regarding surface water run-off indicate that the existing hardstanding areas will be maintained within the site and include a decrease due to proposed landscaping measures. Flood risk from pluvial flooding will be managed at the development and will not increase the runoff elsewhere. Calculations are presented that show the proposed development will reduce current run-off rates to Greenfield rates with the inclusion of appropriately sized storm water attenuation and associated flow control. The proposed storm drainage network is designed to discharge reduced flows to the existing network which discharges locally to the Glenburn stream. Foul sewerage is proposed to discharge to the NI Water foul sewer which traverses the site.
4.37	NI Water has confirmed that there is available capacity and as such there is no objection to the proposal. DfI Rivers raises no objection in respect of drainage or flood risk. Accordingly, the proposal complies with Policies SP1a, ENV3, ENV4 and ENV5.

4.38	**Health Impacts** Policy HC1 states that the Council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles.
4.39	The site is within a sustainable location on the Old Westland Road, linked to the main Westland Road. This road network is linked to the Cavehill Road and Antrim Road which are designated arterial routes to the city centre. There is good access to public transport. The application is supported by a Design and Access Statement and a Traffic Statement / Transport Assessment Form. These assessments conclude that the proposal site will promote active travel and alternatives to car use. There will be available car parking on site as exists currently. Cycle parking and storage is proposed as the site is approximately 2.9 miles from the city centre. These measures have been adequately designed to meet the standards of modern travel patterns.
4.40	The proposed buildings are of a high-quality design with good quality realm space, hard and soft landscaping. This will provide a pleasant and attractive environment for employees and visitors to the site, as well as enhancing the wellbeing of the workers / visitors. The proposal is considered compliant with Policy HC1.
4.41	**Access, Movement and Parking** The proposal has been assessed against Policy TRAN 8 'Car Parking and Servicing Arrangements'. The existing layout provides 36no. spaces which currently do not have designated disabled spaces. The proposed parking layout has marginally increased to 38no. spaces as 2no. disabled bays have been introduced. The proposed layout is a welcomed improvement to the existing layout. Parking is provided to the front and side of the main building and designates 2no. accessible disabled parking bays. Designated cycle parking with protective shelter has been provided to encourage sustainable active travel. Policy TRAN 10 has been met in that the design of car parking meets the following criteria: a. It respects the character of the local townscape/landscape b. It will not adversely affect visual and residential amenity c. Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site; and d. Provision has been made for accessible parking bays which facilitate safe, convenient access for people with a disability or impaired mobility.
4.42	The means of access to the development would be safe. There is sufficient parking available having regard to the location and sustainability of the site. It is also considered the proposal complies with Policies TRAN 6 and TRAN 8. There will be no change to the access to this development. The main entrance is situated off the Old Westland Road, the entrance to the proposed site is on a managed internal NIW road which is approximately 110m off the main Old Westland Road NIW entrance.
4.43	DfI Roads were consulted and are satisfied that access and parking arrangements are acceptable and is unlikely to have a significant impact on the local road network in terms of traffic and road safety and is subject to the inclusion of relevant planning conditions.
4.44	**Natural Heritage / Biodiversity** A Habitat Regulations Assessment (HRA), Preliminary Ecological Assessment (PEA) and an Outline Construction Environmental Management Plan (OCEMP) have been submitted as part of the comprehensive investigation and analysis into this proposal. These investigations had been advised at the Pre-Application Stage (PAD)

	(LA04/2021/2237/PAD), and the competent authorities have been consulted on this proposal. NIEA: Natural Environment Division have reviewed the conclusions and are content with the findings and have no objections subject to conditions. Shared Environmental Services have also been consulted as part of this proposal and have confirmed they are content that the proposal is unlikely to have any significant effect on designated European sites and hold no objections to the proposals.
4.45	The proposals have been assessed against Policy NH1, the protection of natural heritage resources. In assessing the proposal, the council seeks to ensure that 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.
4.46	Based on the information provided, the Council are satisfied there will be no adverse impacts on protected species subject to conditions. The proposed development is considered to comply with Policy NH1. Within the development area the biodiversity value of the site will be enhanced by the proposal.
4.47	Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 26/06/2024. This found that the project would not be likely to have a significant effect on any European site.
4.48	**Noise, odour, and other environmental impacts including Contamination.** A Generic Quantitative Risk Assessment (GQRA), Preliminary Risk Assessment (PRA), Air Quality Screening Report and Site Lighting Arrangement have been submitted relating to noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. Belfast City Council Environmental Health and NIEA: Regulation Unit have been consulted as part of this proposal and offer no objection subject to conditions.
4.49	The proposal is therefore considered acceptable regarding all matters listed above. Having regard to the advice from NIEA and Environmental Health, the proposals are considered to accord with Policy ENV1.
4.50	**Climate Change, Trees, and Landscaping** Policy ENV2 of the Plan Strategy 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. The development proposals seek to demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.
4.51	In line with ENV2 the applicant has demonstrated that the development incorporates measures to mitigate environmental change and reduce greenhouse gases through the following measures: 1. Building design and energy efficiency 2. Transport and Access 3. Water Efficiency 4. Materials Selection and Substitution

4.52	In line with ENV3 the applicant has demonstrated that the development incorporates measures to adapt to environmental change through the following measures: 1. Green Infrastructure 2. Water Sensitive Design 3. Design for Thermal Comfort 4. Resilient construction
4.53	The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. Pre-commencement conditions are proposed to ensure that soft landscaping within the site introduces SUDS measures to meet ENV3 and comply with ENV 5.
4.54	The majority of the existing trees are being retained, except for 5no. individual trees to facilitate a new car park by the main access road. There will be a net gain of 20 (new, heavy standard) trees, four of which will be planted close to the trees that require removal to provide direct replacement tree cover in this area of the site. It is considered this will assist in mitigating and adapting to climate change in compliance with Policy TRE1.
4.55	Trees will be planted at the main entrance of the new car park to provide visual amenity and strengthen canopy cover along the main entrance road, and along the northern boundary in open space to offer a connection between existing canopy cover to the west and east of the application site. The style of tree planting is in keeping with tree planted areas of open space adjacent to the site.
4.56	Furthermore, the site will have a net gain in permeable surfaces due to the introduction of green spaces throughout to replace existing hardstanding. There will also be wildlife friendly ground cover, species-rich grass seeded areas. Within the internal courtyard of the main building; seating areas with sensory planting will enhance the environment further.
4.57	A detailed assessment has been carried out and as a result the applicant has submitted an Arboricultural Report, Tree Constraints Plan, Tree Impact Protection Plan, Tree Schedule, Landscape Management Plan, and a Landscape plan. The proposals seek to provide a net gain in trees and provide a host of landscaping measures within and surrounding the site to enhance the sites visual setting and more importantly its ecological footprint.
4.58	As part of this assessment, Belfast City Council Tree Officer and the Belfast City Council Landscape Planning and Development team have been consulted to provide analysis and feedback. Both competent authorities responded positively with no objection as the protection of existing trees and new proposed landscaping (increase in net gain) within the site should help promote a site which offers increased visual amenity, offers improvements for biodiversity to thrive and planting of native trees is welcomed. For the reasons stated above and the evidence provided to the council, it is deemed the proposal complies with Policy TRE1 of the LDP.
4.59	**Developer Contributions/Employability and skills** Para 5.69 of the SPPS states that 'Planning authorities can require developers to bear the costs of work required to facilitate their development proposals'. As the site is self-contained and used by a statutory provider, it not considered necessary to require any such mitigation. The non-speculative nature of the development means that specific employment details can be provided without the need for generic calculation based on published Employment Densities. It can be confirmed that 55 no. NI Water staff will be based at the proposed Science Centre, Westland. The remaining staff are remote mobile operatives

	managed by science centre staff, and attending the premises as required, for short periods of time only.
4.60	As the current development site has a mobile building, this is unused and staff previously using to mobile have been relocated elsewhere within the Westland site. As a result, the development will not result in the displacement of any jobs from the application on site.
4.61	The submitted Planning Statement confirms that the development of the proposals for a new Science Centre at Westland is of critical importance to provide the layout, space and resilience for current and future activities associated with water analytical services. As such Employability and Skills interventions are not required through the planning process, having regard to the Council's Developer Contribution Framework.
4.62	**Open Space** The application site is located within the settlement limit of Belfast in the 2004 version of dBMAP and is identified as an area of existing open space. No other relevant 2004 dBMAP designations apply.
4.63	The application site is located within the settlement limit of Belfast in the Belfast Urban Area Plan (BUAP) and is identified as being on "lands reserved for landscape, amenity or recreational uses". No other relevant designations apply to the application site.
4.64	Policy OS 1: Protection of Open Space of the LDP seeks to support the retention and improvement of existing open space and will adopt a presumption in favour of retaining all such land and uses. The designation of the site forms part of an area of existing open space however it has been used for buildings and storage for many years and the applicant proposes to improve the landscaping and amenity.
4.65	The policy facilitates an exception where a development proposal can demonstrate that: 1. It will have no significant impact on the amenity, character, or biodiversity of the area. 2. It will improve the provision of open space within the site, resulting in no detriment.
4.66	The existing area has had buildings and hard standing for quite some time. The proposal results in a positive change given its size, attractiveness, landscaping, safety and quality.
4.67	The proposal seeks to remove outdated office buildings and storage units to enable the development of a modern and fit-for-purpose laboratory building for activities related to public water infrastructure. The proposal would therefore provide substantial benefits which should be afforded significant weight. The proposal would result in substantial improvements to the overall character and appearance of the site and locality by removal of an existing and unsightly storage yard located immediately to the south-east of the proposed laboratory building that is currently used for the storage of waste material. A landscaping scheme will improve landscape setting for the site and wider open space zoning. This will provide grassland areas, vegetated mounds, and new shrub beds which will provide biodiversity benefits.
4.68	The proposal will result in significant landscaping and amenity improvements to the site consistent with its open space designation. All existing areas of open space within the boundary of the site will be upgraded and new areas of open space extending to approximately 6,250 sqm will replace current structures and hard-standing areas. The

	proposed works will provide improved areas of amenity open space and landscaping within the site extending to a total of 14,650sqm.
4.69	There will be no adverse impact on the amenity, character or biodiversity of the area arising from the development proposed. The proposals are deemed to result in clear and demonstrably positive impacts on the amenity, character, and biodiversity of the site. The proposals will introduce new and improved areas of open space, net gain tree planting, grassland areas, shrubs and vegetated mounds extending to almost 15,000 sqm, to a site that is currently devoid of any significant landscape features.
4.70	The proposal will result in betterment in terms of amenity and character and will significantly improve the biodiversity of the site. The proposal therefore complies with Policy OS 1 of the LDP.
4.71	**Pre-community Consultation** For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
4.72	Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN application (LA04/2023/3314/PAN) was submitted on 26th May 2023 and issued on 16th June 2023.
4.73	The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received.
4.74	The resulting PACC report states that 5 people attended the public event, no written responses were returned during the consultation period. There were no written responses submitted and no issues raised.
4.75	The PACC report is considered compliant with the legislative requirements.
5.0	**Recommendation:**
5.1	Having regard to the development plan and other material considerations, the proposal is considered to be in compliance with the LDP. It is recommended that planning permission is granted subject to conditions.
5.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided they are not substantive.
6.0	**Draft Conditions:** 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. **Reason:** As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The development hereby approved shall 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.

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

3. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times.

   Reason: To ensure adequate car parking within the site.

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

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

5. No part of the development hereby approved shall be occupied or operated unless the area within the visibility splays and any forward sight line have been cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway. The visibility splays shall be retained in accordance with the approved plans at all times.

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

6. The drainage for the site must be constructed in line with the agreed drainage plan, Proposed Drainage Layout -Westland-S4-P3 uploaded to the planning portal on 07/02/2024. All drainage measures shall be retained thereafter in accordance with the agreed details.

   Reason: In order to decrease the risk of the incorrect diversion of contaminated water to drains carrying rain / surface water to a waterway.

7. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

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

8. In the event that any centralised combustion sources (boilers, CHP or biomass) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air

Quality (January 2017), prior to installation, an Air Quality Impact Assessment must be submitted to and approved in writing by the Council. Where the Air Quality Impact Assessment indicates exceedances of air quality objectives, appropriate mitigation measures shall be presented, and these mitigation measures shall be agreed in advance and installed and retained thereafter.

Reason: Protection of human health

9. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Environmental Construction Management Plan (CEMP) has been submitted to and approved in writing by the Council.
   The CEMP shall include the following:
   a. Construction methodology and timings of works
   b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;
   c. Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;
   d. Water Quality Monitoring Plan;
   e. Environmental Emergency Plan;
   f. Details of appropriate mitigation measures to protect protected and priority species.

   All construction thereafter must be in accordance with the approved details.

   Reason: To protect Northern Ireland priority species and habitats, to ensure implementation of mitigation measures identified within the Habitat Regulations Assessment and to prevent likely significant effects on the Inner Belfast Lough ASSI, Belfast Lough SPA, Belfast Lough Ramsar site and Belfast Lough Open Water SPA designated sites.

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

    Reason: In the interests of visual amenity

11. 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 complete 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.

12. 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.

13. All hard and/or soft landscaping works shall be carried out in accordance with drawing WIL-MLA-XX-XX-DR-L-0001 and the Landscape Management Plan, completed by McIwaine Landscape Architects. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details unless otherwise agreed in writing with the Council.

    Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

14. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks.
    In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

15. The existing building on site that was assessed to have low bat roost potential by the ecologist, denoted within the PEA as Building 3 must be retained as shown in site layout (drawing WLL-MCD-XX-ZZ-DR-AA-1001)

    Reason: To protect bats and their refuges.

16. All external facing and roofing materials shall be carried out as specified on the approved plans.

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

Committee report

Development Management Report	
Committee Date: 10th December 2024	
Application ID: LA04/2024/0122/F	
Proposal: Proposed mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.	**Location:** Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Newpark Developments (NW) Ltd 72-74 Omagh Road Dromore, Co. Tyrone BT783AJ	**Agent Name and Address:** Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Date Valid: 19th January 2024	
Target Date: 16th August 2024	
Contact Officer: Ed Baker**,** Planning Manager (Development Management)	

Executive Summary:

The application seeks full planning permission for mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.

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

- Principle of housing and community facility in this location
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Design and placemaking
- Public realm
- Impact on heritage assets
- Climate change
- Residential quality and impact on amenity
- Open space
- Access and transport
- Health impacts
- Environmental protection

- Flood risk and drainage
- Section 76 planning agreement
- Pre-application Community Consultation

The site is within the settlement limits for the city and un-zoned “white land” within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004). PAD ref. LA04/2022/0965/PAD was submitted prior to this full application.

The site is a suitable location for housing being within a generally residential area; the proposal would make effective use of previously developed land; i.e. site of a former school/college building.

The height, scale and massing of the proposed buildings are in keeping with the surrounding area.

The proposal would provide dedicated in-curtilage and off-street parking, the site is in a highly sustainable location with access to public transport.

NIHE is supportive of the social housing proposals. Statutory and Non-statutory consultees in general support for proposal.

No third-party objections have been received.

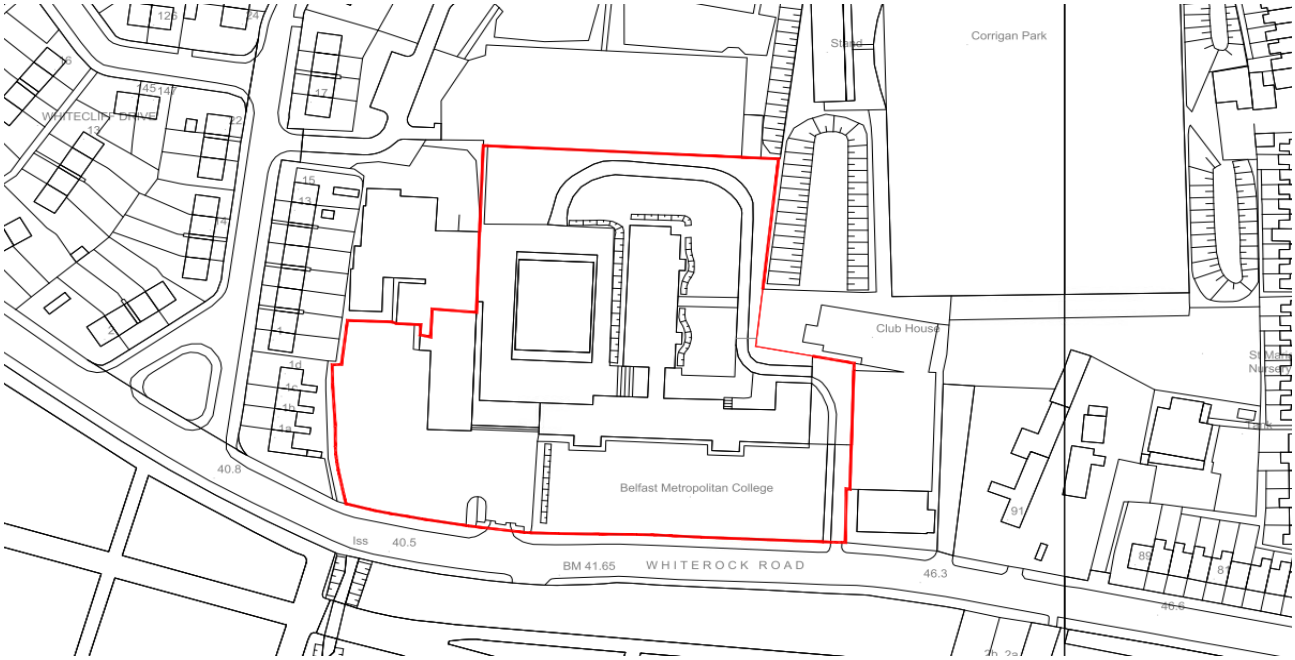
Recommendation

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 issues that arise, provided the issues are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed site layout:

Proposed children centre elevation:

Proposed Apartment block A elevations:

Proposed Apartment block B elevations:

Proposed Apartment block C elevations

Proposed house type A & B

1.0	**Characteristics of the Site and Area**
1.1	The site is a former school and college. Currently on site, there are two buildings, one containing the Whiterock Childrens Centre on the eastern portion of the site and the other building is a boxing club on the western portion. The topography of the site has two distinct levels with the children centre occupying the higher area. Given the previous use of the site, there is a substantial steel fence enclosing the site. The surrounding character is mixed, consisting of residential, community infrastructure and a large cemetery on the opposite side of the Whiterock Road (to the south of the site).
1.2	**Description of Proposed Development** The application seeks full planning permission for mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.
2.0	**PLANNING HISTORY**
2.1	No relevant planning history, however the proposed development was subject to Pre-Application discussion (PAD) and Proposal of Application Notice (PAN): LA04/2022/0965/PAD - Mixed used development, 61 social housing units, children's centre, car parking, landscaping, open space and associated site works. PAD concluded LA04/2023/2658/PAN Proposed mixed use development comprising of c. 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and associated site and access works.

3.0	**PLANNING POLICY**
3.1	**Development Plan – Plan Strategy** Belfast Local Development Plan: Plan Strategy 2035 *Strategic Policies:* 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 *Operational Policies:* Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of residential development Policy HOU5 – Affordable housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and accessible accommodation Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy CI1 – Community Infrastructure Policy BH1 – Listed Buildings Policy BH5 – Archaeology Policy HC1 – Promoting healthy communities Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy GB1 – Green and blue infrastructure network Policy OS3 - Ancillary open space
3.2	Supplementary Planning Guidance Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation
3.3	**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)
3.4	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
3.5	**Other Material Considerations** Developer Contribution Framework (2020) *Belfast Agenda* (Community Plan)
4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	<u>Statutory Consultees</u> DFI Roads – No objection, subject to conditions. DFI Rivers Agency – No objection NIEA – No objection NI Water – No objection NIHE – Supports the proposal for social housing.
4.2	<u>Non-Statutory Consultees</u> BCC Urban Design – Generally supportive. Concerns over location of open space. Environmental Health – No objection, subject to conditions. BCC Landscape and Development team – Supports the proposal, content with landscape management report, tree planting and outdoor gym.
4.3	<u>Representations</u> The application has been advertised in the press and neighbours notified. One non-committal representation has been received from Belfast Hills Partnership, offering comments on native planting should be used, protection of a nearby watercourse from pollution and supporting reduction in hardstanding.
5.0	**PLANNING ASSESSMENT**
5.1	**Main Issues** The main issues relevant to consideration of the application are set out below. • Principle of housing and community facility in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts

	• Environmental protection • Flood risk and drainage • Waste-water infrastructure • Section 76 planning agreement • Pre-application Community Consultation
	Development Plan Context
5.2	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. <u>Operational Polices</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1. <u>Proposals Maps</u>
5.6	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. **Belfast Urban Area Plan 2001** – the site is un-zoned “white land”. **Belfast Metropolitan Area Plan 2015 (v2004)** – the site is un-zoned “white land” within the settlement limits **Belfast Metropolitan Area Plan 2015 (v2014)** – the site is un-zoned “white land” within the settlement limits. **<u>Principle of housing and community facilities in this location</u>**
5.7	Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the ‘rest of Belfast city’ and 2,000 windfall

	homes. The proposal is located within a previously developed site (windfall) within 'rest of Belfast city'.
5.8	Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.
5.9	**The site is suitable for housing** – the site is a sustainable location and considered suitable in principle for housing. **The location is accessible and convenient to public transport and walking cycle infrastructure** – the site is close to cycling / walking routes and is highly accessible to shops, services, amenities and public transport. **Provision is made for any additional infrastructure required as a result of the development** – suitable infrastructure is in place.
5.10	The proposal is for social housing in the form of two storey semi detached housing and apartment blocks. The proposal will provide quality housing that will add to the variety of housing stock offered in this location.
5.11	The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.
5.12	The provision of a Childrens Centre is also part of the proposal. There is an existing Childrens Centre within the application site. Provision of community facilities are considered in accordance with policy CI1. Policy CI1 states that all proposals shall ensure there is no unacceptable impact on residential amenity or natural / built heritage and satisfactory arrangements are provided for access for all, including pedestrians, cyclists and public transport. All of these issues will be discussed later in the report.
	Housing density
5.13	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.14	The proposal is for 62 dwelling units in a location where the average density should be 25-125 dwellings per hectare (ha). The site area is 1.33 ha therefore the proposed development equates to a density of 47 dwellings per ha, compliant with Policy HOU4.
	Affordable housing
5.15	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.
5.16	In this case, the application is seeking planning permission for solely social rented housing exceeding the minimum of 20%. To this regard, the proposed tenure for the application is a 100% social rented housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.12 of the SPG states that larger mono-tenure schemes may be considered having regard to the following considerations: • *The level of social housing need in the vicinity of the site and the availability of land to address such needs;* • *The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing;* • *Whether a scheme is proposed as 'shared housing''*

5.17 Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast, *'this proposed development is located within Inner West Belfast Housing Need Area which has an unmet need of 1,143 social housing units for the 2023-28 period. At June 2024 there were 1,136 households in Housing Stress'.*

5.18 However, turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. Nevertheless, regard is had to the strong support for the proposal from NIHE and the largely supportive response from the local community for affordable housing during the pre-application community process. Having regard to the above, on balance, the proposed mono-tenure housing is acceptable.

Housing mix

5.19 Policy HOU6 applies. It requires that provision should be made for a suitable mix of house types and sizes to promote choice and assist in meeting community needs. Provision should particularly be made for smaller homes across all tenures to meet future household requirements. The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:

- Up to date analysis of prevailing housing need in the area;
- The location and size of the site;
- Specific characteristics of the development; and
- The creation of balanced and sustainable communities.

5.20 The proposed housing mix is shown in the table below.

House Type	Total	Size (Sqm)
5 Person 3 Bedroom Dwelling	8	90-95
3 Person 2 Bedroom Dwelling	18	70-75
3 Person 2 Bedroom Apartments	34	60-65
2 Person 1 Bedroom Apartments	2	50-55
Total	62	

5.21 As shown in the table above, the proposal is for four dwelling types designed to meet a social housing need identified by NIHE within this area of west Belfast. It is therefore considered to accord with the provisions of policy HOU6.

Adaptable and accessible accommodation

5.22 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. The applicant has provided acceptable evidence to demonstrate that the proposal is in accordance with criteria a. to f.

5.23 The proposal includes over 10% wheelchair accessible units (7 no. units total). Criteria h. stipulates that in-curtilage or designated car parking meets disabled parking standards. Criterion i. states that pathways should be wide enough to accommodate a

	wheelchair and have a firm surface of gently sloping surface. The proposed development comprises amenity areas with associated hard landscaped public realm space; it is considered these areas will be able to accommodate wheelchairs. All surfaces are level or gently sloping. The proposal is considered to be compliant with Policy HOU7. **<u>Design and placemaking</u>**
5.24	The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and RD1 of the LDP: Plan Strategy (PS). Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale, height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.
5.25	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). The proposed development is comprised of three distinct elements: a children's centre, 3 storeys apartment blocks and 2 storey housing. The proposal has been designed with the children's centre, and apartment block fronting onto the Whiterock Road creating a strong presence onto the frontage and reflecting the strong presence that the previous school buildings had on the street. The two storey housing progressing into the site is reflective of the neighbouring surrounding housing. The design therefore complies with criterion (a) & (b) of policy as it responds positively to the local context and character and reinforces a sense of place. The simplicity of the site layout, the level of enclosures and open space promotes a clear and understandable urban form and creates an adaptable well connected public realm that will offer a welcoming environment for pedestrians. The orientation of the buildings offers a natural surveillance of the public realm within the site. The above measures ensure that criteria (c) to (e) of policy is satisfied.
5.26	Criterion (f) of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. As a residential proposal with a childrens centre, the design provides active frontages which contribute to a vibrant environment throughout the day and evening. Proposals are expected to promote efficient use of land; this is achieved through an appropriate housing density on land previously developed. ***Public realm:***
5.27	The proposal is considered to create an adaptable public realm which ties in with the existing area. The proposal incorporates various hard and soft landscaping features, including a community pocket garden, outdoor gym and parklets which also contributes to supporting health lifestyles. The Urban design officer has concerns with the location of open space and its usability for the local residents, advising it is peripheral edge of site location is not convenient or accessible.
5.28	Officers are of the opinion that the open space provision is within policy requirements. The comments of the Urban Design officers regarding location of open space is noted, however there are a number of areas of communal open space throughout the development. It is considered each of the apartment blocks are in close proximity to at least one quality area of open space. 36 apartments in total are proposed, with a total provision of amenity space measuring approx. 1450 sqm, equating to an average of 37 sqm per apartment, in excess of the standards set out in *Creating Places.*

	Climate change
5.29	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.
5.30	The applicant has provided details on the various sustainable design features which will be incorporated in the development. These include highly insulated 125mm cavity walls, ait tightness that complies with lifetime home requirements, the orientation of buildings to maximise solar gain and larger windows, where appropriate, to maximise natural lighting to the internal space.
5.31	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet criteria (b) in that the proposal incorporates various hard and soft landscaping elements. Criteria (c) is met as the buildings are located outside of the 1:100 year flood plain and sited on elevated ground with a gradient of the site designed for water run down to prevent possible flooding to dwellings.
5.32	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The applicant has demonstrated the proposal will include the following SuDs measures: • Integration of rain gardens and rain butts; • Construction of oversized pipes to service the development; • Permeable or porous paving to allow percolation of surface water • Trees, hedgerows and ornamental planting to manage runoff.
5.33	The proposal is considered acceptable having regard to Policy ENV5.
	Residential quality and impact on amenity
5.34	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.
5.35	*Creating Places* advocates external private amenity space of between 10 and 30 sqm per residential apartment unit and an average of 70 sqm per dwelling house and none below 40sq/m. As noted in para 5.28, the provision of amenity space equates to approx. 37 sqm per apartment (1450 sqm total). It is noted that the largest area of amenity space is located within the western portion of the site (approx. 950 sqm). This area of open space is located adjacent to both blocks B and C, however is located approximately 50 metres from block A. As noted previously, there are several distinct communal amenity areas within the overall site, all closer to block A, therefore the arrangement is considered acceptable.
5.36	The proposed housing for the 2 bedroom units have an average of 49 sqm, none below 40 sqm and the 3 bedroom units have an average of 74 sqm. It is noted the overall average of 57 sqm falls below the *Creating Places* guidance of 70 sqm. However, as discussed, the proposal also includes a generous provision of shared outdoor amenity space circa 1450 sqm that includes play and seating areas. Officers are content that the provision of both private and public amenity space provides an overall acceptable level of amenity for the proposal.

5.37	The orientation, layout and external design of the proposal has been directly informed by the site's constraints, mainly being its proximity to the Whiterock Road, playing fields and neighbouring housing. The orientation of the apartment blocks A and B, have an outlook in the main towards the Whiterook Road and block C orientated towards the internal access road and parklet. Where the proposed dwellings adjoin the site boundary, the neighbouring land uses are not residential, these being a Youth Centre, Multi-Use Games Area (MUGA) and Corrigan Park. The outlook of the residential units will therefore not impinge on neighbouring amenity. The separation distances between the buildings are common for a residential area ensuring that there is no significant overlooking, loss of light or overshadowing
	<u>Open space / Landscaping</u>
5.38	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. The normal expectation for open space provision is at least 10% of the total site area. Furthermore, 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. 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.
5.39	In this case, the open space proposed within the site is greater than the recommended 10%. The total site area is 11580 sqm; 10% of which equals 1158 sqm. The provision of open space equates to 1593 sqm, accounting for approximately 13.7% of the overall site. This figure for open space is higher than the total amenity space, as noted in para 5.36, as this figure includes areas of open space which are unlikely to be used for amenity, e.g. areas of landscaping around parking spaces.
5.40	BCC Landscape Planning and Development team have provided comments on the proposed landscaping plans, advising of no objection. Proposed tree species are acceptable, with planting of semi-mature trees helping create an immediate landscape impact, in terms of softening and screening.
	<u>Access and transport</u>
5.41	The site is a highly accessible location within the city having direct access to the road network and public transport. It is within short walking and cycling distance of shops, services, leisure and employment opportunities. Provision is made for sheltered and secure cycle parking within the site. The proposal accords with Policy TRAN1.
5.42	The green travel plan provided with the application will further promote active and sustainable travel. Travel cards will be offered to each residential unit for three years. The developer will also provide the tenants with promotional material advising of sustainable travel measures. This, together with the travel plan and green travel measures, need to be secured by means of a Section 76 planning agreement.
5.43	In regard to on-site parking, the housing will be provided with in-curtilage parking and the apartments will have communal parking facilities, both on and off street. The proposal includes provision of 5 no. disabled parking spaces, three within the on-street parking at a rate of one bay per apartment block and one space for each house

	designed for as wheelchair accessible. The disabled parking provision is less than the number of wheelchair accessible units (5 spaces to 7 units), however it is noted this is not a policy requirement.
5.44	DFI Roads have no objection to the proposed development, subject to conditions.
5.45	Subject to resolution of these issues, the proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN 8.
	<u>Health impacts</u>
5.46	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
5.47	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure amenities, playing pitches and a public park. An outdoor gym is proposed to provide further opportunities for exercise and fitness. The proposal is considered to satisfy the requirements of Policy HC1.
	<u>Environmental protection</u>
5.48	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.
	<u>Contaminated land</u>
5.49	Environmental Health (EH) and NIEA Regulation Unit (RU) has reviewed the information within the Preliminary Risk Assessment and Generic Quantitative Risk Assessment. EH and RU recommend conditions in the event that planning permission is granted. The proposal is therefore considered to accord with Policy ENV1 in this respect.
	<u>Air quality</u>
5.50	EH has referred to air quality and has offered a condition, should a centralised combustion source be utilised for heating. The proposal is for independent dwelling units and a separate children centre; there is no proposal for a centralised heating system to serve the proposal.
5.51	Additionally, EH have also confirmed the proposed development is not located within any Air Quality Management Areas and the number of vehicle movements associated with the proposal are anticipated to be below the threshold that could lead to a significant adverse affect on local air quality.

	Noise
5.52	A Noise Impact Assessment was submitted in support of the proposal. Following review of the NIA, EH have advised of no objections in relation to noise, subject to conditions.
	Lighting
5.53	A Lighting Impact Assessment (LIA) has been submitted assessing the impact of the existing MUGA floodlights to the north of the site on the proposed development, particularly the 14 semi detached dwellings along this boundary of the site. The LIA indicated that light impact on these dwellings will be significantly in excess of the ILP vetical lux limits guidance. The LIA provides an assessment of the situation in the event that the existing floodlights are upgraded, concluding that the predicted vertical lux light levels on the nearest residential properties will comply with the ILP guidance.
5.54	The upgrade to the floodlighting on the MUGA is necessary to ensure that the obtrusive light levels on the windows of the proposed development do not exceed the values in the ILP guidance. EH have confirmed that failure to complete the upgrade will result in adverse impact on a number of future occupants of the proposal.
5.55	A letter from the Board of Governors of Bunscoil an tSléibhe Dhuibh has been submitted, indicating they are content for the applicant to carry out the agreed upgrade to the MUGA floodlighting. It is understood that the MUGA floodlights were upgraded in November 2024. A letter from the Principal of the school confirmed that the works were completed on 20th November.
	Flood risk and drainage
5.56	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). 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. The proposed development can be considered an exception to policy ENV4, as the overall proposal includes replacement of existing buildings.
5.57	The western boundary of the site is located within a floodplain, specifically the area to the west of the existing boxing club. The proposed development includes an area of open space and car parking spaces within this area. It was recommended within the FRA that those buildings closest to the flood risk area have finished floor levels of 42.4m AOD to the north of the boxing club and 41.43m to the south of the club. These figures are achieved, with the housing to the north being 42.4m and apartment block B to the south having a floor level of 41.75m. A schedule 6 agreement has been confirmed to allow the discharge of surface water in the Ballymurphy stream as currently exists. It has also been expressed that the use of the flood plain as open space grass area can have a positive impact, compared to the current arrangement, with the area in use as a hard surface parking area.
	Waste-water infrastructure
5.58	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has offered no objection to the proposal. It advises that existing public waste-water infrastructure is available to support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. It is proposed that surface water can be discharged into the Ballymurphy

	stream. The proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy. <u>Section 76 planning agreement</u>
5.59	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. • Social housing – to ensure delivery of the 62 residential units as social rented. • Green travel measures – travel plan; promotional material for tenants and tenancy packs • Floodlighting upgrade –verification to confirm no detrimental impact on the proposed dwellings following upgrade.
5.60	A draft Section 76 planning agreement has been provided with the application and will need to be finalised before planning permission is granted. <u>Pre-application Community Consultation</u>
5.61	The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation. The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.
5.62	The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement: • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Issued a press notice to highlight information about the proposals and provide notification of the public information event;
5.63	The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.
5.63	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
6.0	**Recommendation**
6.1	The proposal is providing new homes in a highly sustainable location and in an area of high housing need. The proposal would make very effective use of land, a finite resource. The scale, height, massing and design of the building are considered appropriate to the site's context. The approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations.

6.2	It is recommended that planning permission is granted subject to conditions.
6.3	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 issues that arise, provided the issues 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. Prior to occupation of the development, the noise mitigation measures for the proposed windows as per the sound reduction specified within table 9 of the Irwin Carr Consulting Ltd report entitled: 'Noise Impact Assessment, at: Whiterock Road, Mixed Use', Ref: Rp001n 2023112 (Whiterock Road, Mixed Use), Dated: 5 January 2024 shall be installed within habitable rooms of the development and retained at all times. Reason: To safeguard the amenity of occupants of the hereby approved development. *3.* Prior to installation within the hereby permitted development, the applicant shall submit to the planning service for review and approval, the final details of the ventilation strategy to habitable rooms. The final details shall confirm that any passive vents (when open) have a sound reduction equivalent to or greater to the sound reduction achieved by the glazing. Where any element of mechanical or active means of ventilation is proposed, the final details shall include a Noise Impact Assessment that confirms that the noise associated with its operation will not exceed internal target levels for habitable rooms in line with BS 8233:2014 *Guidance on sound insulation and noise reduction for buildings.* Reason: To safeguard the amenity of occupants of the hereby approved development. 4. Prior to the occupation of the development the approved ventilation strategy to habitable rooms (in addition to that provided by open windows) shall be installed as approved and retained at all times. Reason: To safeguard the amenity of occupants of the hereby approved development. 5. Prior to occupation of the development, a 2.7m high acoustic barrier with a minimum surface mass density of at least 15kg/m2 should be installed along the northern extent of the site, as deemed necessary in section 3.0 and as depicted in Appendix C of the Irwin Carr Consulting Ltd letter entitled : Proposed Mixed Use Development Comprising Of 62no. Social Housing Units (Mix Of Dwellings And Apartments) And A New Children's Centre, Car Parking, Landscaping, Open Space And All Associated Site And Access Works At The Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG, Planning Ref: La04/2024/0122/F Dated: 10 May 2024 and retained thereafter. Reason: To safeguard the amenity of occupants of the hereby approved development.

6. The existing retaining walls (red & yellow) as depicted on drawing titled: 'Proposed Site Layout Plan', drawing no. L02, Rev C dated Jan 22 shall be retained at all times.

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

7. 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 RSK report entitled - Newpark Developments (NW) Ltd. Preliminary Risk Assessment and Generic Quantitative Risk Assessment Lands at Whiterock Road, Belfast 604227– R1 (01). Dated: 21st December 2023 have been implemented.

   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 (residential with plant uptake). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards. In particular, the Verification Report must demonstrate that:

   a) The soil source removal excavation is to a proven depth of 0.8 mbgl. All remaining soils or base and sidewalls of all excavations are to be proven suitable for the proposed end-use (Residential with Plant Uptake).

   b) A capping layer of a minimum depth of 800mm has been emplaced in private garden areas as outlined in figure 4 'Capping Layer Extent' presented in the RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', Newpark Developments (NW) Ltd, report reference: 604227– R1 (01)), dated December 2023. The capping layer shall be formed from material that is demonstrably suitable for use, by sampling every 100m3 for the suite of analysis as outlined in Appendix M of the RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', report reference: 604227– R1 (01)), dated December 2023. Soil sample results shall be compared to the GAC's outlined in Table 5. of the report RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', report reference: 604227– R1 (01)), dated December 2023 (that is, residential with plant uptake).

   c) The final site layout is as per drawing presented in Fig 4, 'Capping Layer Extent' presented in the RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', Newpark Developments (NW) Ltd, report reference: 604227– R1 (01)), dated December 2023.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease, and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance. In the event of unacceptable risks being identified, a Remediation Strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction. This strategy should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks.

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

9. After completing any required remediation works, and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance.
   The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

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

10. As part of the site clearance works, all fuel storage tanks (and associated infrastructure) should be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP2 and GPP27). The quality of surrounding soils should be verified through suitable sampling and assessment. Should any additional contamination be identified during this process, conditions relating to new contamination or risks, as detailed, will apply.

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

11. 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 Regulation Unit submitted in writing and agreed with the Planning Authority. The methodology is available at:
    https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http:/cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf

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

12. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No PSD 1D published on the Planning Portal on 25 October 2024, 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.

13. No dwelling shall be occupied until related hard surfaced areas have been constructed in accordance with the approved Drawing No. PSD 1D published on the Planning Portal on 25 October 2024, 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.

14. No apartment shall be occupied until provision has been made for cycle parking in accordance with the approved plan. These facilities shall be permanently retained.

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

15. 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 splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.

16. 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.

17. 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.

18. 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 PSD 1D bearing the Department for Infrastructure determination date stamp 07 November 2024.

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

19. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
No part of the development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No PSD 1D bearing The Department for Infrastructure determination date stamp 07 November 2024. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

20. No part of the development hereby approved shall be occupied or operated unless all redundant access/es from the site to the public road have been stopped up and closed in accordance with the approved plans. The redundant access/es shall be permanently retained as such.

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

21. 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.

22. 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.)

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

23. In the event that any substantial centralised combustion sources (generators, boilers, CHP or biomass) are proposed as part of this development and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), this Service may request that an Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed

	combustion systems and it must demonstrate that there will be no exceedances of Air Quality Strategy objectives at relevant human receptor locations. Reason: Protection against adverse health effects. 24. All hard and/or soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details. Reason: In the interests of the character and appearance of the area. 25. The residential unit/s and Children's Centre hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details. Reason: In the interests of amenity.

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Committee Application

Development Management Officer Report	
Committee Meeting Date: 10th December 2024	
Application ID: LA04/2024/0475/F	
Proposal: Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas.	**Location:** Ulidia Resource Centre, Somerset Street, Ballynafoy, Belfast, BT7 2GS
Referral Route: Major Application	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Claire Donnelly Scoil an Droichid 4 Cooke Street Belfast BT7 2EP	**Agent Name and Address:** Todd Architects Titanic House 6 Queens Road Belfast BT3 9DT
Date Valid: 18th April 2024	
Target Date: 14th November 2024	
Contact Officer: Ed Baker**,** Planning Manager (Development Management)	

Executive Summary:

This application seeks the renewal of planning permission LA04/2018/1755/F for a 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School.

The key issues are:

- Principle of development
- Visual impact of the proposed redevelopment
- Impact on residential amenity
- Impact on character of the area
- Impact on transport infrastructure and road safety
- Flood risk / Drainage
- Health Impacts
- Environmental Impact
- Climate Change
- Community Infrastructure

The site is located within 'Lands reserved for Landscape, Amenity or Recreation Use' in the Belfast Urban Area Plan (BUAP) and whiteland within undesignated whiteland in the Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014).

There are no objections from statutory or non-statutory consultees.

A 1no. petition has been received with 18 no. signatories, objecting to the proposal raising the impact of increased traffic and congestion

All concerns are addressed in the report.

Recommendation
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

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

Officer Report

1.0	Drawings
1.1	**Fig 1.Site Location Plan**

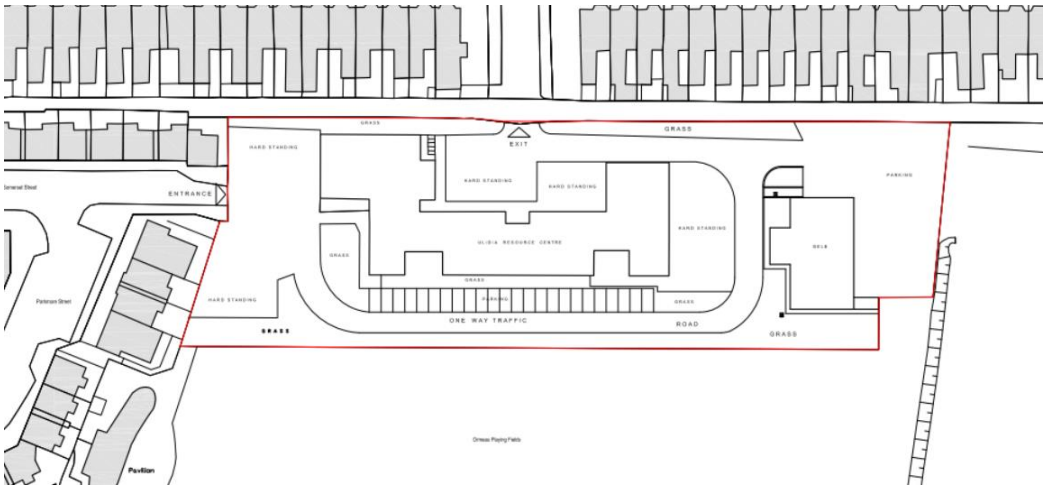


Fig 2. Proposed site Layout

1.2

2.0	**Characteristics of the Site and Area**
2.1	The site is located in South Belfast with two existing vehicle entrances from Cross Street (accessed off South Parade) and Somerset Street (accessed off the Ormeau Road). To the south and east of the site are playing pitches. The north and west of the site are characterised by established housing, mostly terraced.
2.2	The current site is vacant, previously the site of the Ulidia Resource Centre which was previously Ulidia Primary School. These have been demolished which was consented in the previous planning application. The site is relatively flat and contains metal railings along the Cross Parade elevation and railings and landscaping along the other elevations.
3.0	**Description of Proposal**
3.1	Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas.
4.0	**Planning Policy and Other Material Considerations**
4.1	**Development Plan – Plan Strategy** <u>Belfast Local Development Plan: Plan Strategy 2035</u> Policy DES1 – Principles of urban design Policy CI1 - Community Infrastructure Policy TRAN1 – Active Travel Policy TRAN2 – Creating an accessible environment 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 Policy BH3 – Area of townscape character Policy OS1 – Protection of Open Space Policy TRE1 – Trees
4.2	**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)
4.3	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	**Other Material Considerations** Developer Contribution Framework (BCC) Belfast Agenda (Community Plan) Creating Places (DfI)

4.5	**Relevant Planning History** - LA04/2018/1755/F - Greenfield site with the former Ulidia Primary School to be demolished to allow for a new 7 classroom primary school, with two classroom LSU and single unit nursery. The existing site entrances to the west and north of the site are to be retained and used for site access, with all support accommodation to be contained within the boundary of site. The proposal includes a new road through the site, car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas. Permission granted 12/06/2019
5.0	**Consultations and Representations**
5.1	**Statutory Consultations** DfI Roads – Content subject to conditions DfI Rivers – a condition requesting submission of a final drainage assessment to be imposed. NI Water – Approval NIEA – Content subject to conditions
5.2	**Non-Statutory Consultations** BCC Environmental Health – Content subject to conditions Trees – Content subject to conditions
5.3	**Representations** The application has been advertised and neighbours notified. The Council has received a petition of objection signed by 18 addresses. The petition raises the following issues: - Increased traffic volume and impact on congestion in Parkmore and Somerset Street. - Impact of increased traffic and congestion on road safety. This issue raised has been fully assessed within the planning assessment section of the report, however the application is considered acceptable for the reasons set out in the below assessment.
6.0	**PLANNING ASSESSMENT**
6.1	**Key Issues** The key issues relevant to consideration of this application are: • Principle of development • Visual impact of the proposed redevelopment • Impact on residential amenity • Impact on character of the area • Impact on transport infrastructure and road safety • Flood risk / Drainage • Environmental Impact • Climate Change
6.2	**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.
6.3	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.

6.4	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 (PS), 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 ('Department Development Plan') remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at para 6.1.
6.6	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.7	**Belfast Urban Area Plan (BUAP) -** The site is located within 'Lands reserved for Landscape, Amenity or Recreation Use'.
6.8	**Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014) –** The site is located within undesignated whiteland.
	Principle of development
6.9	The proposed development lies within the development limit for Belfast, adjacent to the North Parade and South Parade Area of Townscape Character (CC061). The principle of development has previously been established through the previous application ref: LA04/2018/1755/F. This is a renewal and the proposal has not changed from the previous application. However, the Council has adopted the PS since the previous approval on the site. There is a presumption in favour of Community infrastructure development, such as this, in accordance with policy CI1.
6.10	As noted above, the application site is located within 'Lands reserved for Landscape, Amenity or Recreation Use', in accordance with the BUAP, however the site is undesignated whiteland, within dBMAP. Owing to the historic use of the site for community infrastructure alongside the planning history of the site and the undesignated 'whiteland' status of dBMAP, it is considered the proposal is acceptable, having regard to policy OS1. Consequently, the principle of the proposed use is considered acceptable.
	The impact of the proposal on the Area of Townscape Character and Urban Design
6.11	The site abuts the adopted North Parade and South Parade Area of Townscape Character (ATC) (BT061 in the draft BMAP).
6.12	Whilst the proposal abuts and is not within the ATC, nevertheless, its potential impact on the ATC is a material consideration. The site abuts on one side – that of the parallel South Parade. The terraced dwellings of South Parade, notable for their terraced, Victorian architecture, back onto the site. The proposed building is similar in floorspace to that of the previous existing building and its location on the site will result in the built form being a similar distance from the boundaries and houses. The part of the building to the west of the site is further back from the boundary than the present building.
6.13	The materials proposed draw on local characteristics, using material which reflect the

	context of red clay facing brick, grey roof slates and contrasting recess render with predominantly pitched rooves. In terms of visual impact, the proposal will enhance the character of the area in comparison to the previous buildings on site. It is considered that the proposal is a betterment to the area as opposed to the vacant empty site that currently exists. A number of CGI images of been provided showing the context of the buildings in the wider street scene.
6.14	With regards to Policy BH3 – Areas of Townscape Character criteria (b), there will be no detrimental impact on the setting of the area and there is no significant loss of key views within, into and out of the ATC. The proposal further complies with DES 1 and the building is of a high quality sustainable design and will make a contribution to lacemaking.
	The impact on the amenity of adjacent land users
6.15	The proposed development is two storeys in height (max height – approx. 7.4 m) and there are separation distances from the back yard walls of the houses on South Parade to the school building of 11.6, 16 and 26 metres in varying locations. The closest part of the proposed building to the rear of the existing dwellings is single storey, therefore there is no impact on these neighbours in terms of overlooking, overshadowing and loss of light. Overall, the building is further from these boundaries than the previous resource centre. It is considered that the proposal would not result in any unacceptable overlooking, loss of light, overshadowing, loss of outlook or other harmful impacts on adjacent land users.
	Access, movement, and parking
6.16	The application site has good links to existing cycling, walking and public transport infrastructure. Cycle parking facilities are not provided on the site layout, however in the event of approval, details of the cycle parking can be conditioned. The proposal incorporates features which are designed to take account of the specific needs of people with disabilities and others whose mobility is impaired, including convenient movement along pathways, level access arrangements and provision of disabled parking.
6.17	Access to the school is via the one-way Somerset Street, located off the Ormeau Road. This is a residential street which accommodates parking on either side. The proposal will incorporate a one way system with a layby for drop offs and egress onto Cross Parade. A car park is also included for staff parking.
6.18	DFI Roads have been consulted and have provided no objection to the proposal subject to recommended conditions. A Travel Plan and Service Management Plan were provided to the satisfaction of DFI Roads and adherence to both documents will be conditioned.
6.19	It is considered the proposal complies with Policies TRAN1 (Active Travel), TRAN2 (Creating an Accessible environment), TRAN6 (Access to public roads) and TRAN8 (Car parking and Servicing Arrangements).
6.20	**Health impacts** 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.
6.21	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure

	amenities, playing pitches and a public park. The proposal is considered to satisfy the requirements of Policy HC1.
	Community Infrastructure
6.22	There is a presumption in favour of providing community infrastructure, in accordance with policy CI1. Scoil an Droichid currently occupy a site on Cooke Road, which is 57% below the recommended area, with deficiencies in all spaces. The current site is unable to accommodate the expansion of the school. Supporting information has been provided to indicate the local need for the facility. Policy CI1 states that all proposals shall ensure there is no unacceptable impact on residential amenity or natural / built heritage and satisfactory arrangements are provided for access for all, including pedestrians, cyclists and public transport, as confirmed in paras 6.11 – 6.19.
	Climate change
6.23	The previous application had considered the demolition of the existing buildings onsite acceptable. These have already been demolished leaving a vacant site. With regard to policies ENV3 (Adapting to environmental change) and ENV5 (Sustainable drainage systems (SuDS)), the submitted plan strategy statement states that materials have been selected to reduce overheating and therefore reducing the reliance on air conditioning systems along with the inclusion of an indirect rainwater harvesting system in order to supply recycled water to the WC systems. Rainwater will be collected in an underground storage tank via a leaf filter. It will then be pumped to a break tank in order to supply WCs.
6.24	Proposed Landscape design has been assessed by the BCC Tree and Landscaping Officer and is deemed acceptable. The proposal includes the retention of existing trees along with additional planting and landscaped gardens within the scheme. Complying with TRE1.
6.25	With regards to environmental and tree policies, it is considered that the proposal is compliant with policies ENV2, ENV3 and ENV5.
	Drainage
6.26	A Drainage Assessment was submitted in accordance with policy ENV4. DFI Rivers are content with the submitted drainage calculations and the proposed drainage layout, however they still require an updated and appropriate consent to discharge correspondence from NI Water. In the event of approval, a condition requesting submission of a final drainage assessment can be imposed.
	Sewage Infrastructure
6.27	NI Water (NIW) provided comment on the proposal in relation to wastewater capacity, advising of no objections. Given NIW did not object, NIEA Water Management Unit (WMU) also provided confirmation of no objection.
	Noise, air quality and other environmental impacts including Contamination
6.28	A Noise Impact Assessment (NIA) has been submitted in support of the proposed development. BCC Environmental Health (EHO) have been consulted and are content with the findings of the NIA that the proposal will have no negative impact on nearby residential premises. The agent also confirmed there are no plans to cook food on the premises and the proposed kitchen will be used for hot holding and service of already cooked meals.
6.29	A Contaminated Land Assessment and Remediation Strategy has been submitted. Both EHO and NIEA Regulation Unit (RU) have considered the information and advised of no objection, subject to conditions.

6.30	NIEA Natural Environment Division (NED) initially requested confirmation from the consultant ecologist that there are no material changes on site since the submission of the previous Bat Roost Potential survey. Confirmation was received from the ecologist and NED were reconsulted. NED acknowledged the response, advising of no further objections.
	Pre Application Community Consultation
6.31	For applications for major development there is a legislative requirement for applicants to consult the community in advance of submitting the application.
6.32	Applicants are required to submit to the council a Proposal of Application Notice (PAN) in advance of making the application, which sets out the proposal for community consuktatio. As there is no change to the proposal as originally granted and the application is for a renewal, the original PAN and PACC remains applicable.
7.0	**Recommendation**
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and deal with any other matters that may arise, provided that they are not substantive.

DRAFT CONDITIONS:

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

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

2. 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.

   Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.

3. The development hereby approved shall not be occupied or operated unless details of covered bicycle storage have been submitted to and approved in writing by the Council. The development shall not be occupied or operated unless the covered bicycle storage has been provided in accordance with the approved details and shall thereafter be retained in accordance with the approved details.

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

4. The development hereby permitted shall operate in accordance with the approved Travel Plan. This must include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

5. The development hereby permitted shall operate generally in accordance with the approved Service Management Plan.

   Reason: In the interests of road safety and traffic progression.

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

   Reason: Protection of residential amenity.

7. Prior to the 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 Pentland Macdonald Ltd report entitled 'Updated Contamination Assessment and Remediation Strategy, Scoil an Droichid, South Parade/Somerset Street, Belfast, for GES Ltd / SP Magowan Ltd / TODD Architects' (dated October 2024 and referenced PM24-1025, Rev no. 02) have been implemented.

   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 (residential with/without homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards. In particular, the Verification Report must demonstrate that:

   a) A minimum 1000mm capping layer has been emplaced across the grow garden and ecology zone (shown in orange on Figure 4 of the Pentland Macdonald report) formed from material that is demonstrably suitable for use (residential with homegrown produce).

   b) A minimum 600mm capping layer has been emplaced across the standard area of landscaping/grassed play areas shown in yellow on Figure 4 of the Pentland Macdonald report, formed from material that is demonstrably suitable for use (residential without homegrown produce).

   Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

8. 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.

9. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall

   be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

10. After completing the remediation works under Condition 9; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed

    by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

11. All landscaping works and boundary treatments shall be carried out in accordance with the approved details on Drawing No. 03, uploaded to the Planning Portal on 23rd April 2024. The works shall be carried out prior to the completion of the scheme 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

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

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. 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.

14. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

    Reason: To avoid compaction within the RPA

15. No site works of any nature or development shall take place until a Drainage assessment has been submitted by the applicant and approved in writing by the Council. The assessment shall include appropriate 'consent to discharge' correspondence from NI Water.

    Reason: To ensure satisfactory drainage to the site.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
   01 – Site location plan
   03 – Proposed Site Plan
   04 – Proposed Ground Floor Plan
   05 – Proposed First Floor Plan
   06 - Proposed Roof Layout
   07 – Proposed Elevations
   08 – Proposed Elevations
   09 – Proposed Elevations
   10 – Proposed Elevations
   11 – Floor Plans Elevations Nursery Unit
   12 – Floor Plan Roof Plan Nursery Unit
   13 – Proposed Sections

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

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

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

ANNEX

Date Valid	18/04/2024
Date First Advertised	03/05/2024
Date Last Advertised	03/05/2024
EIA Required	Yes
ES Received	No Not required

Development Management Report

Summary	
Committee Date: 10th December 2024	
Application ID: LA04/2024/1591/F and LA04/2024/1593/DCA	
Proposal: Demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works.	**Location:** 20 Deramore Park Belfast BT9 5JU
Referral Route: 3.8.2 (i) of the Scheme of Delegation as the application includes full demolition of a main building in a conservation area.	
Recommendation: Approval	
Applicant Name and Address: Ashley Elliott 12a Malone Park Gardens Belfast BT9 6WH	**Agent Name and Address:** Des Ewing Residential Architects The Studio 13 Bangor Road Holywood BT18 0NU
Date Valid: 17th September 2024	
Target Date	31st December 2024
Contact Officer	Matthew McBride, Planning Officer

Executive Summary:

This application is located at 20 Deramore Park.

The site is a large plot sloping west to east containing a two storey red brick dwelling with a single storey flat roof side extension and a conservatory. The site contains a large garden to the rear bounded by a hedgerow and a smaller garden to the front bounded by a plinth wall with a timber fence above. Parking is provided to the front of the property.

The main issues relevant to consideration of the application are set out below.

- Principle of Demolition within the Conservation Area
- Layout, Design, Scale, Massing and Impact on Conservation Area
- Impact on Conservation Area
- Impact on amenity
- Climate change
- Proposed Access
- Landscaping and Trees
- Environmental Protection
- Waste Water Infrastructure

The existing dwelling makes no material contribution to the Conservation Area and therefore the proposed demolition is considered acceptable. The proposed dwelling is of a traditional design

which is considered to enhance the character of the surrounding area. Conservation Advice had no objections to the demolition but raised concerns with the proposed replacement, these are considered within the report.

The application was advertised and neighbour notified and two objections were received from GIA Surveyors on behalf of the residents of no. 18 Deramore Park citing concerns in relation to a lack of overshadowing assessment and that the scale and massing of the proposal would have an adverse impact on the levels of natural daylight and sunlight to windows and rooms on the eastern gable of no. 18 and the amenity spaces at ground level. An overshadowing analysis was subsequently submitted and considered. A further objection was received citing a lack of detail within the analysis. Both representations are considered within the report.

No objections were raised from statutory and non-statutory consultees.

Recommendation

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

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

DRAWINGS AND IMAGERY

Site Location Plan:

Proposed Site Layout:

Proposed Elevations:

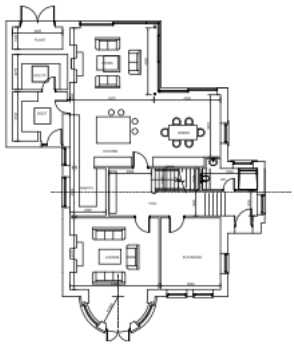
SOUTH ELEVATION

EAST ELEVATION

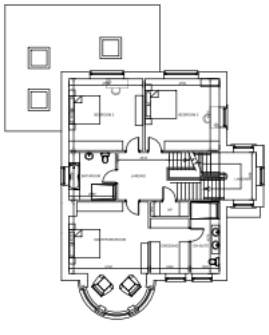
NORTH ELEVATION

WEST ELEVATION

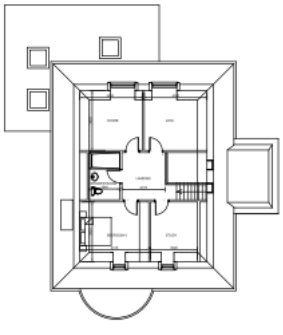
Proposed Floorplans



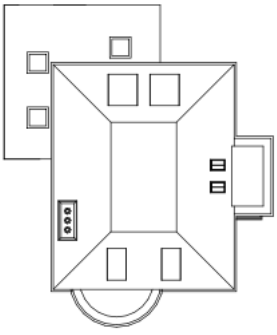
GROUND FLOOR



FIRST FLOOR

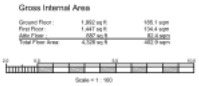


ATTIC FLOOR



ROOF PLAN

SECTION A-A



Gross Internal Area

1.0	**Characteristics of the Site and Area**
1.1	This application is located at 20 Deramore Park.
1.2	The site is a large plot sloping west to east containing a two storey red brick dwelling with a single storey flat roof side extension and a sunroom. The site contains a large garden to the rear bounded by a hedgerow and a smaller garden to the front bounded by a plinth wall with timber above. Parking is provided to the front of the property.
1.3	The site is located within the Malone Conservation Area – Sub Area M: Baldon/Deramore/Newforge and within the development limit in the Belfast Urban Area Plan and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The surrounding area is residential comprised of a mix of large semi-detached and detached dwellings on generous plots. A number of dwellings have been sub-divided to apartments. The dwellings are a mix of designs and materials are primarily red brick and render.
	Description of Proposed Development
1.4	The proposal seeks full planning permission for the demolition of the existing dwelling and construction of a two-storey replacement dwelling with accommodation in the roof, new garden store, widened site access, new gates and pillars and associated site works. A DCA has been submitted for demolition of the existing dwelling under the reference LA04/2024/1593/DCA.
2.0	**RELEVANT PLANNING HISTORY**
2.1	There is no relevant planning history for the site.
3.0	**PLANNING POLICY**
3.1	**Development Plan – Plan Strategy** <u>Belfast Local Development Plan, Plan Strategy 2035</u> *Strategic Policies:* 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 *Operational Policies:* Policy DES1 – Principles of urban design Policy RD1 – New residential developments Policy BH2- Conservation Areas 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 ENV5 – Sustainable drainage systems (SuDS) Policy OS3 – Ancillary open space Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources <u>Supplementary Planning Guidance</u> Residential Design Malone Conservation Area Guide
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) **Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) **Other Material Considerations** Belfast Agenda (Community Plan)
4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	<u>Statutory Consultees</u> **DfI Roads** – No objections **NI Water** – No objections
4.2	<u>Non-Statutory Consultees</u> **Conservation Advice**- No objection to demolition, concerns raised to proposed replacement. **Tree Officer-** No objections with conditions
4.3	<u>Representations</u> The application has been advertised in the newspaper and neighbours notified, no representations were received.
5.0	**PLANNING ASSESSMENT** **Main Issues**
5.1	The main issues relevant to consideration of the application are set out below. • Principle of Demolition within the Conservation Area • Layout, Design, Scale, Massing and Impact on Conservation Area

	• Impact on Neighbouring Amenity • Climate Change • Proposed Access • Landscaping and Trees • Environmental Protection • Waste Water Infrastructure
	Development Plan Context
5.2	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 ("Departmental Development Plan") remain part of the statutory local development plan until the Local Policies Plan is adopted.
	<u>Operational Polices</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed at paragraph 3.1.
	<u>Proposals Maps</u>
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan"), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	**Belfast Urban Area Plan 2001** – the site is un-zoned "white land" within the Development Limit.
5.8	**Draft Belfast Metropolitan Area Plan 2015 (2004 & 2014**) – the site is within the Malone Conservation Area
5.9	With regards to development in Conservation Areas, Section 104(11) states that special regard must be had to the desirability of; (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.

5.10	The SPPS states that "in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance when an opportunity to do so exists, or preserve its character or appearance where an opportunity to enhance does not exist".
	Principle of Demolition within the Conservation Area
5.11	The full application is accompanied by a Demolition Consent to demolish the existing dwelling under the reference LA04/2024/1593/DCA.
5.12	Policy BH2 states there will be a presumption in favour of retaining listed buildings and non-listed buildings in conservation areas. Total demolition of a building will only be permitted where: j. It makes either a negative or no material contribution to the character and appearance of the area; and k. The design quality of the proposed building is considered to enhance the overall character of the conservation area paying due regard to viability of retention or restoration of the existing building.
5.13	In regards to criteria j the existing building on site is a two storey red brick dwelling with a single storey side extension containing a flat roof and a conservatory. The existing dwelling is considered out of character with the surrounding Conservation Area and has no architectural merit. Conservation Advice has been sought and states that *the building to be demolished is outwith the period character of this section of the Conservation Area.* The response agrees that the existing dwelling does not make a contribution to the character and appearance of the area.
5.14	The replacement of the dwelling is therefore considered acceptable in principle subject to being of a quality which enhances the overall character of the conservation area.
	Layout, Design, Scale, Massing and Impact on the Conservation Area
5.15	The proposed dwelling is of a traditional design. It is two storeys in height with dormer windows in the hipped roof to provide an attic conversion, features a bay window to the front with windows of a vertical emphasis. To the rear is a single storey off shoot with a flat roof and to the side is a single storey store.
5.16	The proposal is of a high quality design which is sympathetic and in keeping with the surrounding area when compared to the previous dwelling to be replaced. The height of the proposed dwelling steps down with the slope and sits below the neighbouring apartment building at no. 18. The building line of the dwelling is stepped slightly further back when compared to the previous dwelling to tie in with the established building line. The dwelling is set down to single storey at the rear and towards the western boundary to ensure there is sufficient separation distances between dwellings allowing an appreciation of views through the site.
5.17	The proposed materials are to be white render walls with hardwood sash windows and hardwood doors. White render is common within the surrounding area while the hardwood sash windows and doors utilises traditional materials which is welcome.
5.18	Conservation Advice was sought and has concerns with the design of the replacement dwelling.

5.19	Concerns are raised regarding the two storey side projection and the single storey rear/side offshoot containing a flat roof. Further concerns were raised with the single storey rear/side offshoot in that subservient blocks should be located to the rear and not project beyond the side elevation, neither should there be large elements of glazing which draw the eye disproportionately.
5.20	The two storey side projection while containing a flat roof is of a modest scale which is designed as an entrance to the dwelling. It is set back from the front elevation ensuring there it will not draw the eye disproportionately, similarly the single storey side and rear offshoot is set behind the building line and given the boundary treatments there will be limited views. Consideration is given to the previous dwelling which contained a single storey side attached garage with a flat roof that was flush with the front building line. In terms of the large area of glazing this is limited to the rear of the dwelling and there will be no public views and therefore no impact on the conservation area.
5.21	The Conservation Advice also stated concerns with the store which generally should be located to the rear of the building. The proposed store is located behind the building line and is of a scale which will minimise public views. Stores and garages are common within the surrounding area to be located to the side and therefore it is not considered to be out of character.
5.22	Given the traditional design of the building and appropriate scale and massing it is considered that the proposal successfully enhances the overall character of the Conservation Area. Due regard to viability of retention or restoration of the existing building is considered but not deemed necessary given the existing dwelling makes no material contribution to the conservation area. It is not deemed necessary to condition appropriate recording of the existing building given it is not of architectural or historic merit.
	Impact on Amenity
5.23	The proposed dwelling neighbours an apartment building at no. 18 and a two storey dwelling which unusually sits to the rear of the site at no. 20A. No windows of habitable rooms face onto the private amenity space of either of the neighbouring dwellings/apartments and therefore there are no concerns of overlooking.
5.24	In terms of overshadowing/loss of light and in relation to no. 20A, the proposed dwelling extends deeper into the site than the existing dwelling and therefore closer to the front of no. 20A. It is considered that the front of the neighbouring dwelling would have been overshadowed by the existing dwelling in Spring/Autumn evenings and that the proposed dwelling would not exacerbate this impact to an unacceptable degree. Likewise any overshadowing to the rear would not be exacerbated by this proposal given the existing location of the existing dwelling.
5.25	In relation to no. 18 a representation was received from GIA Surveyors on behalf of the residents of no. 18 Deramore Park citing concerns in relation to a lack of an overshadowing assessment and that the scale and massing of the proposal would have an adverse impact on the levels of natural daylight and sunlight to windows and rooms on the eastern gable of no. 18 and the amenity spaces at ground level.
5.26	In response the applicant has submitted an overshadowing analysis and it is noted that given the orientation of the proposed dwelling there will be no impact past midday or during the winter months. The overshadowing analysis demonstrates there will not be an adverse impact on the residents of no.18. Any additional shadow caused by the

	proposed dwelling is limited to early mornings in the summer, (no impact over the existing dwelling from 10am) while in Spring/Autumn any additional impact is limited to the amenity space by 10am and no further impact over the existing dwelling by 12pm.
5.27	While it is accepted the proposal will cause some additional overshadowing to the eastern elevation of no. 18 and the associated amenity space, the impact is limited to the morning with no impact during winter months. It is not considered that the level of overshadowing would not be considered adverse or to an unacceptable degree. It is acknowledged in paragraph 3.1.40 of the residential SPG that some overshadowing of garden areas will rarely constitute sufficient grounds to justify a refusal of permission and this where the main impact lies.
5.28	A further representation was submitted from GIA surveyors providing comments on the submitted overshadowing analysis. The representation states the study is devoid of any detail and not what was recommended in the first representation. It states that:
5.29	*The study plots a transient shadow path at its most basic level. It does not consider the appropriate BRE metrics for assessing the impact of a new development to neighbouring buildings. There should be a detailed assessment of the Vertical Sky Component to windows, the No Sky Line test to rooms, and the Annual Probable Sunlight Hours test to windows.*
5.30	The representation is noted and it is recognised that paragraph 3.1.43 of the Residential SPG states the Council will generally apply guidance targets within the latest edition of the Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BR 209)"
5.31	While the overshadowing analysis is basic in its detail, given the scale of the proposal it is not deemed necessary for further detail to provided to allow officers to conclude for the reasons set out that the proposed development would not cause overshadowing to an adverse or unacceptable degree.
5.32	The proposal is not considered to impact no. 18 by way of dominance. The existing bay window to the eastern side elevation currently faces the gable wall of the existing dwelling and the proposed dwelling maintains this relationship. The projecting rear bay has two windows which will directly face the single storey rear element of the proposal. The single storey portion of the proposal is to be 3.8m in height and with consideration to the 0.6m difference in levels and existing boundary treatments between the proposed site and the neighbouring site, it is not considered to dominate any outward views.
5.33	The proposal is not considered to unduly affect the privacy or amenity of neighbouring residents in accordance with policy RD1.
	Private Amenity Provision
5.34	In terms of the prospective occupants the dwelling contains a rear garden of 178sqm which complies with the guidance contained within Creating Places which advocates for a minimum of 70sqm in lower density areas.
	Climate Change
	Proposed Demolition
5.35	In terms of the proposed demolition of the existing dwelling Policy ENV 2 states:

	Development proposals should, where feasible, seek to avoid demolition and should consider how existing buildings or their main structures could be reused. Development proposals that include the demolition of existing buildings should demonstrate that reuse is not appropriate or feasible. Where demolition is proposed, measures should be included to minimise any waste through the reuse of as much building material as possible.
5.36	A Demolition Justification Statement has been submitted and states that the existing dwelling does not meet modern building regulations and has a poor energy rating meaning it is a more sustainable option to replace the dwelling. Given the reasons put forward within the statement along with the consideration that the dwelling has no architectural merit the demolition is considered acceptable. A condition will be attached to ensure the re-use of materials.
5.37	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.
5.38	A Climate Change Statement has been submitted and includes measures to adapt to environmental change such as orientating the dwelling for thermal gain, use of solar panels, an electric charging point, use of water saving devices and high quality insulation.
5.39	Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The application proposes SuDS features such as the provision of permeable paving, permeable resin bound aggregate driveway and new tree and shrub planting.
	Proposed Access
5.40	The proposal includes a widened access with proposed pillars and gates, the proposed gates allow views to the proposed dwelling and are considered acceptable within the Conservation Area. DFI Roads were consulted in terms of the proposed access and had no objections.
	Landscaping and Trees
5.41	The existing site contains mature hedgerows and trees. The proposal includes 3x trees to be planted within the rear garden and 2x in the front garden which is welcomed. The Tree Officer was consulted and had no objections to the proposal but advised officers to seek clarification on the species of trees proposed. A soft landscaping plan will be conditioned to be submitted and agreed to ensure the proposed planting is appropriate.
	Environmental protection
5.42	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.
5.43	Given the proposal is a replacement dwelling largely on the footprint of the existing dwelling there are no concerns in terms of contaminated land or noise and therefore Environmental Health have not been consulted.

	Waste-water infrastructure
5.44	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has been consulted and have no objections.
	Recommendation Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other issues that arise, provided that the issues are not substantive.
7.0	**DRAFT CONDITIONS** **LA04/2024/1591/F** 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 vehicular access width shall not exceed 5m. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. 3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity 4. 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. 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. 5. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site during the construction period.

	Reason: To avoid compaction within the RPA. 6. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include all trees, hedgerows and other planting which are to be retained; a planting specification to include species, size, position and method of planting of all new trees and shrubs; and a programme of implementation. All soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: In the interests of the character and appearance of the area. Approval is required upfront because the soft landscaping is critical to the acceptability of the proposal. 7. The development hereby approved shall not be occupied unless measures contained within the Climate Change Statement uploaded to the portal on the 17th September 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. **LA04/2024/1593/DCA** 1. No demolition shall commence on site unless a contract has been let for the redevelopment of the site in accordance with planning permission LA04/2024/1591/F dated (Insert) and evidence of that contract has been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with planning permission [LA04/2024/1591/F]. Reason: As required by Sections 91(6) and 105 of the Planning Act (Northern Ireland) 2011, to preserve or enhance the character or appearance of the Conservation Area. Approval is required upfront because if redevelopment of the site does not take place it could leave the vacant site unsightly and harmful to the Conservation Area.

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Committee Report

Development Management Report	
Application ID: LA04/2024/1744/LBC	**Date of Committee:**
Proposal: Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall	**Location:** Belfast City Hall, 2 Donegall Square North, Belfast, BT1 5GS
Referral Route: Referral to the Planning Committee under Section 3.8.5 (C) Those made by the Council	
Recommendation: Approval	
Applicant Name and Address: Sharon Leeanne Wilson Belfast City Council Duncrue Complex Belfast BT3 9BP	**Agent Name and Address:** Sharon Leeanne Wilson Belfast City Council Duncrue Complex Belfast BT3 9BP
Date Valid: 16th October 2024	
Target Date: 29th January 2025	
Contact Officer: Ciara Reville, Principal Planning Officer	

Executive Summary:

The application seeks Listed Building Consent to install metal gates at the Titanic Memorial Garden within the grounds of City Hall (Grade A listed).

The proposed metal gates will be workshop fabricated to complete the symmetry with those already installed to the remembrance Gardens located to the east side of City Hall

Belfast City Hall is a Grade A listed building of special architectural or historic interest.

The key issues are:

- The principle of the development at this location
- Impact on the curtilage of a listed building

The proposed development is sympathetic to the essential characteristic, scale, height, massing and alignment of nearby listed building/s by way of its scale, form, materials and detailing.

Historic Environment Division were consulted in relation to the proposal and are content. The advertised in the local press and no representations have been received.

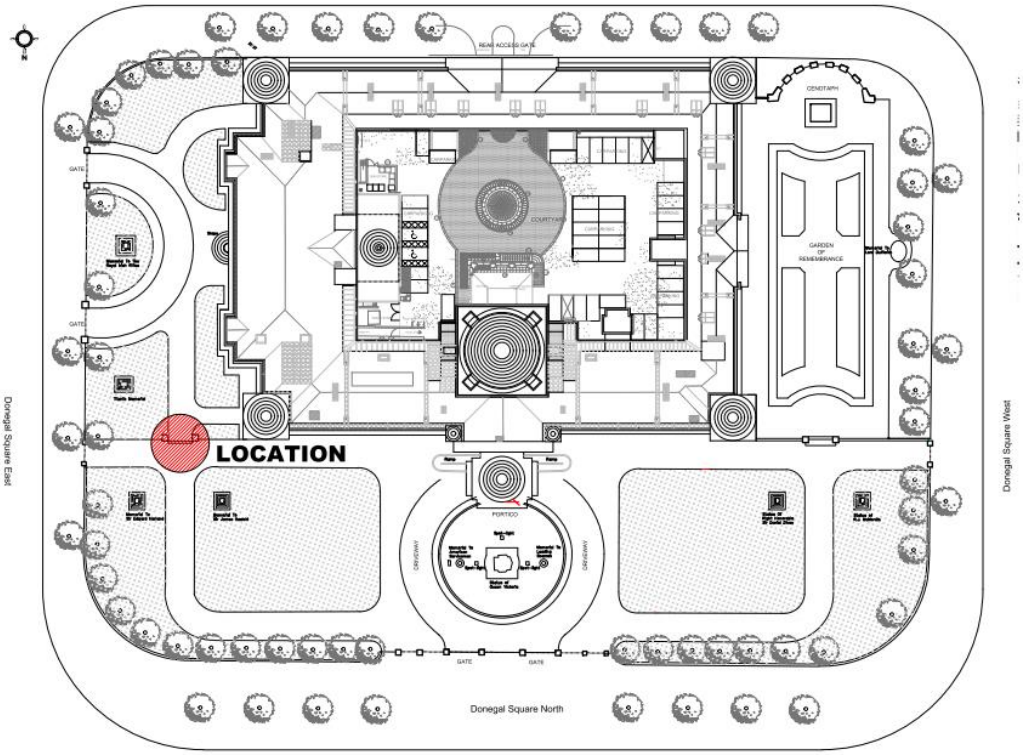
Recommendation
Having had regard to the development plan, relevant planning policies, and consultation responses it is considered that the variation of condition should be approved.

Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise so long as they are not substantive.

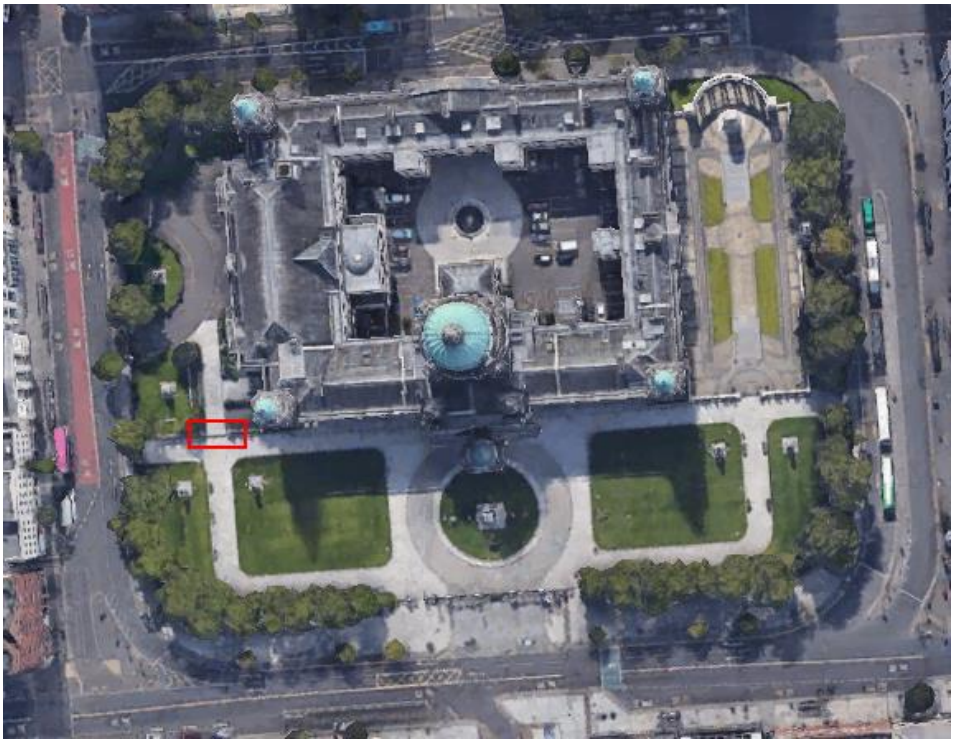
Case Officer Report

Site Location Plan and Site Layout

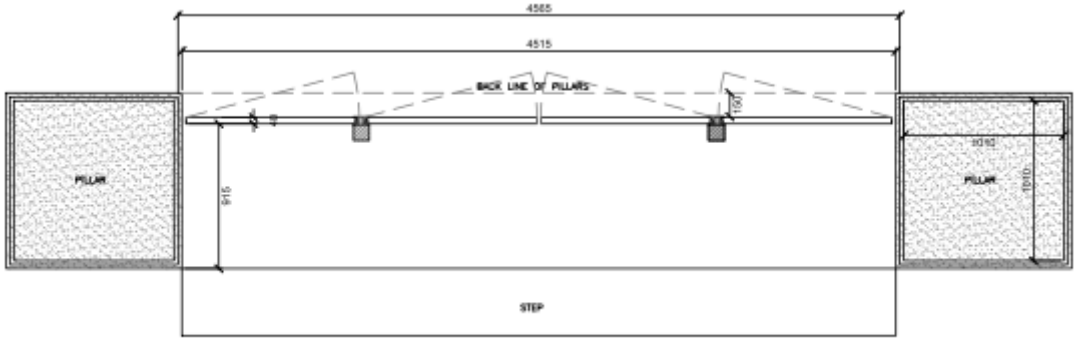
Site Location Map



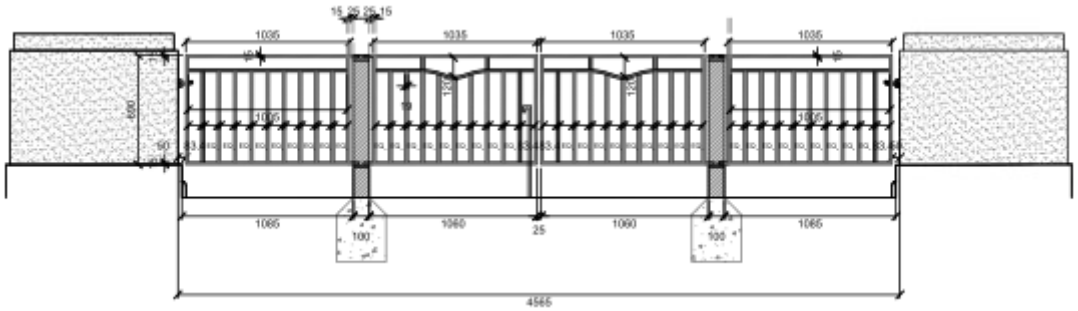
Aerial View



Existing Enterance



Proposed gates



Gates in situ at Rememberance Garden

Characteristics of the Site and Area	
1.0 1.1	**Description of Proposed Development** The application seeks Listed Building Consent to install metal gates at the Titanic Memorial Garden within the grounds of City Hall (Grade A listed).
2.0	**Description of Site** The site is located within the grounds of City Hall, a Grade A listed building which is of special architectural or historic interest located in Donegall Square. The lawns surrounding City Hall host a number of memorials to the history, people and events associated with the city. The surrounding area is predominantly commercial to the north of the site and business use to the south of City Hall. The site is located within the City Centre in BUAP and within the City Centre Conservation Area in both versions of dBMAP.
Planning Assessment of Policy and other Material Considerations	
3.0 3.1	**Site History** None relevant to proposal
4.0	**Policy Framework**
4.1	**Development Plan – operational policies** Belfast Local Development Plan, Plan Strategy 2035. Policies BH1 and BH2
4.2	**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) Belfast Local Development Plan, Plan Strategy 2035
4.3	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS).
4.4	**Other Relevant Policies** Belfast Agenda
5.0	**Statutory Consultees Responses** DfC HED were consulted and had no objection.
7.0 7.1	**Publicity and Representations** The application was advertised on the 11th of October 2024. No representations have been received in relation to this proposal.
8.0 8.1	**Development Plan Context** Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

8.2	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.
8.3	The local development plan is now the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP comprises two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast, is not yet published. 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.
8.4	**Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report. The Plan Strategy replaces the operational policies currently provided by the Departmental Planning Policy Statements (PPSs). Those policies will no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).
8.5	**Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
	Relevant Planning Policies Policies in the Plan Strategy relevant to the application include the following: Policy BH1 – Listed Buildings
8.6	**Key Issues** The key issues are: • The principle of the development at this location • Visual Impact on the Setting of a Listed Building
8.7	**The Principle of the Development at this Location** The grounds of City Hall currently have a similar gate in situ at the entrance of the Remembrance Garden, therefore setting a precedent for similar. The proposed works will preserve and complement the Listed Building's features of special architectural or historical importance to ensure the existing building remains intact and unimpaired. The design respects the essential character of the Listed Building and its setting. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building.

	In accordance with Section 91(2) of the Planning Act (Northern Ireland) 2011, the Council has had special regard to the desirability of preserving the Listed Building and its features of special architectural or historic interest. The proposal is acceptable having regard to Policies BH1 (Listed Buildings) and BH4 of the Belfast Local Development Plan: Plan Strategy 2035; paragraph 6.12 and 6.13 of the Strategic Planning Policy Statement for Northern Ireland 2015; and taking account of all relevant material considerations. Impact on the architectural and historic qualities of the Listed Building Section 91 (2) of the Planning Act (Northern Ireland) 2011 applies which states 'the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' Policy BH1 of the Plan Strategy provides policy for the extension or alteration of a listed building and four criteria are to be met which are: f. The works preserve, restore and complement the building's features of special architectural or historical importance to ensure the existing building remains intact and unimpaired; g. The design respects the essential character of the existing building and/or setting; h. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building and/or setting; and i. In the case of extensions, they shall be subservient to the existing building with regard to height, scale, massing, form and alignment. Policy BH1 goes onto state that there will be a presumption in favour of retaining listed buildings. Partial demolition of parts of listed buildings will be wholly exceptional and only acceptable where an alteration or extension proposal has been agreed and that demolition is required to facilitate it. The Strategic Planning Policy Statement essentially repeats this policy approach. The proposal is deemed to comply with the SPPS and Policy BH1 of the Plan Strategy. The proposed is metal workshop fabricated gates coated, black in colour, matching the design of the Remembrance Garden Gates to the East of City Hall. There will be minimal impact on the existing listed building and the grounds of City Hall. The essential character of the building will be retained. DfC HED were consulted and were content with the proposal.
9.14	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	**Summary of Recommendation:**
10.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that Listed Building Consent is granted.
10.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions.
11.0	**DRAFT Conditions:** **1.** The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted. Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.

	Informative 1. This Decision relates to the following approved drawing numbers: 01 and 03 :

ANNEX	
Date Valid	16/10/2024
Date First Advertised	1/11/2024
Date Last Advertised	15/11/2024
Date of Last Neighbour Notification	N/A
Date of EIA Determination	N/A
ES Requested	N/A
Drawing Numbers and Title 01 – Site Location Plan 02 – Existing Gate 03 – Proposed Gate Plan	

Development Management Committee Report

Summary	
Committee Date: 10th December 2024	
Application ID: LA04/2023/3691/F	
Proposal: Public realm scheme: Reconfiguration of Little Patrick Street to single lane carriageway, including localised shared space, traffic calming and restricted access to enable servicing / emergency access. Traffic calming measures provided to Little York Street. Other works to include installation of planters with integrated seating, tree planting, rain gardens, bespoke lighting pillars, catenary lighting, and surface improvements.	**Location:** Little Patrick Street and Little York Street, Belfast, BT15 1BH
Referral Route: Section 3.8.5 (c) of the Scheme of Delegation. Belfast City Council is the applicant.	
Recommendation: Approval subject to conditions.	
Applicant Name and Address: Belfast City Council 9-21 Adelaide Street Belfast BT2 8DJ	**Agent Name and Address:** Resolve Planning Alice Murdock Pearl Assurance House 1 Donegall Square East Belfast BT1 5HB
Date Valid: 13.07.2023	
Target Date: 26.10.2023	
Contact Officer: Lisa Walshe, Principal Planning Officer, Development Management.	
Executive Summary: The application seeks full planning permission for the public realm scheme on Little Patrick Street and Little York Street. The proposal seeks the reconfiguration of Little Patrick Street to single lane carriageway, including localised shared space, traffic calming and restricted access to enable servicing / emergency access. Traffic calming measures provided to Little York Street. Other works to include installation of planters with integrated seating, tree planting, rain gardens, bespoke lighting pillars, catenary lighting, and surface improvements. The key issues to be considered are: • Principle of development • Design, character and appearance. • Community infrastructure	

- Health and wellbeing
- Access, movement, and transport
- Environmental considerations
- Landscaping, green infrastructure and trees
- Built heritage.
- Amenity

The site is within the settlement limits and zoned within the city centre as detailed in the BUAP and within the draft Belfast Metropolitan Area Plan 2015 (v2004) and dBMAP (2014v).

The proposed public realm scheme is considered acceptable within this sustainable city centre location and follows design, environmental, transportation, built and natural heritage and community infrastructure policies contained with the LDP Plan Strategy.

The proposal would reduce street parking and minimise through traffic in the area. It would enhance active travel measures and provide a foundation for better interaction within the space. This is considered acceptable given the highly sustainable location of the site.

The application is a placemaking led approach to deliver a purpose designed space to meet the needs of the growing population in this expanding part of the city.

The planning service has received 2 third party objections and 2 third party letters of support.

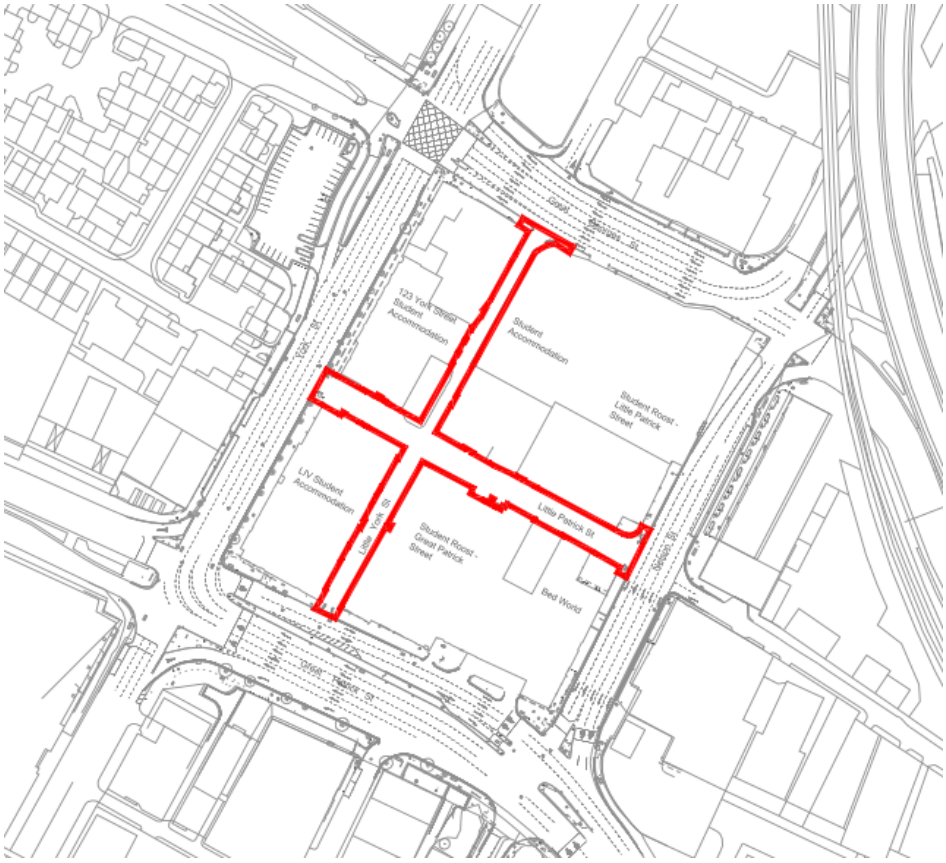
DFI Roads, DFI Rivers, BCC Environmental Health, BCC Landscape Planning and Development and Historic Environment Division have been consulted and provided feedback on the proposal. All consultees have returned no objections, subject to conditions and informatives.

Recommendation

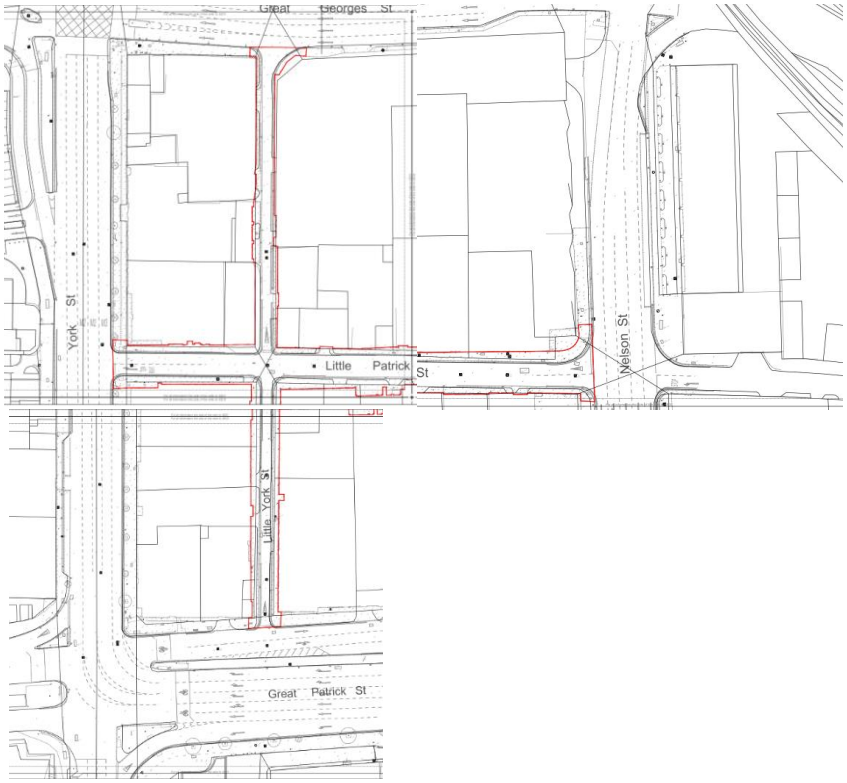
Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

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

Site Location Plan: Little Patrick Street & Little York Street

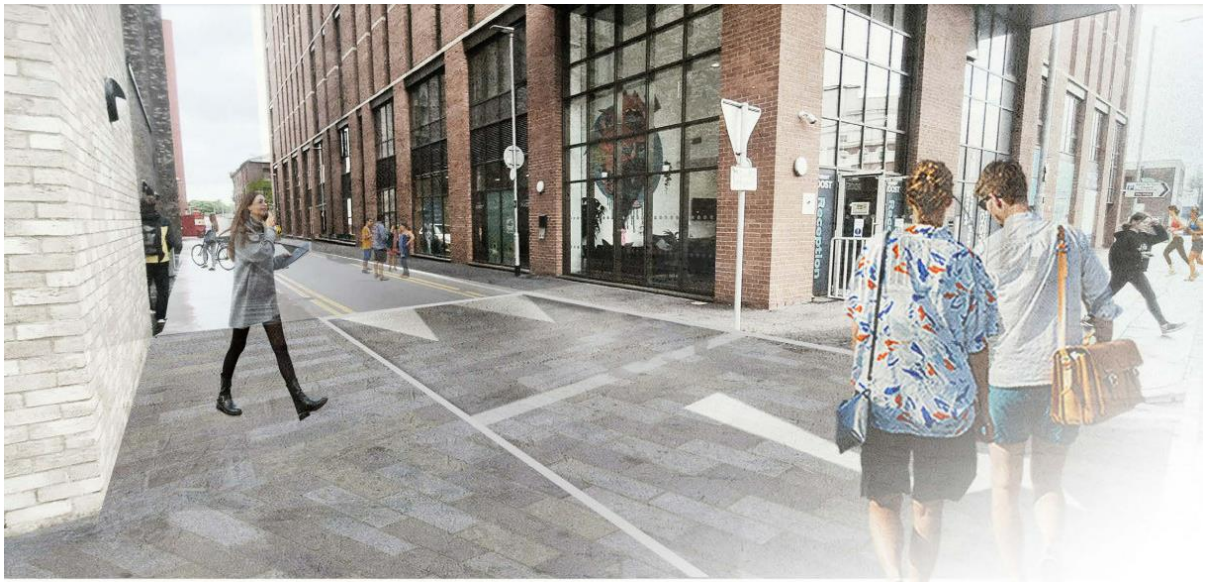


Existing Site Layout



Proposed Site Layout

CGI Impressions



1.0	**Characteristics of the Site and Area** The site comprises the two interconnected streets of Little Patrick Street and Little York Street, located in the north of Belfast City Centre, opposite the new Ulster University Campus and neighbouring Lancaster Street. It is bounded to the north and south by the A2 (Great Patrick Street) and the A12 (Great George Street) respectively, and to the east and west by the wide, 5 carriageway roads of York Street and Nelson Street. Little Patrick Street is currently a two-lane, two-way street for vehicular traffic with little York Street comprising a single lane, one way street connecting Great George Street with Great Patrick Street. Both streets have pedestrian footpaths to both sides and contain no street trees or soft landscaping. The immediate context of the site is a mixture of high density, private student accommodation blocks, retail and warehousing, surface car parking, and derelict sites including the former Hendron Brothers Building. The wider context includes the Ulster University campus buildings as well as the MAC contemporary art gallery and St Annes Square, St Anne's Cathedral, and the Cathedral Gardens Park.
2.0	**PLANNING HISTORY** LA04/2022/2063/PAD – Little Patrick Street and Little York Street – Public Realm Scheme – PAD Concluded: 31/08/2023.
3.0 **3.1**	**PLANNING POLICY** **Development Plan – operational policies:** Belfast Local Development Plan, Plan Strategy 2035 Policy SP3 – Improving health and wellbeing Policy SP5 – Positive Placemaking

	Policy DES1 – Principles of urban design Policy BH1 – Listed buildings Policy BH4 – Works to grounds affecting built heritage assets Policy HC1 – Promoting healthy communities Policy CI1 – Community Infrastructure Policy CC1 – Development opportunity sites Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV4 – Flood risk Policy ENV5 - Sustainable drainage systems (SuDS) Policy OS2 – New open space within settlements Policy TRE1 - Trees
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	**Supplementary Planning Guidance:** Creating Places Living Places - An Urban Stewardship and Design Guide for Northern Ireland
4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	Statutory Consultees **DFI Roads** – no objection with conditions & informatives. **DFI Rivers** – no objection (exception site).
4.2	Non-Statutory Consultees **Historic Environment Division (HED)** – no objection **BCC Environmental Health** – no objection
4.3	Internal Advice **BCC Landscape Planning and Development** – supportive of proposal
4.4	Representations The application has been advertised in the newspaper and neighbours notified. Two objection/comments have been received. The concerns are summarised below: - Obstruction of warehouse retail store for deliveries and customer parking which need removed. - Issues with lighting to be attached to student building as it will restrain access / maintenance to the building windows etc. - No long-term plan presented for maintenance and upkeep. Will not be providing financial assistance to trees, planting, lighting etc as it's not their responsibility or desire to attain these elements.

	- Insufficient bin collection consideration. - Proposal will disrupt and obstruct parking and movement. The Council has also received 2 letters of support for this proposal from the Ulster University and the Student Roost accommodation block whom welcome the proposals and deem that they would have a positive impact on the area. All issues highlighted by third parties will be considered within the relevant sections of the planning assessment / report below.
5.0	**PLANNING ASSESSMENT**
5.1	**Main Issues** The main issues relevant to consideration of the application are set out below. • Principle of development • Design, character and appearance. • Community infrastructure • Health and wellbeing • Access, movement, and transport • Environmental considerations • Landscaping, green infrastructure and trees • Built heritage. • Amenity
5.2	**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 Polices** The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at section 3.1.
5.6	**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

5.7	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, except for retail policies that relate to Sprucefield which remain contentious.
5.8	**Belfast Urban Area Plan 2001** – identified as whiteland.
5.9	**Belfast Metropolitan Area Plan 2015 (2004**) – identified as development opportunity site.
5.10	**Belfast Metropolitan Area Plan 2015 (v2014)** – identified as development opportunity site.
5.11	**Principle of development** The SPPS advises that planning permission should be granted for sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance.
5.12	The proposals seek to make alterations to the streetscape, public footpaths, and existing street network to prioritise pedestrians and cyclists over motorised vehicles. The overarching aims of the proposal are as follows: - Create a welcoming and permeable streetscape. - Create a human scale space to influence interaction. - Adaptable + multifunctional spaces. - Innovative approaches to soft landscaping. - Traffic calming measures which prioritise people over vehicles. - Useable, vibrant, and safe space.
5.13	The proposal is designated as whiteland within the BUAP and is zoned as a 'development opportunity site' (zoning CC 077) dBMAP v2004. The site is within the development limits of Belfast and the city centre boundary.
5.14	The concept focuses on Little Patrick Street as the main area for alterations by reducing the carriageway from a two-lane, two-way street to a single lane. This seeks to create space for seating at selected locations, tree planting, and rain gardens. Caithness slabs will be used for pedestrian footways along the length of Little Patrick Street with granite setts in areas which are to be stopped up / prioritised for pedestrians. Flush kerbs will also be used in these areas to create a continuous level surface, prioritising pedestrians whilst still enabling cycle access.
5.15	Little York Street focuses on discouraging the road to through-traffic between Great Patrick Street and Great George Street whilst retaining existing access to the accommodation blocks. This is sought to be achieved by changing the surface material from tarmac to natural stone paving by the Great Patrick Street end to encourage pedestrians to use it as a walking route.
5.16	The concept seeks to activate Little Patrick Street and Little York Street by introducing new high quality public realm and opportunities for activities within these streets. It also seeks to activate entrances from the surrounding major streets to entice people into these quieter streets and reduce the existing 'island' effect. This will be achieved through a combination of introducing planting and seating, restricting traffic, creating flexible spaces for new or changing activities, upgrading functional lighting, and layering historic

	narratives through the scheme. In addition, space is created for a shared active travel route connection between York Street and Nelson Street.
5.17	The principle of this public realm scheme is aligned with overarching policy direction set out in the RDS 2035, SPPS, Belfast Agenda and the Belfast Local Development Plan – Plan Strategy 2035.
5.18	**Design, character and appearance.** Little Patrick Street comprises a two-carriageway street with a pavement on both sides and a typical width of 11m between building lines. Little York Street is a single carriageway, one way street with a pavement on both sides and a typical width of 8m between building lines. Both streets currently have an enclosed feel dictated by a combination of their linear nature and flanking by 12+ storey buildings. This is exacerbated along Little York Street due to its narrow width. Active frontages are limited to the corner of Little Patrick Street and York Street although both streets are passively overlooked by upper floor windows of student accommodation blocks. There is no soft landscaping or trees on either street. Both streets currently act as a back of house to student accommodation with servicing entrances, plant rooms and bin stores at ground level. There are several vacant units for sale including the former Hendron Brothers Building. There is access for businesses at the eastern end of Little Patrick Street.
5.19	The Design and Planning Statement submitted to the Council refers to the history of the area, and once known as 'Little Italy' with the concept seeking to re-imagine the former streetscapes of 'Little Italy' as a new public space.
5.20	Policy DES1 of the LDP 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. The below sections will detail the proposed design changes on each street.
5.21	<u>Little Patrick Street</u> The carriageway will be reduced to a single lane and stopped up to traffic in the western half of the street. There will be recessed bays designated for bins which will remove them from public views along the street. The street will be broken up with public seating areas which include raingardens and planting. Street trees will be introduced to enhance the biodiversity and aesthetics of the area.
5.22	Caithness slabs will be used for pedestrian footways along the length of Little Patrick Street with granite setts in areas which are to be stopped up / prioritised for pedestrians. Flush kerbs will also be used in these areas to create a continuous level surface, prioritising pedestrians whilst still enabling cycle access. The choice of materials has been guided by the Belfast City Centre Public Realm Materials Palette. Use of these materials ensures high quality materials and finishes will be implemented, responding positively to the local context and wider character and finishes within the city centre.,
5.23	<u>Little York Street</u> Little York Street has been recently resurfaced and is in good condition. Design proposals for this street focus on discouraging vehicular through traffic between Great Patrick Street and Great George Street whilst retaining existing access to the accommodation blocks where required. This is achieved by changing the surface material from tarmac to natural stone paving by the Great Patrick Street end to encourage use as a pedestrians walking route.

5.24	Street lighting is also proposed. The proposals state that lighting will be designed in accordance with the "Luminous City: A Lighting Strategy for Belfast" and seek to minimise light spillage. The lighting aims to achieve a balance in the street feeling safe and attractive but seeking to limit instances of antisocial or noisy behaviour within a largely residential setting.
5.25	BCC Landscape Planning and Development team have no objections stating that the proposal will create an accessible, high quality public realm, valuable pockets of urban green space that will improve the amenity value of the proposed public realm.
5.26	The proposed development aligns with the key principles of Policy SP5 of the LDPand design criteria (a-k) of Policy DES1. The proposal is deemed acceptable with regards to design, character, and appearance.
5.27	**Health and wellbeing** Policy SP3 – Improving health and wellbeing and Policy HC1 – Promoting healthy communities. require proposals to promote healthy and active lifestyles. The public realm scheme enhancements will assist active travel i.e. walking and cycling are easily achieved and that the surface area caters for people with mobility issues. The proposal will improve accessibility to/within the locality and city centre, reducing the use of private car travel, and improve provision of public open space The proposal is acceptable in relation to these policies.
5.28	**Access, movement, and transport** The applicant has provided a Traffic Statement, Road Safety Audit, Bin Collection Plan and a DFI Roads consultation report to demonstrate a safe and usable streetscape for all members of the public.
5.29	A local business had initially made a representation regarding proposed planters blocking access to their delivery warehouse entrance and car parking area. Revisions have been received to the satisfaction of DFI Roads which adequately address the representation received. The neighbours and objector were notified of the amendments and no further representations were received.
5.30	DFI Roads have no objections to the proposal, subject to conditions. The proposal is situated in a highly accessible location with public transport links. The proposal will create an accessible environment for residents and members of the public, enhancing active travel via walking and cycling. The proposal is compliant with Policy TRAN 1 of the LDP.
5.31	The proposal also seeks to reduce on-street parking and includes provision for cycle parking. Appropriate servicing arrangements have been demonstrated to the satisfaction of DFI Roads and therefore the proposal is in compliance with Policies TRAN 1, TRAN 2, and TRAN 8 of the LDP.
5.32	**Environmental considerations** The application site is situated within the 1 in 100-year climate change floodplain. The Council confirmed the site as being an exception as there is currently hard standing and the proposed scheme will introduce drainage, planting and SuDs.
5.33	The existing landscape and topography of the site does not include any soft landscaping or street trees. The surfacing is not permeable and largely consists of asphalt with concrete kerbs. The proposal seeks to enhance the permeability of the site by introducing

	sustainable urban drainage systems, methods, and materials. The drainage strategy directs surface runoff from impermeable surfaces including roads and footpaths to proposed rain gardens. reducing pressure on the existing drainage system capacity by attenuating and slowing water flows.
5.34	DFI Rivers have appraised the flood risk and drainage assessment provided by the applicant and have no objections based on the supporting information.
5.35	Belfast City Council Environmental Health Service have considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations. They have no objections to the proposal based on the plans and information provided, subject to conditions and informatives.
5.36	The proposal is considered acceptable in relation to Policies ENV1, ENV2, ENV4 and ENV5 of the LDP.
5.37	**Landscaping, green infrastructure and trees** As mentioned above in this report, both Little Patrick Street and Little York Street currently have no landscaping or street trees within the application site. Large-scale purpose-built student accommodation blocks being erected adjacent to the site. Currently the public realm is poor quality and is dominated by hard landscaping.
5.38	The proposal seeks to introduce visual breaks in the street scene along Little Patrick Street introducing green spaces and pockets of new public open space which will improve visual amenity and public realm in the area.
5.39	The proposal seeks to introduce pockets of new public open space within the urban context of Little Patrick Street and Little York Street. These proposals reflect criteria as set out within of the LDP. The introduction of rain gardens support biodiversity within the area. Rain gardens including tree planting using species which have a light canopy are proposed. Tree planting plans have been provided to the council and are deemed acceptable. The proposal is compliant with Policy OS2 and TRE1 of the LDP as it will result in net gain of open space trees within Policy and. The proposal is also acceptable regarding landscaping, green infrastructure, and trees in that the materials and landscaping proposed are compliant with Supplementary Guidance as set out in Creating Places and Living Places.
5.40	**Built Heritage** Little Patrick Street and Little York Street are located within an Area of Archaeological Potential and Investigations. The streets are also on the boundary of adjacent listed buildings. Historic Environment Division have no objections to the proposal and are satisfied listed buildings, their settings and archaeological assets will not be adversely affected. The proposal is considered compliant with Policies BH1 and BH4 of the LDP, taking account of the response from HED.
5.41	**Amenity** The site is surrounded by student accommodation blocks and established residential areas such as Lancaster Street, Thomas Street, Great Georges Street. There are also businesses in close proximity to the site. The Council have received an objection from the head of operations of one of the student blocks adjacent the site. The main concerns include issues with the lighting that is to be attached to the student building. The objection states that the proposal will restrict access

	and maintenance to the building windows above ground floor levels. The objection states that no long-term plan has been presented for maintenance. This representation also states that financial assistance will not be provided for maintenance of trees, planting, lighting, and other features associated with the proposal. In addition, it states that the proposal will impact on bin collection arrangements, and that the proposal would disrupt and obstruct parking and movement within the area.
5.42	These points have been considered by the applicant. The applicant has provided supporting information relating to the traffic and bin collection which has been considered by DFI Roads. DFI Roads have no objections to the proposal and on this basis the proposal will not adversely impact on access, traffic, road safety, servicing of adjacent properties including and that bin storage and collection arrangements. They have also confirmed that no lighting is proposed to nearby buildings.
5.43	The Council has also received 2 letters of support for this proposal from the Ulster University and the Student Roost accommodation block whom welcome the proposals and deem that they would have a positive impact on the area.
5.44	**Developer Contributions** Para 5.69 of the SPPS states that 'Planning authorities can require developers to bear the costs of work required to facilitate their development proposals'. No developer contributions are required however, due to the nature of the development, which is providing public realm improvements in the public interest.
6.0	**Recommendation**
6.1	It is considered that the proposal will have no significant impact on residential amenity or the character of the surrounding area and will provide community benefits through enhanced public realm and open space improvements. The proposal is compliant with relevant policy provisions in the LDP, and approval is recommended.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.
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. Prior to commencement, the Applicant is required to provide DfI Roads with an additional 5% of each of the public realm surfacing materials used in the Public Realm works to the public road network to cover future maintenance interventions, unless otherwise agreed in writing with the Council. **Reason:** To ensure adequate future maintenance. 3. The materials used on footways, on pedestrianised road surfaces and pedestrianised public realm, shall be carried out in accordance with the Streets Ahead 3 Palette of Materials or such other materials as first agreed in writing with the Council in consultation with the DfI Section Engineer. All materials must satisfy DMRB regarding materials performance and confirm PSV value in

accordance with CS 228 Skidding Resistance. All materials must be installed, retained and maintained thereafter in accordance with the approved details.

Reason: In the interests of road and pedestrian safety.

4. Prior to completion and operation, pedestrian crossing points including tactile paving must be provided at all road junctions in accordance with the DETR / Scottish Office publication "Guidance on the use of Tactile Paving Surfaces". All pedestrian crossing points must be retained and maintained in accordance with the above guidance.

   Reason: In the interests of pedestrian safety.

5. 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 becomes operaional and such splays shall be retained and kept clear thereafter.

   Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.

6. 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 use.

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

7. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

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

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Development Management Officer Report
Committee Application

Summary	
Committee Meeting Date: 10th December 2024	
Application Ref: LA04/2024/1046/F	
Proposal: Erection of a store to be used as a workshop for Eurobins.	**Location:** Duncrue Complex, Duncrue Road, Belfast BT3 9BP
Referral Route: Paragraph 3.8.5 (d) of the Scheme of Delegation – Council owned land	
Recommendation: Approval subject to condition	
Applicant Name and Address: Belfast City Council City & Neighbourhood Services Duncrue Complex, Duncrue Road Belfast BT3 9BP	**Agent Name and Address:** Belfast City Council Property Maintenance Unit Duncrue Complex Duncrue Road Belfast BT3 9BP
Date Valid: 29.10.2024	
Target Date: 11.02.2025	
Contact Officer: Lisa Walshe, Principal Planner	

Executive Summary:

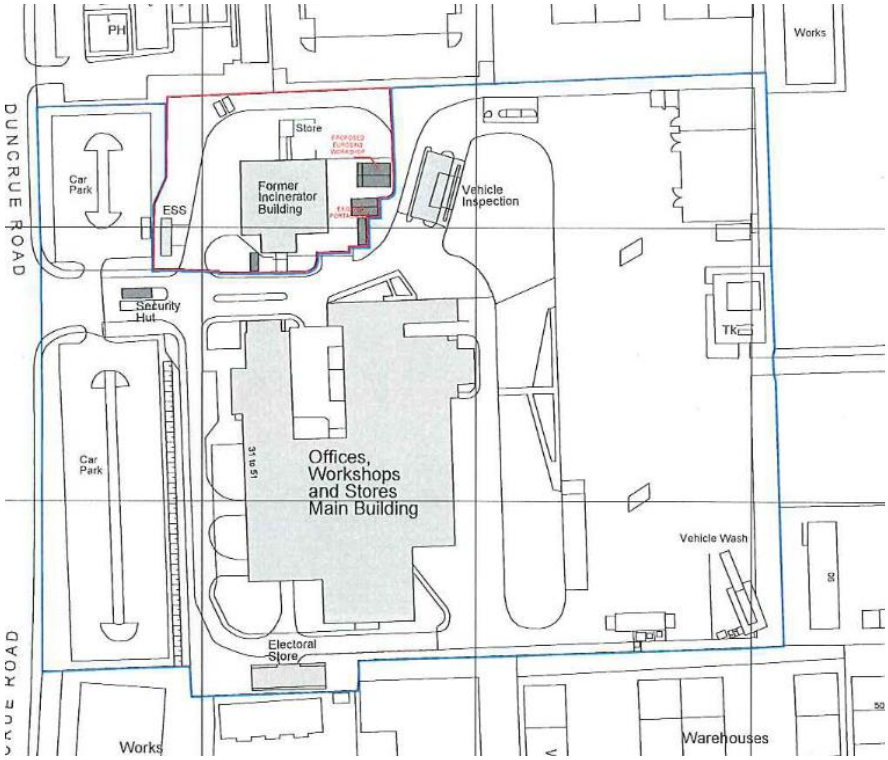
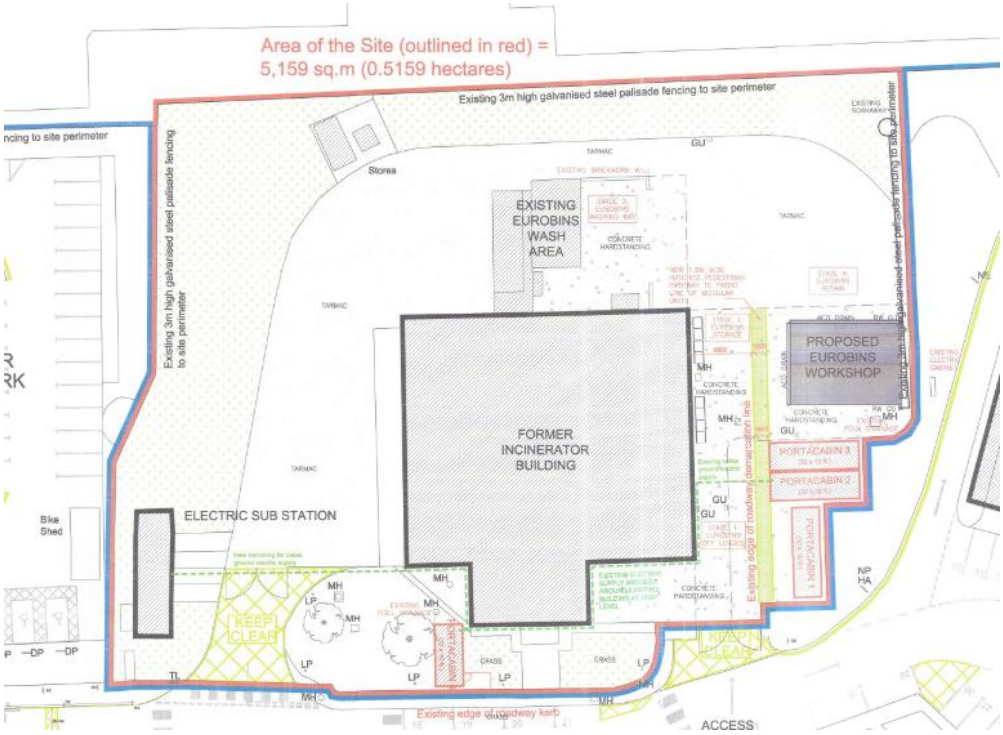
This application seeks full planning permission for the erection of a store to be used as a Eurobins workshop. The application site is situated at Duncrue Complex, Duncrue Road.

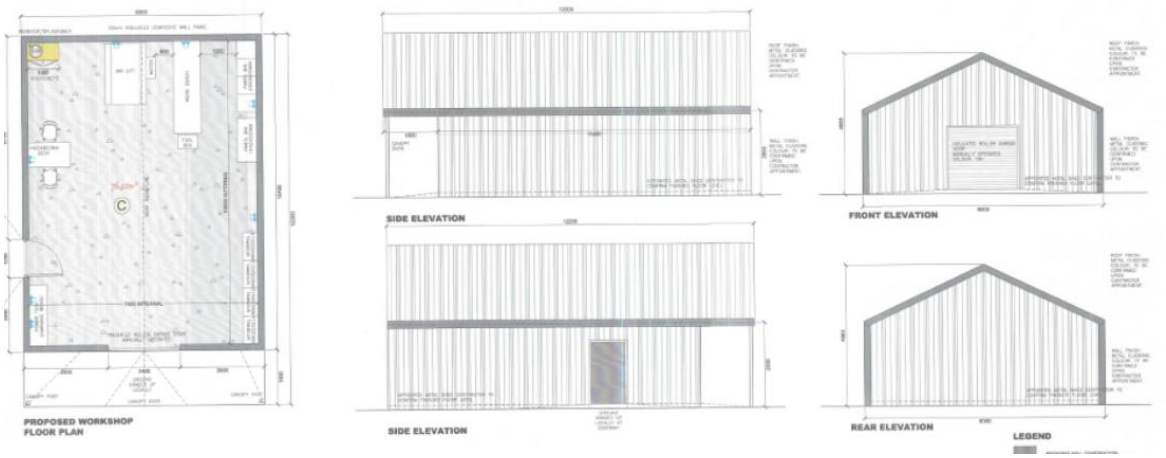
The key issues for consideration of the application are set out below:

- Principle of the proposal
- Environmental considerations
- Design

The Eurobins workshop facilitates commercial bins being repaired or refurbished before being issued to customers or events. The height and scale of the workshop is designed to appear subservient when read alongside the other buildings within the development.

Recommendation
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

Officer Report	
1.0	**Drawings**
1.1	**Site Location**  **Block Plan** 

	Elevations and Floor Plans 
2.0	**Characteristics of the Site and Area**
2.1	The site is located within Duncrue Complex, Duncrue Road, Belfast. The site is used as a depot for staff with administration offices, workshops and stores used by Belfast City Council Waste Management Operations.
2.2	The proposed Eurobins Workshop will be situated to the east of the application site and will be bounded by existing 3m steel palisade fencing. The area to the north of the site comprises Dale Farm House and to the east, south and west is associated Waste Management Operations.
3.0	**Description of Proposal**
3.1	The application is seeking full planning permission for the erection of a store to be used as a workshop for Eurobins.
3.2	The process involves collecting bins from customers where they are emptied, power washed and cleansed before entering the workshop for repairs including replacing wheels, lids, etc. Bins will be painted for the appropriate type of waste they are intended for.
4.0	**Planning Policy and Other Material Considerations**
4.1	**Development Plan – Plan Strategy** Belfast Local Development Plan, Plan Strategy 2035
4.2	*Strategic Policies:* Policy SP2 – sustainable development
4.3	*Operational Policies:* Policy ENV1 – Environmental quality

	Policy EC5 – Industry and storage and distribution uses DES1 – Principles of Urban Design **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)
4.4	**Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	**Relevant Planning History** None
5.0	**Consultations and Representations**
5.1	**Statutory Consultations** None
5.2	**Non-Statutory Consultations** BCC Environmental Health – No Objections
5.3	**Representations**
5.3.1	The application has been advertised and neighbours notified. No representations have been received.
6.0	**PLANNING ASSESSMENT**
6.1	**Development Plan Context**
6.1.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.1.3	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 ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.1.4	**Operational policies** – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in the following section of this report.).

6.1.5	**Proposals Maps** – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.1.6	**Belfast Urban Area Plan 2001** - The site is located within the settlement development limit in the BUAP and is not zoned for any use.
6.1.7	**Belfast Metropolitan Area Plan 2015 (2004 and 2014) -** Within BHA 08 Existing Employment and Industry.
6.1.8	**Key Issues** The key issues to be considered in this application are: • Principle • Design • Contaminated Land
6.2	**Principle of the proposal**
6.2.1	The Eurobins workshop is where 660 & 1100 litres commercial bins are taken for repair or refurbishment before being issued to customers or events. The process involves collecting bins from customers where they are emptied, power washed and cleansed before entering the workshop for repairs including replacing wheels, lids, etc. Bins will be painted for the appropriate type of waste they are intended for.
6.2.2	The repair of the Eurobins currently takes place within an existing former incinerator building at Duncrue Complex which is no longer fit for purpose as a work environment. The surrounding area includes an existing Eurobins wash area and portacabins. The new workshop will be built adjacent to the incinerator on existing concrete hardstanding. The proposal is situated on land zoned for employment and industrial uses. Policy EC5 – Industry and storage and distribution uses states that 'Planning permission will be granted for development proposals in Class B2 light industrial use, Class B3 general industrial use and Class B4 storage and distribution as set out in the Planning (Use classes) Order (NI) 2015 in a zoned employment area, subject to normal planning considerations'. The principle of use is considered acceptable at this location.
6.3	**Design**
6.3.1	The height and scale of the building is considered to appear subservient when read alongside the other buildings within the development. The building will measure approximately 83sqm with a height of 5.5m. It will be finished in metal cladding with a pitched roof and have a roller door to the front and one door to the side, giving the appearance of a typical workshop/store. The building is in keeping with the surrounding industrial area and will have limited views when entering the site.
6.4	**Environmental Considerations**
6.4.1	Belfast City Council Environmental have been consulted on the application. They state that 'Records held by this Service indicate that the site of the proposed development is located

	on and in close proximity to land use types that have the potential to contaminate land and pose a risk to human health. These land use types are known to include domestic waste landfills, an abattoir, depots and mineral workings. The site is located on reclaimed land, which is known to have been infilled with material of unknown and varying quality'. The applicant has submitted supporting information confirming that there is an existing deep concrete base in place (over 1m thick) where the shed is to be located. The proposed shed is to be bolted to this concrete base. There are to be no penetrations of the concrete base to facilitate the development and on this basis, Environmental Health therefore have no objections to the application.
8.0	**Recommendation**
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, provided that they are not substantive.

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.

Planning Committee

Development Management Report

Summary	
Committee Date: 10th December 2024	
Application ID: LA04/2024/2016/F	
Proposal: Erection of a life-sized statue of Rory Gallagher on the existing patio area to the side of Ulster Hall	**Location:** Ulster Hall, 34 Bedford Street
Referral Route: Paragraph 3.8.5(d) of the Scheme of Delegation for Planning (Council owned land)	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Frank Girvan The Rory Gallagher Statue Project 26 Ravensdene Crescent Belfast BT6 0DB	**Agent Name and Address** (As applicant)
Date Valid: 4th December 2024	
Target Date: 19th March 2025	
Contact Officer: Ed Baker, Planning Manager (Development Management)	

Executive Summary:

The application relates to an open paved area to the south side of the front of Ulster Hall, No. 34 Bedford Street. The application seeks planning permission for the erection of a statue (of the musician Rory Gallagher).

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

- Impact on the character and appearance of the Conservation Area
- Impact on the setting of Listed Buildings
- Other matters

The site is located within the City Centre. It is within the Linen Conservation Area. It is considered that the proposal would have a modest visual impact and that the character and appearance of the Conservation Area would be preserved.

It is considered that the setting of the Listed Ulster Hall and other Listed Buildings would be safeguarded.

No other areas of acknowledged planning importance would be prejudiced by the proposal.

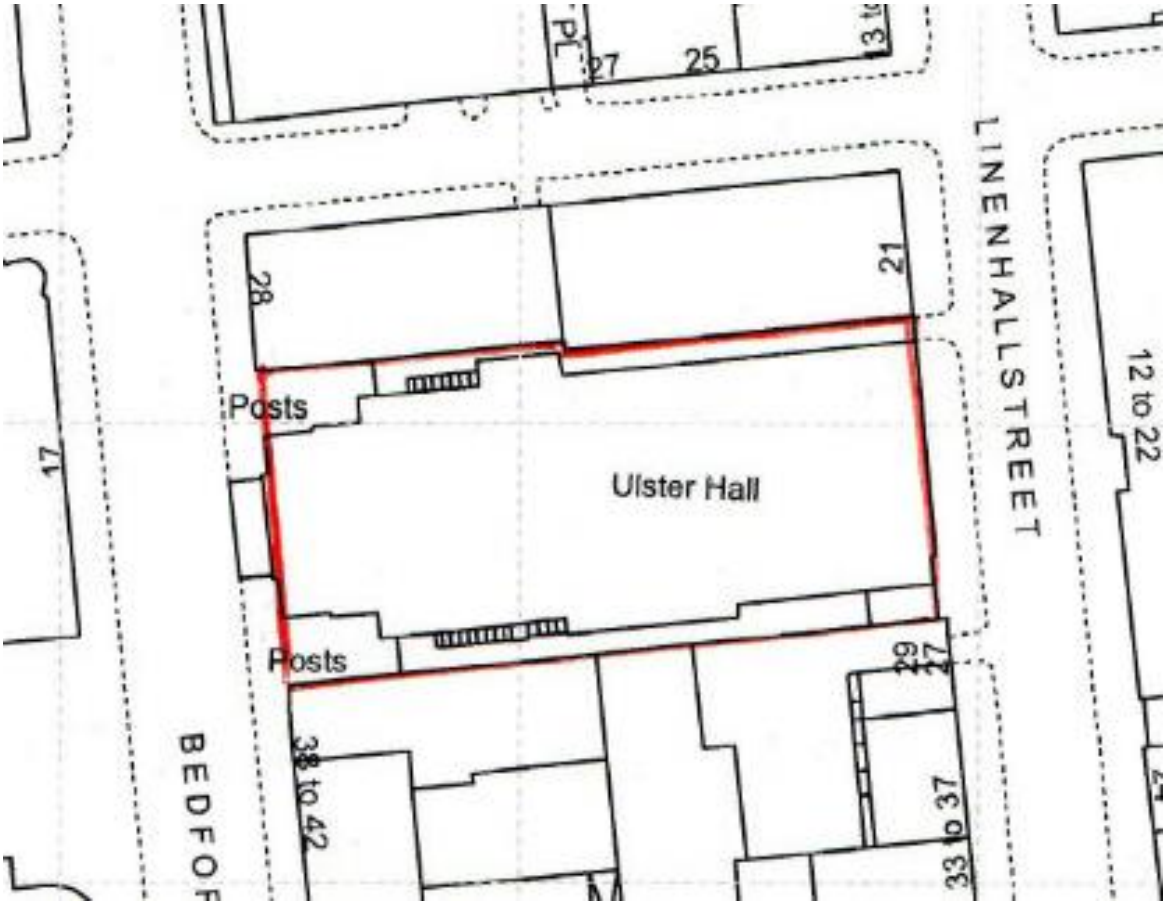
Recommendation

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

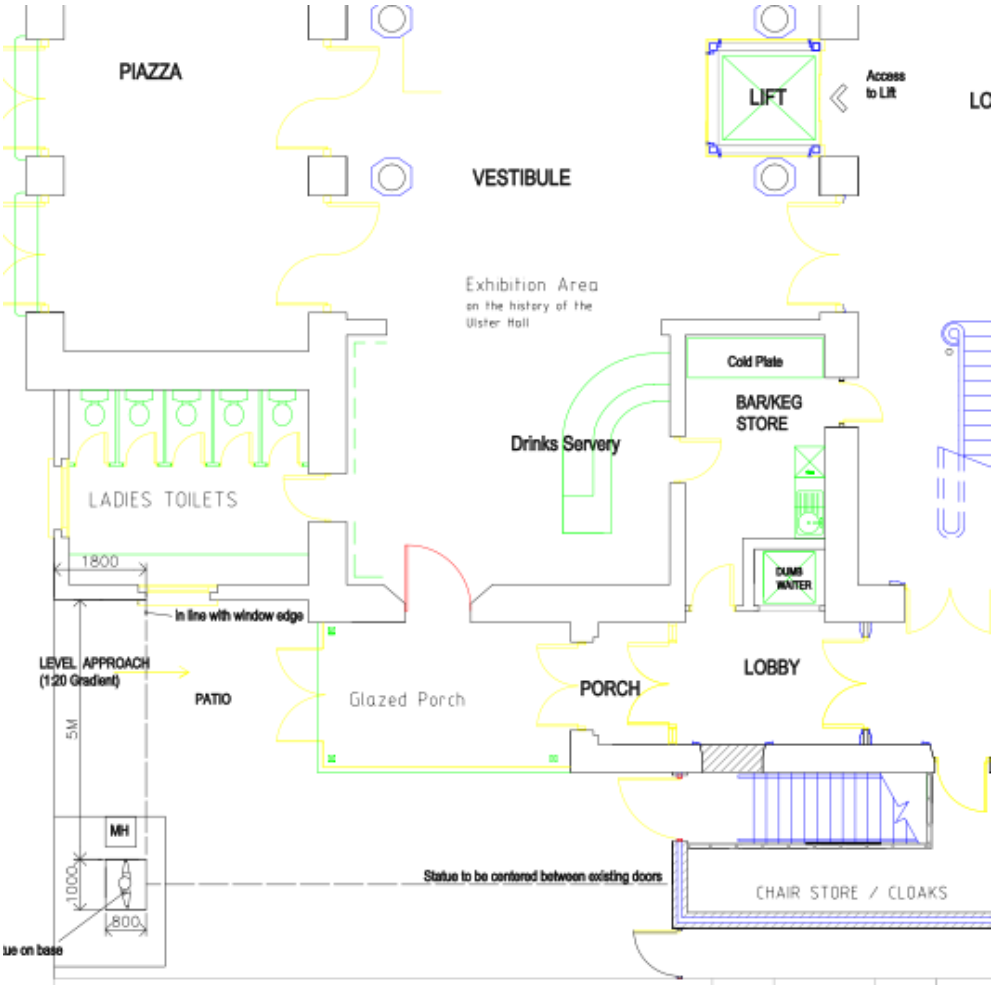
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with the outstanding consultations and any new issues that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

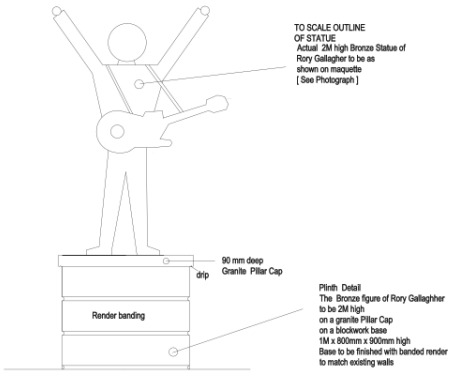
Site Location Plan:



Site Layout:



Front Elevation:



1.0	**Characteristics of the Site and Area**
1.1	The site relates to an open paved area to the south side of the front of Ulster Hall, No. 34 Bedford Street.

1.2	The site is located within the Linen Quarter Conservation Area and is surrounded by a range of heritage buildings the most notable of which includes the Listed Ulster Hall immediately beside the site. **Description of Proposal**
1.3	The application seeks planning permission for the erection of a statue (of the musician Rory Gallagher). The statue is to be finished in bronze and would rest on a 1m high plinth (rendered banding to match existing walls on Ulster Hall). The plinth is set a short distance off the public footpath to the other side of three existing bollards that sit flush with the front of the Ulster Hall.
2.0	**PLANNING HISTORY (ON SITE)**
2.1	LA04/2016/0818/F – Erection of statue. Approved 18th October 2016. The permission has since lapsed, hence the submission of the new application.
3.0	**PLANNING POLICY**
3.1	**Development Plan – Plan Strategy** <u>Belfast Local Development Plan, Plan Strategy 2035</u> *Strategic Policies:* Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking *Operational Policies:* Policy DES1 – Principles of urban design Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas Policy BH4 – Works to grounds affecting built heritage assets Policy TRAN2 – Creating an accessible environment <u>Supplementary Planning Guidance</u> Placemaking and Urban Design **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) **Regional Planning Policy** Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) **Other Material Considerations** *Belfast Agenda* (Community Plan) Linen Conservation Area Design Guide Linen Quarter Vision and Guidance

4.0	**CONSULTATIONS AND REPRESENTATIONS**
4.1	Statutory Consultees DfC HED – awaited. Non-Statutory Consultees
4.2	None required. Representations
4.3	The application will be advertised in the newspaper on Friday 13th December 2024 and neighbours have notified.
5.0	**PLANNING ASSESSMENT** **Development Plan Context**
5.1	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.
5.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.3	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. Operational Polices
5.4	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1. Proposals Maps
5.5	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 ("Departmental Development Plan"), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.6	The site is un-zoned "white land" in the BUAP 2001 and both version of dBMAP 2015 (v2004 and v2014).

	Main Issues
5.7	The main issues relevant to consideration of the application are set out below. • Impact on the character and appearance of the Conservation Area • Impact on the setting of Listed Buildings • Other matters
	Background
5.8	A statue of the musician Rory Gallagher was previously approved by the Council in October 2016 and the permission has subsequently lapsed. It is understood that the statue is due to be unveiled in early January 2025, hence the submission of the new planning application.
5.9	The new application was submitted on 3rd December and validated on 4th December. The consultations have yet to issue and publicity of the application not completed.
5.10	The application is required to be reported to the Committee because the Council has an estate in the land. It is out of the ordinary to report an application to the Committee so early in the process. However, the application is brought to the Committee now because the next available Committee is 21st January 2025, which is after the proposed unveiling of the statue. Given that the application is brought forward by a community interest group, that planning permission has previously been granted for the proposal, and that the planning issues and policy considerations have not fundamentally changed since then, the application is reported to the Committee now. Delegated authority is sought to deal with consultation responses and any new issues that arise, provided that they are not substantive.
	Impact on the character and appearance of the Linen Conservation Area
5.11	The site is located within the Linen Conservation Area. Section 104(11) of the Act states: *'Where any area is for the time being designated as a conservation area, special regard must be had, in the exercise, with respect to any buildings or other land in that area, of any powers under this Act, to the desirability of–* *(a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;* *(b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.*
5.12	Policy BH2 relates to development proposals within a Conservation Area.
5.13	The proposed statue would be situated within an open paved area to the side of the front of Ulster Hall onto Bedford Street. It would be set behind the building line and would have a modest visual impact. In fact, it is considered that the proposal would help make more effective of this space.
5.14	It is considered that the character and appearance of the Conservation Area would be preserved. There are no obvious opportunities for enhancement of the Conservation Area given the nature and small-scale of the proposal.
5.15	The proposal is considered to accord with Policy BH2 of the Plan Strategy.

	Impact on Built Heritage
5.16	Section 91(2) of the Act states that: '*In considering whether to grant planning permission for development which affects a listed building or its setting, and in considering whether to grant listed building consent for any works, a council… must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*.'
5.17	Policy BH1 sets out criteria for considering proposals that affect the setting of a Listed Building.
5.19	It is considered that the proposal, by reason of its character, size and position set behind the main building line, would not harm the setting of the adjacent Listed Ulster Hall or other Listed Building. A consultation response from DfC HED is awaited, however, it is noted that it did not object to the previous application for the statue. It is anticipated that advice from DfC will be available by the time of the Committee meeting.
	Other matters
5.20	It is considered that no other areas of acknowledged planning importance would be prejudiced by the proposal.
5.21	The proposed statue would be in keeping with the street-scene and placemaking principles and accords with Policy DES1.
5.22	The proposal would be setback from the main pavement area and would not impact on pedestrians or highway safety, compliant with Policy TRAN2.
6.0	**Recommendation**
6.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.
6.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with the outstanding consultations and any new issues 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. No development hereby approved shall be carried out unless in accordance with a written specification of the materials of plinth and statue, which shall have first been submitted to and approved in writing by the Council. Reason: In the interests of the character and appearance of the Conservation Area and the setting of the Listed Building.

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of the Local Government Act (Northern Ireland) 2014.

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