

Public Document Pack

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



**Belfast
City Council**

13th June, 2024

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 18th June, 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

- (a) Note of Committee Site Visits (Pages 1 - 2)
- (b) Request for Pre-emptive Committee Site Visit: LA04/2023/4613/F - Proposed building ranging between 5 - 10 storeys (20.60m - 42.35m) including offices (Class B1a), ground floor retail (Class A1), community and cultural (Class D1) and restaurant uses, and licensed restaurant at upper level with external terrace, rooftop plant area, landscaping, servicing, public realm improvements, and all associated site works. - Lands west of Donegall Quay, east of Tomb Street, south of Corporation Square (opposite Belfast Harbour Office) and immediately north of the NCP Multi Storey Car Park

- (c) Request for Pre-emptive Committee Site Visit: LA04/2024/0574/F - Proposed temporary (up to 5 years) nursery and primary school, soft play area, access, parking, landscaping and ancillary site works - Land adjacent and east of No. 44 Montgomery Road
- (d) Request for Pre-emptive Committee Site Visit: LA04/2024/0681/F - 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. - Lands to the northeast of Olympic House, east of Queen's Road and south of Belfast Metropolitan College

3. **Notifications of Provision/Removal of Accessible Parking Bay**

- (a) Provision at 14 St James Road (Pages 3 - 6)
- (b) Provision at 27 Innisfayle Gardens (Pages 7 - 10)
- (c) Provision at 36 Snugville Street (Pages 11 - 14)
- (d) Provision at 81 Cambrai Street (Pages 15 - 18)
- (e) Removal at 27 and 28 Carncaver Road (Pages 19 - 24)
- (f) Provision at 13 Rossnareen Avenue (Pages 25 - 28)
- (g) Provision at 123 Joanmount Gardens (Pages 29 - 32)
- (h) Provision at 10 Andersonstown Park South (Pages 33 - 36)
- (i) Location at 4 Knocknagoney Road (Pages 37 - 40)

4. **Planning Appeals Notified** (Pages 41 - 42)

5. **Planning Decisions Issued** (Pages 43 - 66)

6. **Miscellaneous Reports**

- (a) Committee Decisions awaiting issuing and New Section 76 Planning Agreement Processes (Pages 67 - 74)
- (b) Notice of Opinion issued by the Department for Infrastructure: LA04/2021/1317/F and LA04/2021/1318/DCA - Demolition of existing dwellings and erection of two new dwellings and associated site works. - 450 and 448 Lisburn Road, Belfast (Pages 75 - 104)
- (c) Committee Visits to Implemented Schemes (Pages 105 - 108)
- (d) LDP Plan Strategy - EQIA Stage 7 Monitoring Report (Pages 109 - 118)

- (e) In the Matter of a Judicial Review. BCC v PAC. 2024/4371/01 - Verbal Report

7. **Planning Applications previously considered**

- (a) **LA04/2023/4162/F** - Change of use from retail unit to amusement arcade and adult gaming centre. - 51 Rosemary Street (Pages 119 - 128)
- (b) **LA04/2023/3936/O** - Proposed replacement dwelling and all associated site works - 89a Upper Springfield Road (Pages 129 - 136)
- (c) **LA04/2023/2748/A** - 1 Digital Advertisement Display - 12-13 Shaftesbury Square (Pages 137 - 150)

8. **Planning Applications**

- (a) **LA04/2023/2459/F** - Redevelopment of the NICSSA pavilion complex within the Stormont Estate creating a centre of excellence for sport. The development will comprise of demolition of the existing pavilion building and replacement with new 2 storey building providing state of the art indoor sports halls, changing accommodation, function/meeting space offering improvements to the existing offering. Day to Day operation of the site will be improved by way of improvements to internal road network via new access/egress arrangements from the existing Stoney Road junction, additional car and cycle parking and new waste/recycling areas. (Revised description, reduction in site boundary and further information received) - Lands within the Stormont Estate to include The Maynard Sinclair Pavilion and Dundonald House (Pages 151 - 184)
- (b) **LA04/2022/0612/F** - 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). - Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street (Pages 185 - 214)
- (c) **LA04/2023/4153/F** - Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property. - 44 Ponsonby Avenue (Pages 215 - 226)
- (d) **LA04/2023/4616/F** - Installation of glazed box to enclose existing external seating area - Nicos, 54 Lisburn Road (Pages 227 - 240)
- (e) **LA04/2024/0128/F** - Proposed 11m (Height) x 30m (length) ball stop fencing, including perimeter and spectator fencing, with a pathway surrounding the existing pitch, and associated site works. - Existing GAA pitch at Falls Park (Approx. 80 metres north of No. 13 Norfolk Park), Falls Road (Pages 241 - 246)
- (f) **LA04/2024/0778/LBC** - Removing existing wall mounted cycle racks and replacing with semi vertical cycle racks (free from wall mounting). - 2 Belfast City Hall, City Hall Donegall Square North (Pages 247 - 252)

- (g) **LA04/2023/3821/F** - Proposed change of use from offices to aparthotel with the creation of additional floors to the upper section of building along with elevational alterations and associated development. -Dorchester House, 52-58 Great Victoria Street (Pages 253 - 264)

9. **Restricted Items**

- (a) **ITEM WITHDRAWN:** ~~Draft Purpose Built and Managed Student Accommodation – Supplementary Planning Guidance~~

Planning Committee

PLANNING COMMITTEE SITE VISITS – NOTE OF MEETING

Tuesday 21st May, 2024

1. **LA04/2023/4162/F** - Change of use from retail unit to amusement arcade and adult gaming centre. - 51 Rosemary Street.

Members Present: Councillor Garrett (Chairperson); and
Councillors Carson and P. Donnelly.

Officers in Attendance: Mrs. C. Reville, Principal Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at Rosemary Street (12.30 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 12:50 p.m.

2. **LA04/2023/2748/A** - 1 Digital Advertisement Display - 12-13 Shaftesbury Square.

Members Present: Councillor Garrett (Chairperson); and
Councillors Carson and P. Donnelly.

Officers in Attendance: Mrs. C. Reville, Principal Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at Shaftesbury Square (1:10 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.

3. **LA04/2023/3936/O** - Outline planning for proposed replacement dwelling and all associated site works - 89a Upper Springfield Road.

Members Present: Councillor Garrett (Chairperson); and
Councillors Carson and P. Donnelly.

Officers in Attendance: Mrs. C. Reville, Principal Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

The Members and the officers convened at 89a Upper Springfield Road (1:30 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 1:50 p.m.

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Network Traffic, Street Lighting and
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Eastern Division

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

Annexe 7

Castle Buildings

Stormont Estate

Tel: 0300 200 7899

Email: traffic.eastern@infrastructure-ni.gov.uk

Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date:

21 May 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 14 ST. JAME'S ROAD, 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

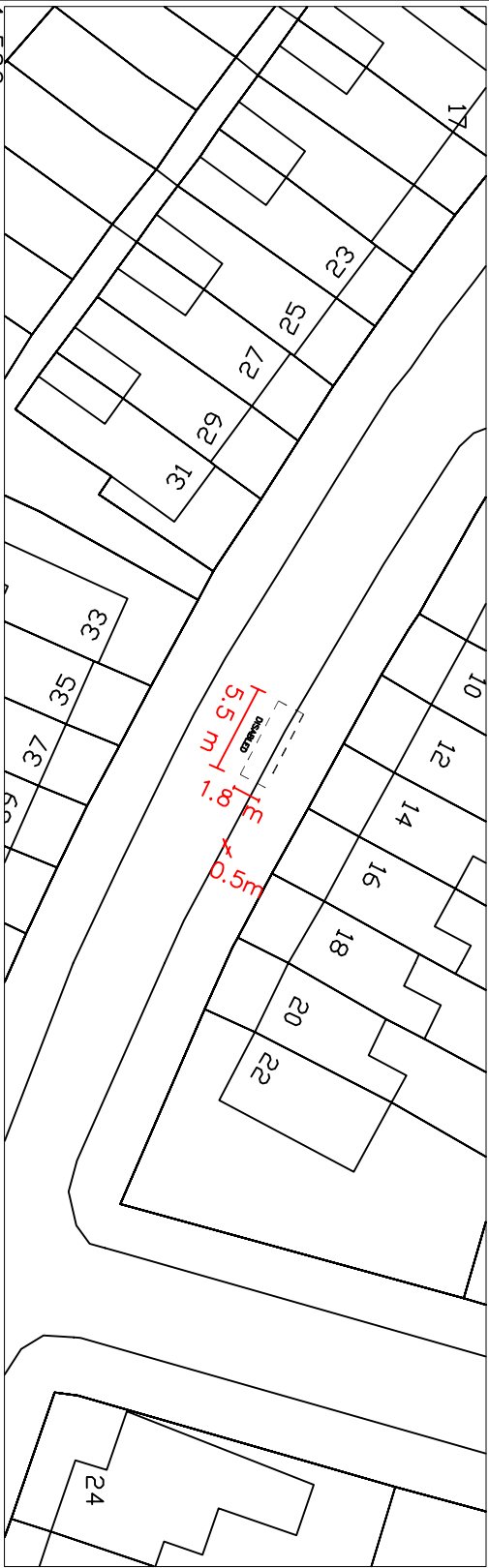
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ST. James's Road, Belfast (north-east side) — from a point 21 metres south-east of its junction with ST. James's Parade, for a distance of 5.5 metres, in a south-eastern direction.



1:1000



1:500

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Project

PROVISION OF AN ACCESSIBLE/
DISABLED PARKING BAY

Title

14 ST. JAMES'S ROAD
BELFAST

FILE NO.

DESIGNED

AO'H

date MAY'24

DRAWN

CHECKED

date

TRACED

APPROVED

date

Dwg. No.

Revision

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Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date: 28 May 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 27 INNISFAYLE GARDENS, 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

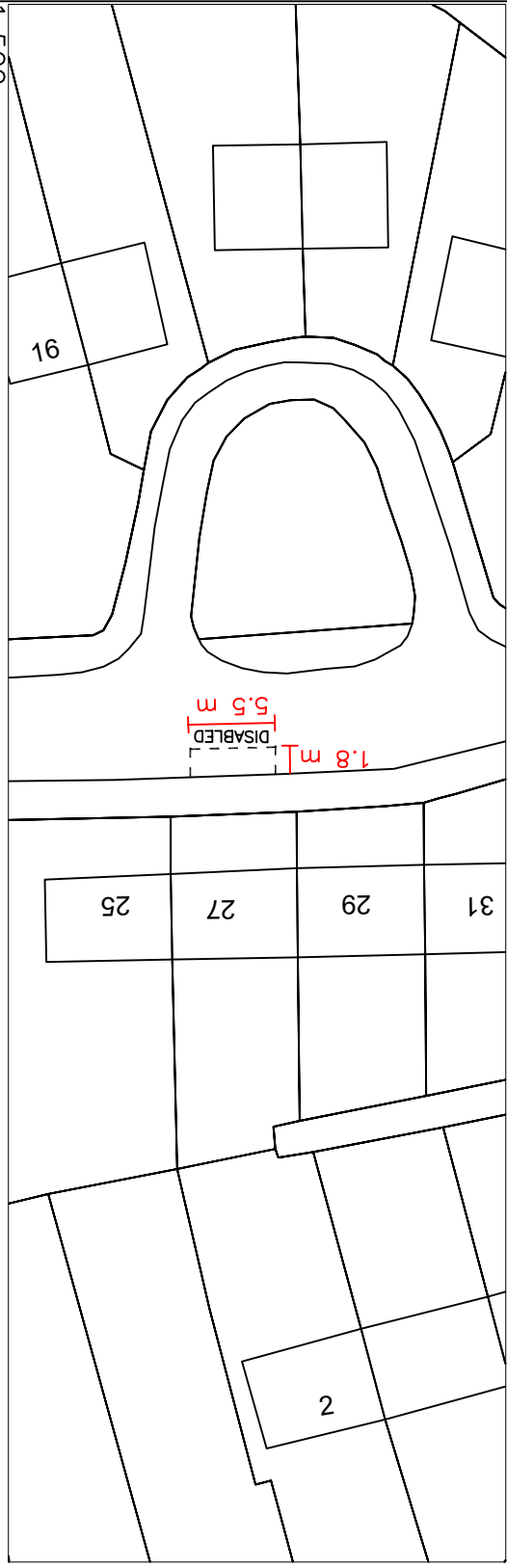
PP Alfie O'Hare

Noel Grimes
Traffic Management

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Innisfayle Gardens, Belfast (east side) – from a point 60 metres south-east of its junction with Innisfayle Pass, for a distance of 5.5 metres in a south-easterly direction.



NO.	REVISION	DATE
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Project 27 INNISFAYLE GARDENS BELFAST

Title PROPOSED ACCESSIBLE DISABLED PARKING

FILE NO.	DESIGNED	AO'H	date
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Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date: 28 May 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 36 SNUGVILLE 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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Snugville Street, Belfast (north-west side) – from a point 4.5 metres north-east of its junction with Riga Street, for a distance of 8 metres in a north-easterly direction.



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Project 13 SNUGVILLE STREET BELFAST 13

Title			
PROPOSED ACCESSIBLE DISABLED PARKING BAY			
FILE NO.	DESIGNED	AO'H	date MAY'24
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Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date:

28 May 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 81 CAMBRIA 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

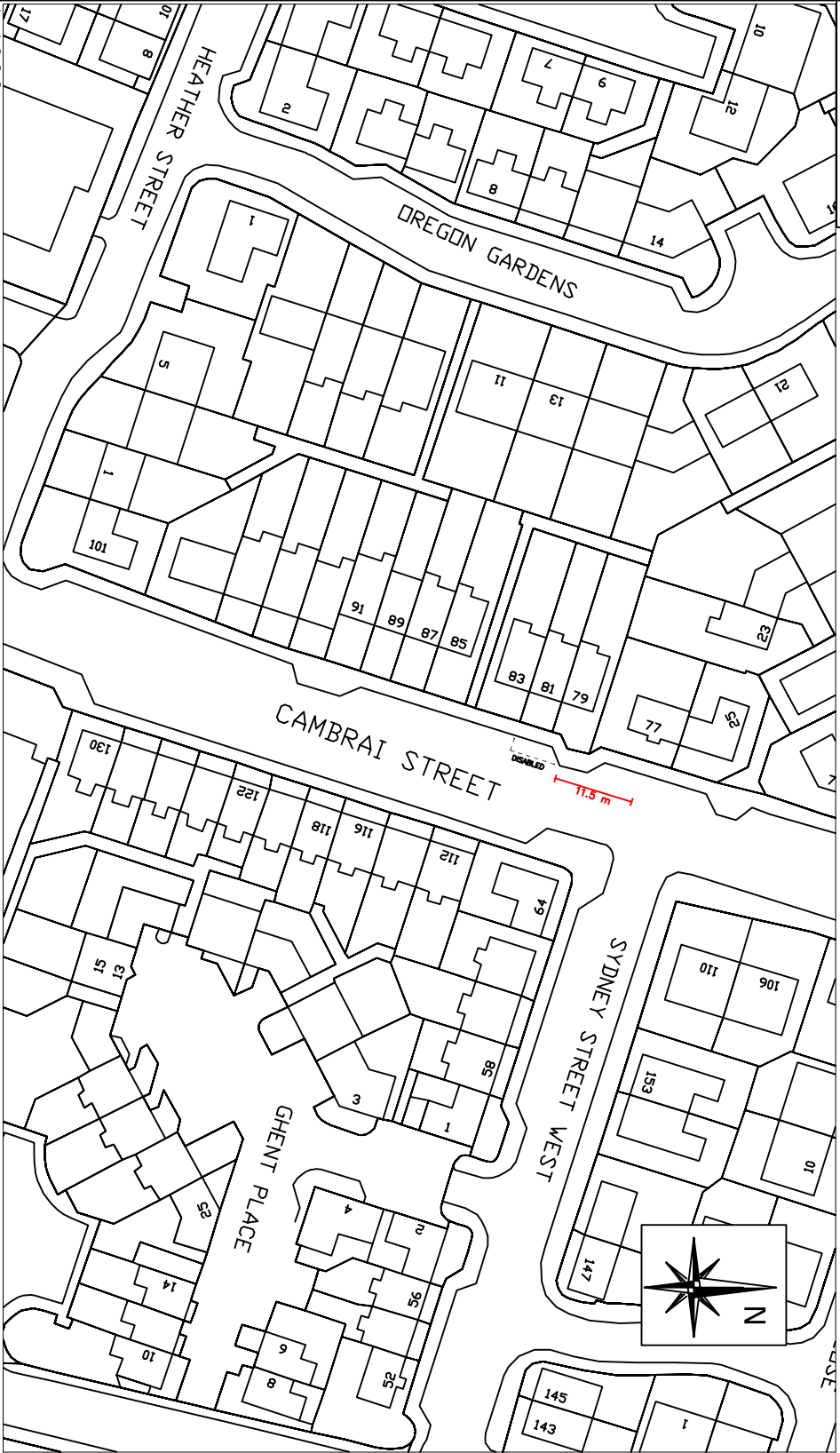
PP Alfie O'Hare

Noel Grimes
Traffic Management

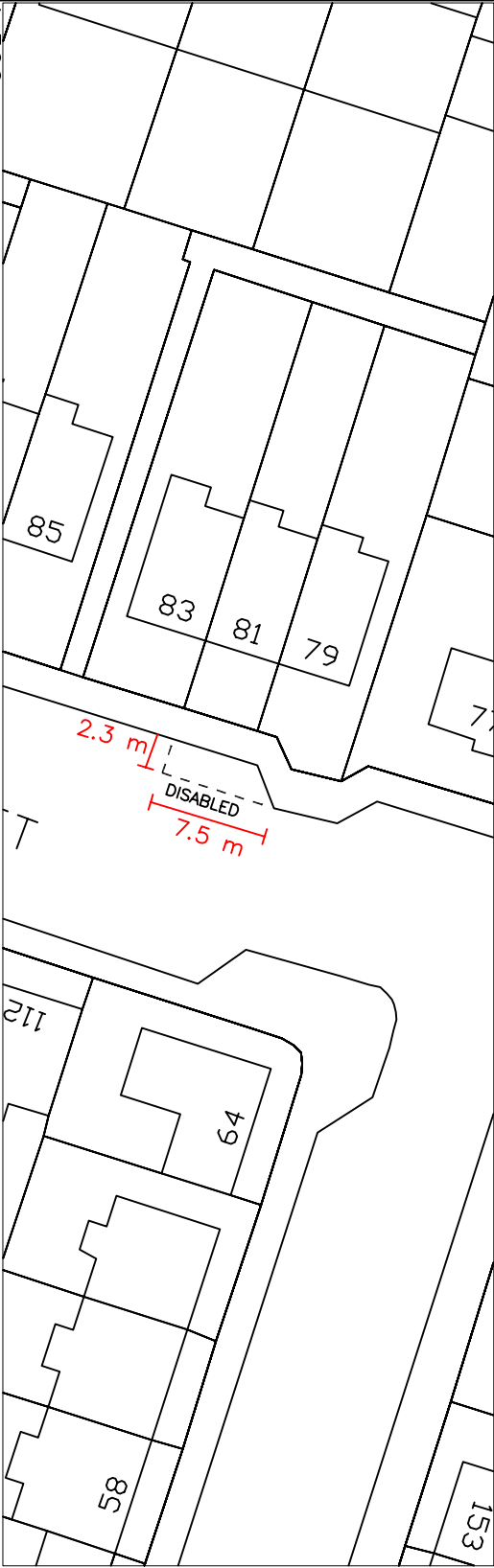
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Cambrai Street, Belfast (north-west side) – from a point 11.5 metres south-west of its junction with Sydney Street West, for distance of 7.5 metres in a south-westerly direction.



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Project
81 CAMBRAI STREET
BELFAST

Title PROPOSED ACCESSIBLE / DISABLED PARKING BAY			
FILE NO.	DESIGNED	AO'H	date MAY 24
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Eastern Division

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Being Dealt With By: Mr Alfie O'Hare
Direct Line: 028 9052 6241

Your Ref:
Our Ref: TM 2

Date: 28 May 2024

Dear Mr Walsh

27 & 28 CARNCAVER ROAD, BELFAST – REMOVAL OF ACCESSIBLE/BLUE BADGE PARKING BAYS

I am writing to advise you that we propose to remove accessible/disabled parking bays at 27 & 28 Carncaver Road, Belfast, as they are no longer required; I have attached a plan showing the location of the bays.

We would welcome your comments on this proposal.

Yours sincerely

PP Alfie O'Hare
Graham Campbell
Traffic Manager

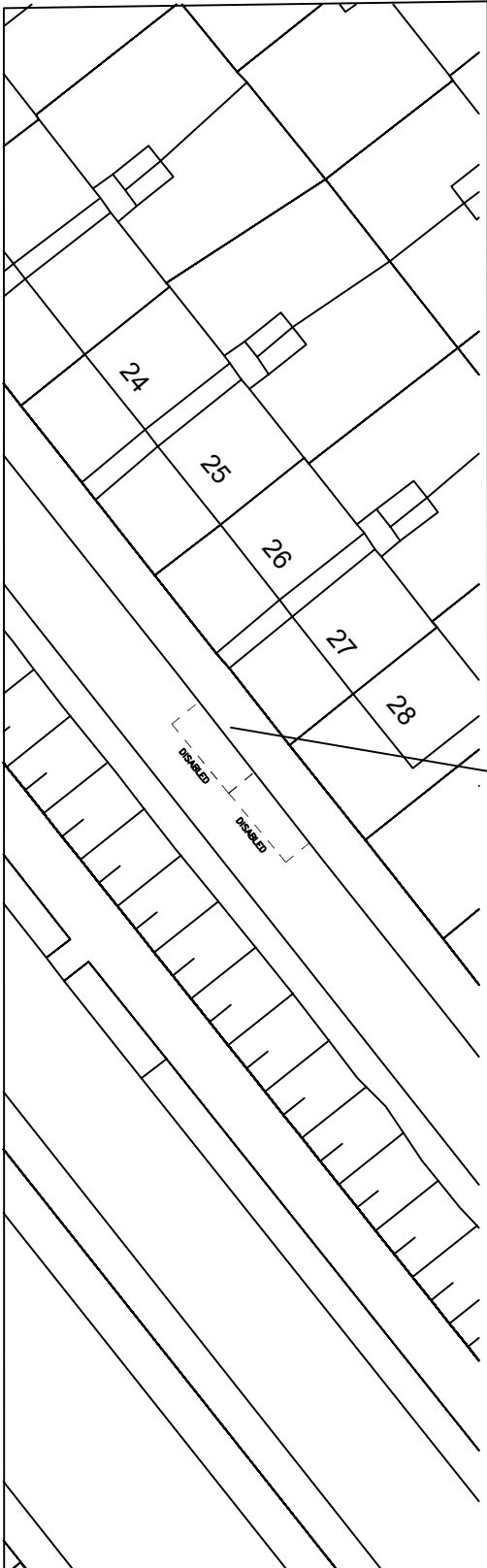
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SR 2017 No. 182 Item 2428. Carncaver Road, Belfast (north-west side) – from a point 116 metres south-west of its junction with Espie Way, for a distance of 5.5 metres in a south-westerly direction.



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Project: REMOVAL OF AN ACCESSIBLE/
DISABLED PARKING BAY

Title: 27 CARNCAVER ROAD
BELFAST

FILE NO.	DESIGNED	AO'H	date
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TRACED	APPROVED		date

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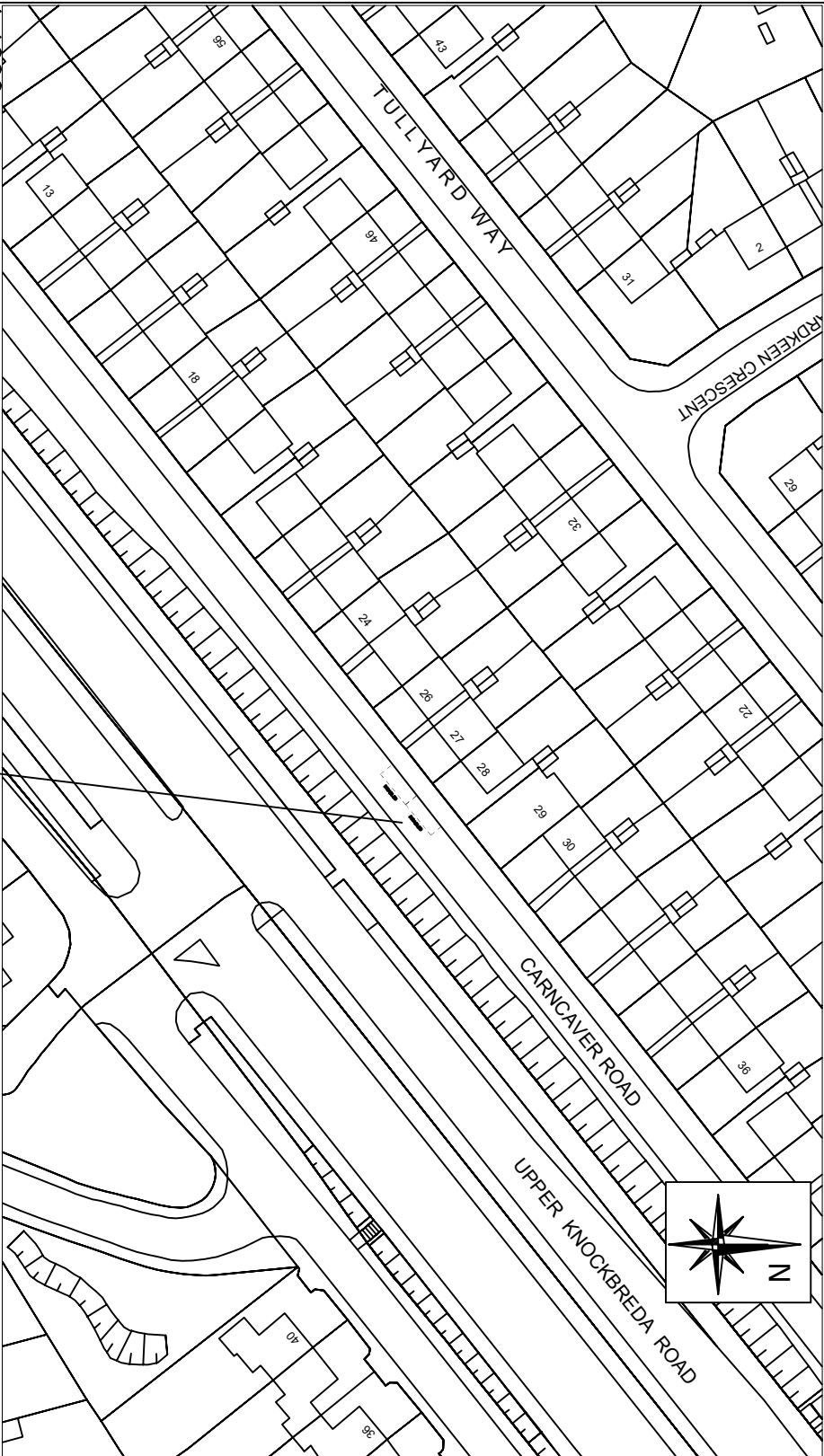
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SR 2023 No. 83 Item 3070. Carncaver Road, Belfast (north-west side) – from a point 110.5 metres south-west of its junction with Espie Way, for a distance of 5.5 metres in a south-westerly direction.



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Project: REMOVAL OF AN ACCESSIBLE / DISABLED PARKING BAY


Title: 28 CARNCAVER ROAD BELFAST

FILE NO.	DESIGNED	AO'H	date
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Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date:

3 June 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 13 ROSSNAREEN AVENUE, 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

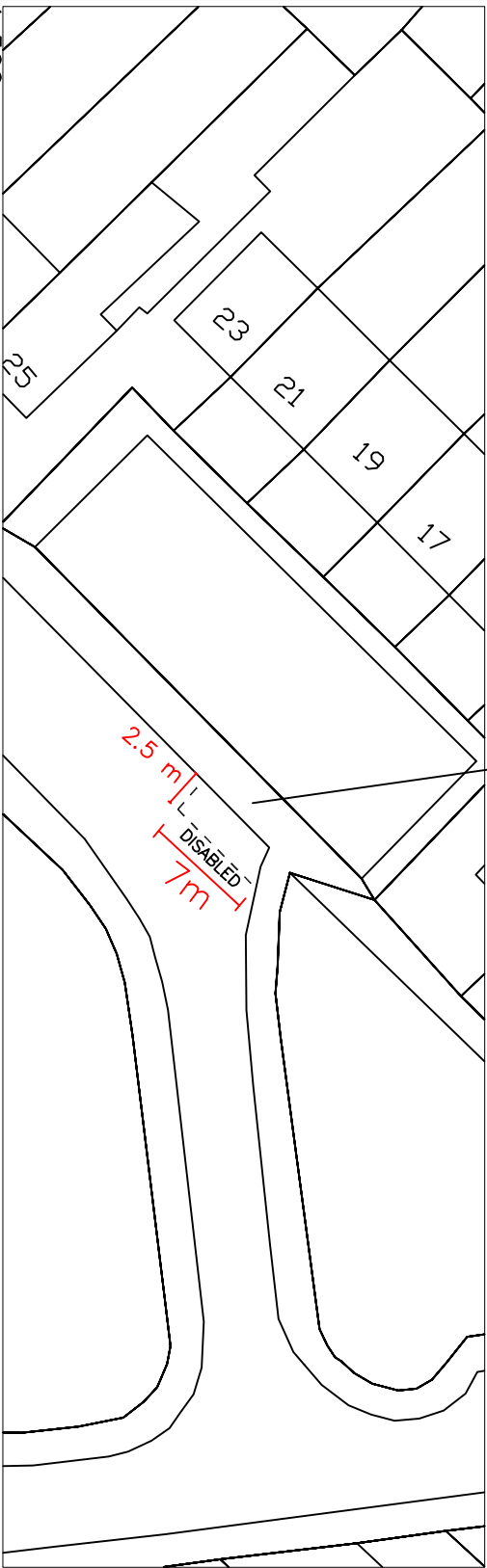
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Rossnareen Avenue, Belfast (north-west side) – from a point 32 metres south-west of its junction with Tullymore Gardens, for a distance of 7 metres, in a south-western direction.



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Project
PROVISION OF AN ACCESSIBLE/
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Title
13 ROSSNAREEN AVENUE/
BELFAST

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Eastern Division

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Castle Buildings

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Tel: 0300 200 7899

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Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date: 3 June 2024

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 123 JOANMOUNT GARDENS, 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

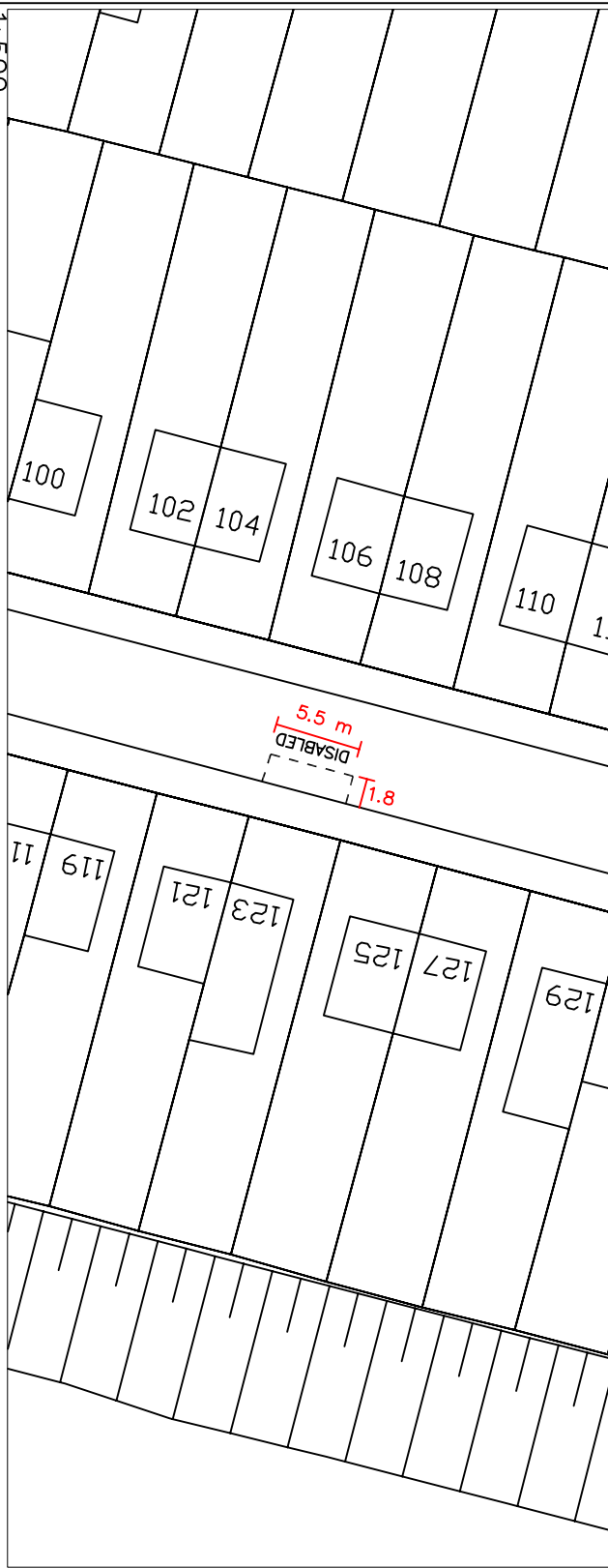
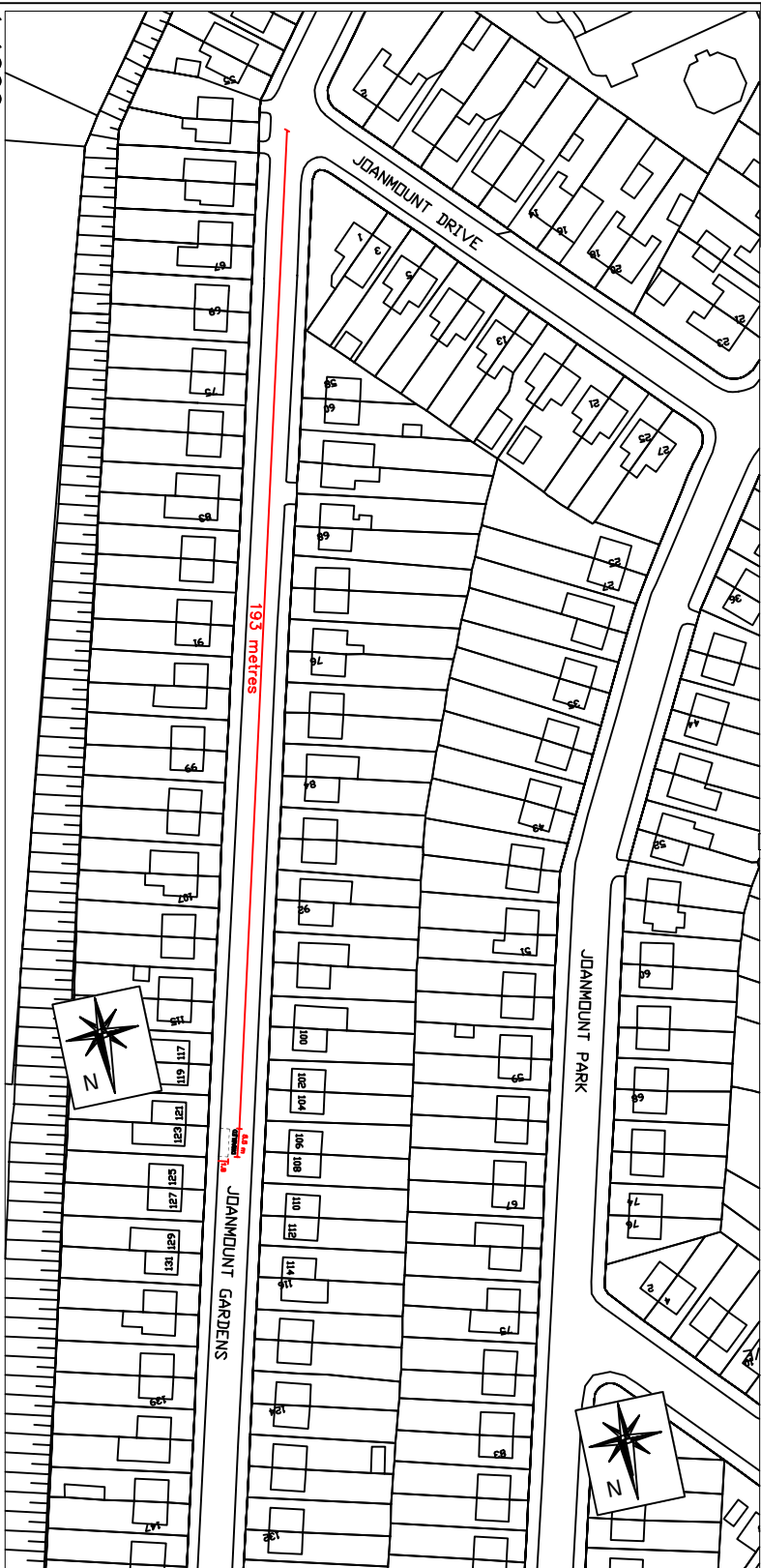
PP Alfie O'Hare

Noel Grimes
Traffic Management

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Joanmount Gardens, Belfast (south-east side) – from a point 193 metres north-east of its junction with Joanmount Drive, for a distance of 5.5 metres in a north-eastern direction.



NO.	REVISION	DATE
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Project 123 JOANMOUNT GARDENS
BELFAST

Title PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

FILE NO.	DESIGNED	AO'H	date
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DRAWN	CHECKED	date
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TRACED	APPROVED	date
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Dwg. No.	Revision
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TM2/BEL/FEB/24/33/A

Scales AS SHOWN

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Network Traffic, Street Lighting and
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Eastern Division

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Annexe 7
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Tel: 0300 200 7899
Email: traffic.eastern@infrastructure-ni.gov.uk

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

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: TM 2

Date: 10 June 2024

Dear Mr Walsh

**PROVISION OF AN ACCESSIBLE/DISABLED PARKING BAY AT 10
ANDERSONSTOWN PARK SOUTH, 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.

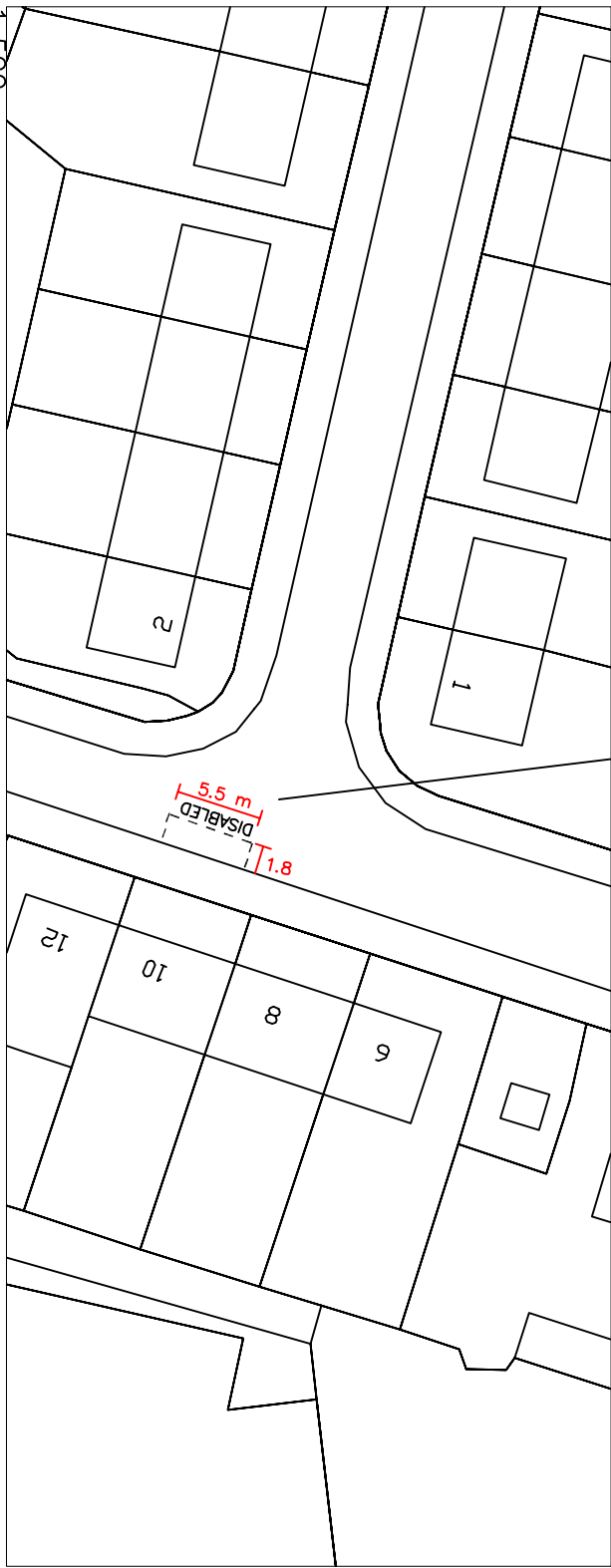
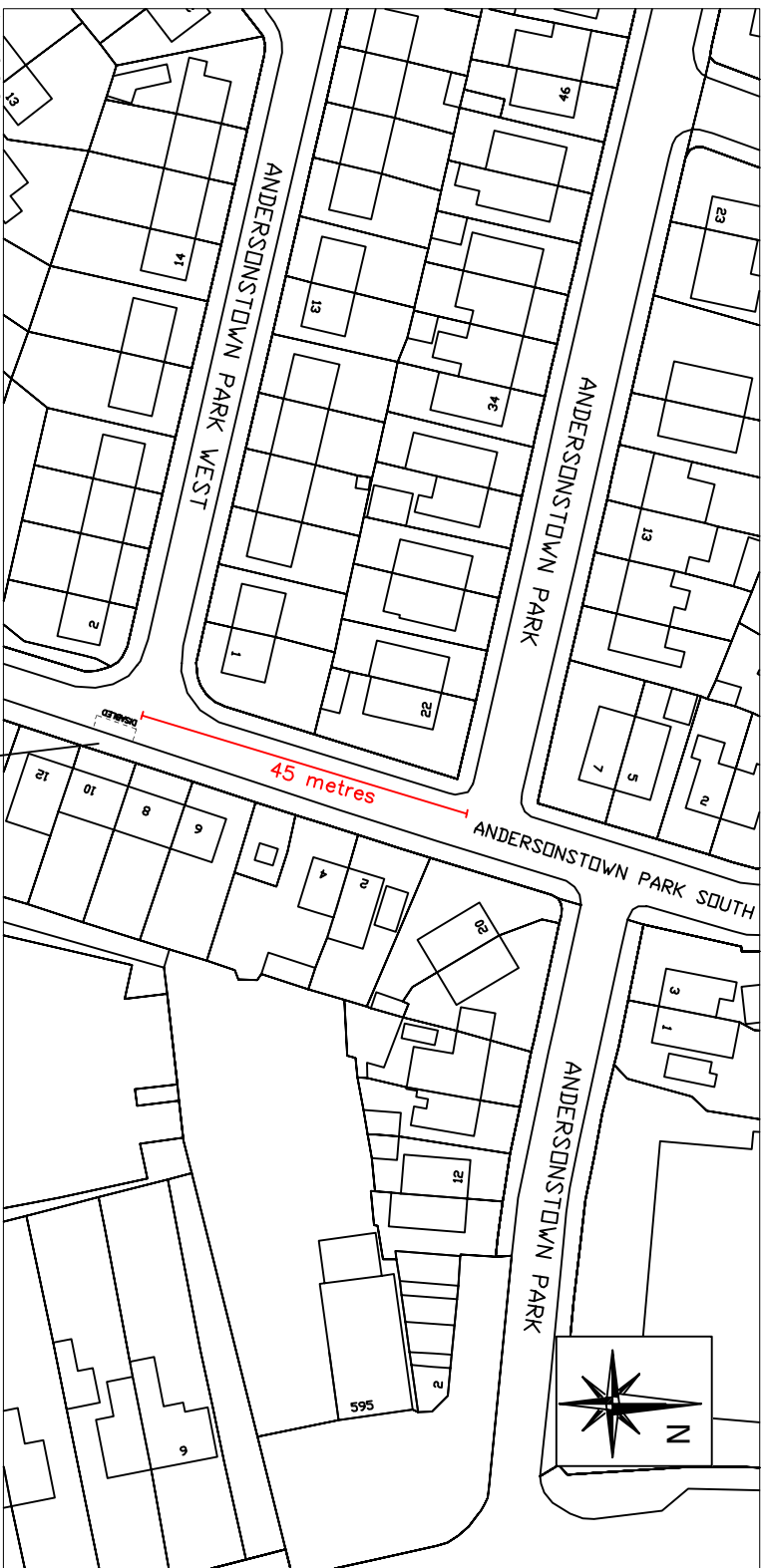
Yours sincerely

PP Alfie O'Hare
Noel Grimes
Traffic Management

ENC

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Andersonstown Park South, Belfast (south-east side) – from a point 45 metres south-west of its southern junction with Andersonstown Park, for a distance of 5.5 metres in a south-westerly direction.



NO.	REVISION	DATE

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Project 10 ANDERSONSTOWN PARK SOUTH
BELFAST

Title PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

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

Dwg. No. TM2/BEL/FEB/24/33/A
Revision

Scales AS SHOWN

Eastern Division
Annex 7
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ
Telephone: 0300 200 7893
Textphone: 028 90540022



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Department for

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www.infrastructure-ni.gov.uk

Network Traffic, Street Lighting and
Transportation

Eastern Division

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

Annexe 7

Castle Buildings

Stormont Estate

Tel: 0300 200 7899

Email: traffic.eastern@infrastructure-ni.gov.uk

Being Dealt With By: Mr Alfie O'Hare

Direct Line: 02890526241

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:

Our reference: TM 2

Date: 12 June 2024

Dear Mr Walsh

4 KNOCKNAGONEY ROAD, BELFAST – LOCATION OF ACCESSIBLE/DISABLED PARKING BAY AMENDED

Further our letter of the 16 April 2024 we have amended the location of the proposed accessible/disabled parking bay at Old Holywood Road, Belfast (see attached plan).

We would welcome your comments on this proposal.

Yours sincerely

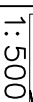
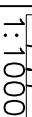
PP Alfie O'Hare

Noel Grimes

Traffic Management

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PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

4 KNOCKNAGONEY ROAD

Page 39 of 40

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PLANNING COMMITTEE – 18 JUNE 2024

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO	1	PAC REF:	2024/A0022
PLANNING REF:	LA04/2023/3138/F		
APPLICANT:	Ms Margaret McDonald		
LOCATION:	1 Cairo Street, Belfast, BT7 1QS		
PROPOSAL:	Demolition with retention of front façade and erection of 2 No 1 bedroom apartments		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2022/A0155
PLANNING REF:	LA04/2021/2842/A		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Jason Carlisle		
LOCATION:	1 Bradbury Place, Belfast		
PROPOSAL:	Digital Advertising Screen		

ITEM NO	2	PAC REF:	2021/A0059
PLANNING REF:	LA04/2020/2477/F		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Sebastian Rogala		
LOCATION:	Flat 2, 205 Albertbridge Road, Belfast, BT5 4PU		
PROPOSAL:	Use of Flat 2 (first and second floor flat), 205 Albertbridge Road, Belfast as a House in Multiple Occupation (HMO)		

APPEAL DECISIONS NOTIFIED (CONTINUED)

ITEM NO	3	PAC REF:	2022/E0006
PLANNING REF:	LA04/2022/0274/LDE		
RESULT OF APPEAL:	DISMISSED		
APPLICANT:	Mr Conor Rooney		
LOCATION:	8A Balmoral Park, Upper Lisburn Road, Belfast, BT10 0QD		
PROPOSAL:	Retention of existing building for the continued use as a building used for storage. Hard standing area to north of building to continue as a parking area for the use of the building as a building used for storage		

Decisions issued between 01 May 2024 and 31 May 2024 - No 170

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2021/1187/F	LOC	53-55 Malone Avenue Belfast	Proposed change of use including extension and alterations to existing building to provide six self-contained apartments (Amended plans & description)	Permission Refused
LA04/2021/1705/F	LOC	158 Cavehill Road Belfast BT15 5EX	Demolition of existing commercial & office premises and erection of 2.5 storey building comprising 2 no. commercial units and 4 no. apartments (one 1 bed, two 2 bed & one 3 bed), including the creation of a new access and in curtilage parking (Amended Description)	Permission Refused
LA04/2022/0073/DCA	LOC	53-55 Malone Avenue Belfast.	Demolition of external walls, internal walls and roof of rear return.	Consent Refused
LA04/2022/1800/F	LOC	92 Castlereagh Road Belfast BT5 5FR	Change of use from retail unit (with associated residential accommodation at level 01 and level 02) to 2no. apartments which includes internal reconfiguration, demolition of existing rear single storey element and replacement with rear single storey with roof terrace, amenity space and ancillary site works.	Permission Granted
LA04/2020/1173/F	LOC	74 Sunnyside Street Belfast BT7 3EY.	Two storey side extension, single storey rear extension, and change of use of the dwelling to the Administrative Hub (office use class:B1) for charity Social Space. (AMENDED DESCRIPTION)	Permission Granted

LA04/2022/0930/F	LOC	47 Ravenhill Road Belfast BT6 8DQ	Retrospective: Change of Use from Class A1 & D2 to a Gymnasium on Ground Floor.	Permission Granted
LA04/2022/1280/F	MAJ	Former Kennedy Enterprise Centre (north of Westwood Shopping Centre) Blackstaff Road Belfast BT11 9DT	Proposed social housing led, mixed tenure residential development comprising of 52 no. dwellinghouses and 87 no. apartments with public open space, children's play park, landscaping, car parking, associated site works and infrastructure and access arrangements from Blackstaff Road (139 no. units in total).	Permission Granted
LA04/2022/2266/F	LOC	Transport House High St, Belfast, BT1 2AG	Alterations to an existing office building and a roof top extension to house a multiuse meeting space and break out room.	Permission Granted
LA04/2022/2267/LBC	LOC	Transport House High Street, Belfast, BT1 2AG	Alterations to an existing office building and a roof top extension to house a multiuse meeting space and break out room.	Consent Granted
LA04/2022/2147/A	LOC	17-21 BRUCE STREET MALONE LOWER BELFAST ANTRIM BT2 7JD	Erection of an sign to serve an existing car park on Holmes Street.	Consent Granted
LA04/2023/2745/F	LOC	60 MILLTOWN ROAD BALLYNAVALLY BELFAST DOWN BT8 7SW	Proposal as an amendment to LA04/2020/0982/F includes proposed extension and alterations to existing Maxol petrol station to include new forecourt canopy, 2 no. 50,000 litre underground storage tanks, new pole sign, drive thru car wash, solid fuel store, car wash control unit, car parking and associated petroleum works. 6no. EV charging points with associated electrical infrastructure (amended description)	Permission Granted

LA04/2023/2849/F	LOC	402 Newtownards Road, Belfast, BT4 1HH	Renewal of planning permission LA04/2021/0791/F for temporary single storey timber structure	Permission Granted
LA04/2023/2933/A	LOC	141-143 Falls Road, Belfast, BT12 6AF	Sign on existing facade of premises	Consent Granted
LA04/2023/2960/F	LOC	9 Merok Gardens, Belfast, BT6 9NA	Remove existing garage to provide single storey rear / side extension to dwelling.	Permission Granted
LA04/2023/3051/F	LOC	14 Kilcoole Gardens, Belfast, BT14 8LJ	Retrospective planning for the construction of timber panels and roof to cover side yard	Permission Refused
LA04/2023/3140/F	LOC	89 Dunlambert Drive, Belfast, BT15 3NF	Two Storey Extension to the Side and Rear	Permission Granted
LA04/2023/3260/F	LOC	117 - 125 Ravenhill Road, Belfast, BT6 8DR	Amalgamation of neighbouring property to provide extension to ground floor retail unit + alterations to front facade. 1st and 2nd floor residential unit alterations. Associated access relocation and dormer window to rear.	Permission Granted
LA04/2023/3266/F	LOC	10 Cabin Hill Gardens, Belfast, BT5 7AP	Single storey rear extension. Single storey garden room. Boundary wall & ancillary site works.	Permission Granted
LA04/2023/3375/F	LOC	122 Bloomfield Avenue, Belfast, BT5 5AE	Change of use from office to residential dwelling	Permission Granted
LA04/2023/3385/F	LOC	3 Strathmore Park, Belfast, BT15 5HH	detached garden room and access platform to rear and side of dwelling (Amended Proposal Description)	Permission Granted

LA04/2023/3571/F	LOC	Translink Falls Road Bus Depot, 513 Falls Road, Belfast, BT12 6EQ	Provision of 21No. electrical vehicle (EV) charging units; erection of 1No. combined high voltage (HV) switchroom and security building, 2 No. combined transformer and low voltage (LV) switchroom building, and 1No. transformer kiosk; area for future NIE Ring Main Unit (RMU) Kiosk; associated site infrastructure. (Amended Description)	Permission Granted
LA04/2023/3683/F	LOC	74 Castlereagh Road, Belfast, BT5 5FP	Retention of ground floor unit as Use Class A1. Reinstatement of original yard at rear including access stairs. Change of use of first & second floor (A2 office use) to a 2 bed residential unit (Use Class C1). Additional site works.	Permission Granted
LA04/2023/3702/F	LOC	Glenveagh Special School Harberton Park, Belfast, BT9 6TX	Proposal for a 4nr. classroom Special Educational needs Modular unit to include additional parking and play spaces alongside securing of the site boundary with fencing.	Permission Granted
LA04/2023/3711/F	LOC	28 Wynchurch Avenue, Belfast, BT6 0JQ.	Proposed two storey extension and associated alterations. (Amended Proposal Description)	Permission Granted
LA04/2023/3789/F	LOC	22-24 Berry Street, Belfast, BT1 1FJ	Proposed change of use from office space at first and second floor to 2no. short term holiday lets	Permission Granted
LA04/2023/3811/F	LOC	39 A Malone Park, Belfast, BT9 6NL	Renewal of approved planning application LA04/2018/2879/F. Rear garden room extension to replace and enlarge existing, dated conservatory, and loft conversion involving two new roof windows.	Permission Granted
LA04/2023/3866/DCA	LOC	39 A Malone Park, Belfast, BT9 6NL	Renewal of approved application LA04/2019/0038/DCA Demolition of non-traditional lean-to extension and wall of external building envelope removal of window on east elevation, window re-instated on west elevation, and two new roof windows	Consent Granted

LA04/2023/3848/F	LOC	Balmoral Hotel, Blacks Road, Belfast, BT10 0NF	Proposed 9 no. glamping pods with associated site works and landscaping within the grounds of the existing hotel.	Permission Granted
LA04/2023/3841/F	LOC	236-238 ORMEAU ROAD BALLYNAFOY BELFAST DOWN BT7 2FZ	Change of use from estate agent to coffee shop (amended description)	Permission Granted
LA04/2023/3902/F	LOC	32 Juniper Park, Dunmurry, Belfast, BT17 0BB	Single storey side extension to provide ground floor washing and sleeping facilities with disabled access into property (Amended Site Location Map).	Permission Granted
LA04/2023/3904/DC	LOC	Vacant lands at access road to Olympia Leisure Centre – directly opposite and approx. 70m east of, Nos 9-15 Boucher Road, Belfast	Discharge of condition 20 LA04/2021/2815/F method of sewage disposal	Condition Partially Discharged
LA04/2023/3912/F	LOC	117 Ardenlee Avenue, Belfast, BT6 0AE	Demolition of existing single storey rear projection and detached garage. Construction of new two-storey rear extension to existing dwelling included associated landscaping. New access to front.	Permission Granted

LA04/2023/3937/DC	LOC	Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.	Discharge Condition 14 LA04/2021/1672/O Construction Environmental Management Plan	Condition Partially Discharged
LA04/2023/4020/F	LOC	15 Church Road, Newtownbreda, Belfast, BT8 7AL	Proposed new boundary fencing to north, south and west boundaries + new timber terrace to rear. (Part Retrospective +Amended Scheme)	Permission Granted
LA04/2023/4012/F	LOC	18 Myrtlefield Park, Belfast, BT9 6NE	Replacement single storey extension to rear kitchen/dining area and replacement detached garden room, including external alterations with raised terrace to side and rear.	Permission Granted
LA04/2023/3980/DCA	LOC	18 MYRTLEFIELD PARK MALONE LOWER BELFAST ANTRIM BT9 6NE	Demolition of existing single storey rear extension and existing flat roof detached garage.	Consent Granted
LA04/2023/4004/O	LOC	Land to the rear of 14 & 14a and adjacent to 151 Upper Springfield Road, BT23 5PF	Outline application for two no. dwellings	Permission Granted

LA04/2023/4028/F	LOC	28 Glencregagh Drive, Belfast, BT6 0NL	Single storey extension to rear at ground floor and storage at lower ground floor level with raised patio at ground floor level. Installation of 2 rooflights and reduction in chimney height.	Permission Granted
LA04/2023/4063/F	LOC	2 Malone Hill Park, Belfast, BT9 6RD	Creation of additional vehicular access onto Malone Hill Park. (Retrospective)	Permission Granted
LA04/2023/4079/F	LOC	Lands approx 50m to the north of no. 35 Hampton Park &, approx 30m to the west of No. 60 Hampton Park, Galwally, Belfast	Erection of 1no. detached dwelling (change of house type, boundary and private amenity space to site no.4 previously approved under ref: LA04/2019/0775/F), garage and all associated site works. Internal road network as per LA04/2019/0775/F and access via Hampton Park is under construction as per the previous approval	Permission Granted
LA04/2023/4102/CLOPUD	LOC	237 Belmont Road, Belfast, BT4 2AH	Extension to side of rear return in the existing yard.	Permitted Development
LA04/2023/4261/F	LOC	The Church of the Nativity 1 Bell Steel Road, Dunmurry, Belfast, BT17 0PB	Proposed demolition of the existing church hall to accommodate a new car park, reconfiguration of existing access onto Bell Steel road, landscaping and all associated site works.	Permission Refused
LA04/2023/4276/A	LOC	1-51 York Street, Belfast, BT15 1ED	3 Planter signs 1no. brass sign (A) and 2no. brass signs (Academy Restaurant) fixed to the existing external planters 1 no. external illuminated fascia sign with wooden back. 1no. externally illuminated protruding sign.	Consent Granted

LA04/2023/4288/DETEIA	LOC	Belfast Wastewater Treatment Works Duncrue Street, Belfast, BT3 9JB	A detailed EIA Screening Report prepared by MCL Consulting is included in the application submission - Ref: "Appendix 2 MCL EIA Screening Report". The Screening Report sets out a description of all of the development works that in combination form the Belfast WWTW upgrade project. The description of the project is set out in detailed in Section 3.0 (Pages 9 to 23) and includes a description of the existing baseline scenario, the diversion of the inlet sewer works, the demolition works required to clear the existing Bretland House site and the engineering works required to deliver the wider project.	Environmental Statement Not Required
LA04/2023/4293/F	LOC	21 Mountainview Gardens, Belfast, BT14 7GU	Two storey extension to rear / side of dwelling	Permission Granted
LA04/2023/4340/F	LOC	948-952 Crumlin Road Belfast BT14 8FG	1.5 storey Community Hub Building	Permission Granted
LA04/2023/4373/F	LOC	14 Dublin Road, Belfast, BT2 7HN	Erection of 17 storey Purpose Built Managed Student Accommodation (PBMSA) with additional use of accommodation outside term time comprising 459 no. units with communal facilities, internal and external communal amenity space and ancillary accommodation	Permission Granted
LA04/2023/4366/F	MAJ	14 Dublin Road, Belfast	Proposed 14 storey (plus basement) purpose-Built Grade A Office premises with retail/restaurant unit at ground floor, including external landscaped terrace areas, public realm works, and all associated site works.	Permission Granted

LA04/2023/4369/F	LOC	19 Roddens Crescent, Belfast, BT5 7JN	Proposed 2 Storey rear and side extension to dwelling and decking to rear.	Permission Granted
LA04/2023/4397/F	MAJ	No 46 Montgomery Road (former Hughes Christensen site, now Lidl), vacant site between nos 44 and 46, Montgomery Road, and no 41 Montgomery Road (former Lidl), Belfast	Variation of Condition 3 of LA04/2020/1211/F relating to the submission of a Verification Report for Phase 4 of the approved development	Permission Granted
LA04/2023/4440/DC	LOC	277 Lower Braniel Road, Belfast, BT5 7NR	Foul and surface level drainage of site. Condition 5 LA04/2022/1359/F	Condition Discharged
LA04/2024/0092/F	LOC	1 Hamel Court, Belfast, BT6 9HX	Change of use from function room to wardens office and conversion of existing vacant warden's dwelling to two apartments and construction of new single storey porch.	Permission Granted
LA04/2023/4505/CLOPUD	LOC	6 Oakdene Drive, Belfast, BT4 1LD	Single storey rear extension	Permitted Development
LA04/2023/4520/F	LOC	Lidl, 176-202 Shore Road, Belfast, BT15 3QA	Retention of plant compound to rear of supermarket built under permission LA04/2021/0165/F	Permission Granted
LA04/2023/4517/CLOPUD	LOC	1-2 Kings Square, Belfast, BT5 7EA	Removal of existing ATM, Nightsafe and data hatch and infill tile finish to match existing, removal of fascia signage and projecting sign and general banking signage	Permitted Development

LA04/2023/4518/CLOPUD	LOC	365-369 Ormeau Road, Ormeau, Belfast, BT7 3GP	Removal of existing ATM, Nightsafe and data hatch and infill with stone and marble tiled finish to match existing, removal of fascia signage and projecting sign and general banking signage	Permitted Development
LA04/2023/4510/NMC	LOC	5 Laganbank Road, Belfast, BT1 3PH	Non-Material change to approval LA04/2019/0517/F – change to apartment mix to provide 38 studio apartments, 55 one-bed apartments 31 two-bed apartments and 30 three-bed apartments (with no change to the total number of apartments), adjustment of windows to align with revised internal apartment layouts and addition of spandrels in some locations.	Non Material Change Granted
LA04/2023/4568/F	LOC	Lands to the west and south of the Church of the Nativity Bell Steel Road, Dunmurry, Belfast, BT17 0PB	Residential development comprising of 48No. units including a mix of dwellings and apartments, car parking, landscaping and all associated site and access works.	Permission Refused
LA04/2023/4531/CLEUD	LOC	59 Balfour Avenue, Belfast, BT7 2EU	Existing Use : HMO	Permitted Development
LA04/2023/4539/DC	LOC	228-234 Upper Newtownards Road, Belfast, BT4 3ET	Discharge of condition 2 LA04/2021/0119/F. Revised drawing showing the location of the extract system and specification.	Condition Discharged
LA04/2023/4575/F	LOC	19 Glenhill Park Belfast BT11 8GA	Proposed 2 storey rear kitchen/snug and side extension with first floor bedroom & ensuite over and to include internal remodelling.	Permission Granted
LA04/2023/4596/F	LOC	c.47m West of No. 115a Glen Road, Belfast, BT11 8BJ	Proposed 17.5m telecommunications column, with 6No. antennae, 3No. ERs, 2No. radio dishes & 1 No. new equipment cabinet and associated ancillary development.	Permission Granted
LA04/2023/4605/F	LOC	14 Tillysburn Park, Belfast, BT4 2PD	Two-storey side extension.	Permission Granted

LA04/2024/0011/F	LOC	Lands approx. 50m north west of 35 Hampton Park BT7 3JP, and 100m south west of 7 Mornington, Belfast BT7 3JS	Erection of 1no. detached dwelling (change of house type to site no.32 approved under Z/2007/1401/F), garage and all associated site works.	Permission Granted
LA04/2024/0055/F	LOC	Existing open public space along river edge at Queens Quay	New kiosks and associated canopy structure.	Permission Granted
LA04/2024/0155/F	LOC	16 Knockbracken Park, Belfast, BT6 0HL	Single storey extension to side/rear.	Permission Granted
LA04/2024/0062/F	LOC	425 Cregagh Road, Belfast, BT6 0LG	Demolition to side and rear wall to facilitate first floor rear extension and singles storey side extension with roof space conversion, internal alterations and fenestration change (Amended Proposal Description)	Permission Granted
LA04/2024/0057/DC	LOC	28-38 Elmwood Avenue, Belfast, BT9 6AY	Discharge of condition 9, LA04/2022/2040/F Drainage Assessment by Albert Fry Civil Engineers	Condition Discharged
LA04/2024/0088/MDPA	LOC	Kings Hall Healthcare Village, Lisburn Road	Travel plan and Car Park Management Plan submitted as required by parts 2 and 6 of Schedule 1 of the Section 76 agreement for LA04/2020/0845/O.	Condition Discharged
LA04/2024/0098/DC	LOC	Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor, Ballymurphy, Belfast, Co. Antrim	Discharge of Conditions 21 and 22 in relation to LA04/2022/0129/F Flood Management Plan including flood resistance and resilience measures	Condition Discharged
LA04/2024/0091/F	LOC	45 Katrine Park, Belfast, BT10 0HT	Proposed single storey extension to rear of dwelling. Proposed 2 storey extension to side of dwelling.	Permission Granted

LA04/2024/0104/CLOPUD	LOC	88 Circular Road, Belfast, BT4 2GE	Erection of domestic garden room	Permitted Development
LA04/2024/0108/F	LOC	Lands adjacent to 14 College Square North and south of 62-67 Hamill Street, Belfast.	Erection of ground floor switch room and 7 cycle stands (Retrospective)	Permission Granted
LA04/2024/0110/CLEUD	LOC	1 Maple Hill, Dunmurry, Belfast, BT10 0PZ	Extension to curtilage of dwelling for use as garden and part of private driveway	Permitted Development
LA04/2024/0116/F	LOC	549 Upper Newtownards Road, Belfast, BT4 3LN	Rear single storey extension	Permission Granted
LA04/2024/0204/F	LOC	2 Orchard Close, Belfast, BT5 6PW	Demolition of garage and the construction of a 2 storey side extension and single storey rear extension	Permission Granted
LA04/2024/0139/F	LOC	42 ORCHARDVILLE CRESCENT BALLYFINAGHY BELFAST BT10 0JT	Extension to existing rear dormer.	Permission Granted
LA04/2024/0162/DC	LOC	Site bounded by Little York Street, Great George's Street and Nelson Street, Belfast	Discharge of Condition 4 and 5 LA04/2021/2893/F. Ventilation verification and window schedule	Condition Discharged
LA04/2024/0165/MDPA	LOC	27 Bruce Street, Belfast, BT2 7JD	Section 76 clause Final Management Plan in relation to LA04/2021/2242/F	Condition Discharged
LA04/2024/0172/A	LOC	81-83 Hollywood Road, Belfast, BT4 3BA	Replacement of prismatic advertisement hoarding with one digital screen.	Consent Granted

LA04/2024/0224/CLOPUD	LOC	Plots 3 and 4, east and west of City Link Business Park site entrance on Albert Street, Belfast	Confirmation that the development approved under Z/2007/2999/F has been lawfully implemented in accordance with Article 36(1) of the Planning (NI) Order 1991 and Section 63(2) of the Planning Act (NI) 2011 and can be completed	Permitted Development
LA04/2024/0193/F	LOC	76 Galwally Park, Belfast, BT8 6AH	Construct basement and create 2 no. lightwells	Permission Granted
LA04/2024/0258/F	LOC	36 North Sperrin, Belfast, BT5 7HU	Single storey rear extension.	Permission Granted
LA04/2024/0180/F	LOC	17 AUGHRIM PARK MALONE LOWER BELFAST BT12 5JD	Single storey rear extension with ramped access and extension of curtilage	Permission Granted
LA04/2024/0182/F	LOC	14 Knocknagoney Gardens, Belfast, BT4 2QA	Side and rear extension and porch to front	Permission Granted
LA04/2024/0192/F	LOC	5 Piney Lane, Belfast, BT9 5QS	Single storey rear and side extension, new front entrance canopy and elevational changes.	Permission Granted
LA04/2024/0194/F	LOC	39 Fruithill Park, Belfast, BT11 8GE	2 Storey extension to side and rear of dwelling, including single storey extension to rear.	Permission Granted
LA04/2024/0244/CLEUD	LOC	17-21 Holmes Street, Belfast, BT2 7JD	Use as a car park	Permitted Development
LA04/2024/0228/F	LOC	30 Glengoland Gardens, Belfast, BT17 0JE	Rear 2 storey extension with external paved space	Permission Granted
LA04/2024/0242/F	LOC	115 Mount Merrion Avenue, Belfast, BT6 0FN	Single storey rear extension	Permission Granted

LA04/2024/0246/F	LOC	2 Finaghy Park Gardens, Belfast, BT10 0JQ	Single storey rear extension, two front dormers and attic conversion.	Permission Granted
LA04/2024/0276/F	LOC	18-19 Donegall Square East, Belfast, BT1 5HE	Change of use from vacant storage area/former barbers at basement level and change of use from offices at ground floor to public house (to facilitate extension to existing licenced premises Margot) and all associated site works	Permission Granted
LA04/2024/0247/LBC	LOC	18-19 Donegall Square East, Belfast, BT1 5HE	Change of use from vacant storage area/former barbers at basement level and change of use from offices at ground floor to public house (to facilitate extension to existing licenced premises Margot) and all associated site works	Consent Granted
LA04/2024/0248/F	LOC	5 Majestic Drive, Belfast, BT12 5JA	Single storey rear extension.	Permission Granted
LA04/2024/0256/F	LOC	34 CLEAVER PARK MALONE LOWER BELFAST BT9 5HY	2 storey and single storey rear extension, single storey side extension	Permission Granted
LA04/2024/0252/DCA	LOC	34 CLEAVER PARK MALONE LOWER BELFAST BT9 5HY	Demolition of existing garage and internal demolitions	Consent Granted
LA04/2024/0261/F	LOC	300 Castlereagh Road, Belfast, BT5 6AD	Two storey side and rear extension and incorporation of garage into utility room.	Permission Granted
LA04/2024/0263/F	LOC	54 WINDSOR AVENUE MALONE LOWER BELFAST BT9 6EJ	Replacement of garden wall, piers, fence and gates and widening of vehicular access (Retrospective)	Permission Granted

LA04/2024/0265/DCA	LOC	54 Windsor Avenue, Belfast, BT9 6EJ	Demolition of front boundary	Consent Granted
LA04/2024/0280/CLEUD	LOC	11 Ashburne Place Belfast BT7 1SE	Short term lets.	Application Required
LA04/2024/0292/F	LOC	4 Aberfoyle Park Belfast BT10 0DY	Single storey front & rear extensions.	Permission Granted
LA04/2024/0324/F	LOC	21 WINDSOR PARK MALONE LOWER BELFAST	single storey rear extension	Permission Granted
LA04/2024/0319/DCA	LOC	21 Windsor Park Malone Lower Belfast	demolition of rear return	Consent Granted
LA04/2024/0327/F	LOC	14 Tower Court, Belfast, BT5 4DZ	Single storey extension to rear.	Permission Granted
LA04/2024/0325/F	LOC	58 North Parade, Belfast, BT7 2GJ	Rear dormer window and 3 roof lights in rear return.	Permission Granted
LA04/2024/0342/F	LOC	1 Willesden Park, Belfast, BT9 5GX	Two storey rear and side extension	Permission Granted
LA04/2024/0334/F	LOC	Land adjacent to Connswater Community Centre Ballymacarrett Walkway Severn Street Belfast BT4 1SX	Renewal of planning permission LA04/2021/2804/F - shipping container for bikes and equipment.	Permission Granted
LA04/2024/0336/F	LOC	84 Lansdowne Road, Belfast, BT15 4AB	Erection of a two-storey replacement coach house within the curtilage of an existing two-storey dwelling. Demolition of an existing two-storey coach house.	Permission Granted

LA04/2024/0328/DC	LOC	St Matthew's Church Hall, Seaforde Street, Belfast, BT5 4EW	Discharge of Condition 8 LA04/2023/2472/F. Material specification	Condition Discharged
LA04/2024/0350/CLEUD	LOC	117 Fitzroy Avenue, Belfast, BT7 1HU	Change of use from Dwelling to HMO	Permitted Development
LA04/2024/0378/F	LOC	19 Sandford Avenue, Belfast, BT5 5NW	Two storey side extension. Single storey side/rear extension including demolition of single storey rear return. First floor terrace. Pv Panels to rear roof.	Permission Granted
LA04/2024/0363/F	LOC	72 Commedagh Drive, Belfast, BT11 8GJ	Dormer window to rear and roof window to front of dwelling.	Permission Granted
LA04/2024/0365/DC	LOC	Site at 6 Suffolk Road, Belfast, BT11	Discharge of Condition No15 of planning approval LA04/2016/1856/F (Remedial works / Verification report)	Condition Discharged
LA04/2024/0415/DC	LOC	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 19 LA04/2022/0129/F - winter grit provision scheme	Condition Discharged
LA04/2024/0435/F	LOC	2 Greenvview Park, Belfast, BT9 6TZ	Change of roof covering from rosemary tiles to natural slate tiles and removal of one chimney stack	Permission Granted
LA04/2024/0460/F	LOC	27 OWENVARRAGH PARK BALLYDOWNFINE BELFAST BT11 9BD	Single Storey rear extension, rear dormer window and change to roof profile	Permission Granted

LA04/2024/0467/F	LOC	49 Park Road, Belfast, BT7 2FX	Single storey side and rear extension with paving to the rear and fenestration changes. Demolition of existing single storey outhouse to rear.	Permission Granted
LA04/2024/0479/LBC	LOC	3-5 Mount Charles, Belfast, BT7 1NH	Lime rendering of rear and yard wall elevations as per extents shown in drawings.	Consent Granted
LA04/2024/0493/PAN	LOC	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	Proposal of Application Notice is Acceptable
LA04/2024/0476/F	LOC	25 Bristow Park, BELFAST, BT9 6TF	Single storey rear extension. Single storey front porch.	Permission Granted
LA04/2024/0497/DC	LOC	29 Springfield Heights, Belfast, BT13 3QZ	Discharge of condition 5 from LA04/2022/0853/F Environmental Monitoring Plan	Condition Discharged
LA04/2024/0506/A	LOC	629 Lisburn Road, Malone Lower, Belfast, BT9 7GT	1 illuminated projecting sign, 1 illuminated fascia sign	Consent Granted
LA04/2024/0518/DC	LOC	Lands adjacent to, 14 College Square North, and South of, 62-76 Hamill Street, Belfast.	Discharge of Condition 2, 5 and 18 of Planning Approval LA04/2018/1719/F. Construction work letter confirmation, landscape management plan confirmation letter and Updated CEMP	Condition Discharged
LA04/2024/0535/F	LOC	137 Upper Malone Road, Belfast, BT9 6UF	Rear single storey extension Attic conversion and external facade alterations	Permission Granted

LA04/2024/0517/DC	LOC	Lands on McClure St to include land south of railway and north of 38-52 Cromwell Rd, BELFAST, BT7 1SH	Discharge condition 10 LA04/2021/2829/F Construction Management Plan	Condition Discharged
LA04/2024/0540/F	LOC	49 Rosgoill Park, Belfast, BT11 9QU	Rear dormer	Permitted Development
LA04/2024/0541/DC	LOC	Lands on McClure Street BELFAST, BT7 1SH	Discharge conditions 6, 7 and 8 of LA04/2018/2659/F Remediation Validation Report	Condition Discharged
LA04/2024/0523/LBC	LOC	45 Rugby Road, Belfast, BT7 1PT	Removal of non-original stair within rear extension, reconfiguration of kitchen and addition of ground floor WC and new stair to study area. Window and door fenestration amendments to elevations.	Consent Granted
LA04/2024/0563/DC	LOC	348-350 Ormeau Road, Ormeau, Belfast, BT7 2FZ	Discharge of condition 29 on appeal reference: 022/A0157 (LA04/2021/2519/F) Phasing Plan	Condition Discharged
LA04/2024/0564/DC	LOC	348-350 Ormeau Road, Ormeau, Belfast, BT7 2FZ	Discharge of conditions 18,19,20,21,23 & 26 of Appeal reference: 022/A0157 (LA04/2021/2519/F) Repair works, window schedule, window glazing, door schedule, external vents and demolition	Condition Partially Discharged

LA04/2024/0565/DC	LOC	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 20 LA04/2022/0129/F Foul and Surface water drainage	Condition Not Discharged
LA04/2024/0550/F	LOC	7 Stockmans Avenue, Belfast, BT11 9AS	Roofspace conversion plus dormer to rear.	Permission Granted
LA04/2024/0537/WPT	LOC	Ormiston House,6 Pirrie Road, Belfast, BT4 3NP	Works to protected trees	Works to TPO Granted
LA04/2024/0559/F	LOC	63 Lagmore Meadows, Dunmurry, Belfast, BT17 0TE	Single storey side extension	Permission Granted
LA04/2024/0545/F	LOC	98 STRANMILLIS ROAD MALONE LOWER BELFAST BT9 5AE	Provision of new vehicular access including creation of driveway and parking with the removal of roadside parking space	Permission Granted
LA04/2024/0584/F	LOC	3-5 Mount Charles, Belfast, BT7 1NH	Partial lime rendering of rear wall elevations	Permission Granted
LA04/2024/0586/A	LOC	12 Andersonstown Road, Belfast, BT11 9AF	Replace Existing Billboard with Digital LED Screen	Consent Granted
LA04/2024/0604/DC	LOC	Good Shepherd Road, Belfast, BT17 0LS	Discharge of condition 2 LA04/2017/2700/F. 'Remedial Actions Verification Report'	Condition Discharged
LA04/2024/0594/F	LOC	70 Glengoland Avenue, Belfast, BT17 0HY	Proposed access ramp to front of dwelling and internal alterations.	Permission Granted

LA04/2024/0595/F	LOC	67 Kirkliston Park, Belfast, BT5 6ED	Single storey side extension and single storey rear extension	Permission Granted
LA04/2024/0639/DC	LOC	Vacant Lands Lands bounded by First Street, North Howard Street, Third Street and Conway Street	Discharge of conditions 15 & 16 LA04/2018/0618/F Detailed landscaping plan Landscape Management Plan	Condition Discharged
LA04/2024/0596/F	LOC	23 Donegall Park, Belfast, BT10 0HH	Single storey rear extension	Permission Granted
LA04/2024/0646/DC	LOC	Former NI Housing Executive Offices, 10- 16 Hill Street, Belfast, BT1 2LA	Discharge Condition 9 LA04/2023/2685/F- archaeological report	Condition Discharged
LA04/2024/0635/NMC	LOC	32 Orchardville Crescent, Belfast, BT10 0JT	Minor amendment proposed to change length of extension slightly due to presence of main sewer line discovered during excavation to LA04/2022/1316/F	Non Material Change Refused
LA04/2024/0622/DC	LOC	Vacant lands at access road to Olympia Leisure Centre – directly opposite and approx. 70m east of Nos 9-15 Boucher Road, Belfast	Discharge of Condition 2 of LA04/2021/2815/F Details of external finishes of the proposed supermarket building	Condition Partially Discharged

LA04/2024/0652/DC	LOC	Vacant lands at access road to Olympia Leisure Centre – directly opposite and approx. 70m east of Nos 9-15 Boucher Road, Belfast	Discharge of condition 8 on LA04/2021/2815/F Details of hard landscaping finish to site frontage	Condition Not Discharged
LA04/2024/0671/CLEUD	LOC	50 Stranmillis Gardens, Belfast, BT9 5AT	Existing Use : HMO (House in multiple occupation)	Permitted Development
LA04/2024/0672/NMC	LOC	Vacant lands at access road to Olympia Leisure Centre – directly opposite and approx. 70m east of Nos 9-15 Boucher Road, Belfast	Non-material changes to approved supermarket building as described in Supporting Statement and shown in the drawings that accompany the application - LA04/2021/2815/F	Non Material Change Refused
LA04/2024/0717/DC	LOC	28 Bryson House, Office 3rd Floor Bedford Street, Belfast, BT2 7FE	Discharge of condition 2 of LA04/2023/4535/LBC Sample panel shown on site inspected and approved by HED	Condition Discharged
LA04/2024/0708/NMC	LOC	7 Edgcumbe Park, Belfast, BT4 2EJ	Non material change to LA04/2024/0075/F. Proposed minor alteration from previously approved second storey flat roof to pitched roof.	Non Material Change Granted

LA04/2024/0715/MDPA	LOC	Lands adjacent to 14 College Square North and south of 62-76 Hamill Street, Belfast.	Section 76 Agreement requires submission of Travel Plan (clause 1)	Condition Discharged
LA04/2024/0796/CLOPUD	LOC	4, Clarence Street West, Belfast, BT2 7GP	For the internal reconfiguration and refurbishment of an existing hotel (No external alterations)	Permitted Development
LA04/2024/0723/DC	LOC	30 Wellington Park, Belfast, BT9 6DL	Discharge of conditions 6, 7 , 9 & 10 LA04/2016/2649/F. Listed Building works, windows and doors	Condition Discharged
LA04/2024/0724/DC	LOC	30 Wellington Park, Belfast, BT9 6DL	Discharge of conditions 2, 3, 5 & 6 LA04/2018/0049/LBC. Listed Building materials and works	Condition Discharged
LA04/2024/0751/LBC	LOC	7-19 Royal Avenue, Belfast, BT1 1FB	Removal of existing artificial slate and single ply roof coverings and replacement with new artificial slate roof and single ply roof coverings including upgrading of insulation to meet current regulations.	Consent Granted
LA04/2024/0727/NMC	LOC	Site No. 4D Hampton Park, Belfast	Changes to previously approved boundary treatment site plan and details.	Non Material Change Granted
LA04/2024/0777/DC	LOC	753 Antrim Road, Belfast, BT15 4EN	Discharge Condition 17 of LA04/2019/2255/F Landscaping Site Plan	Condition Discharged
LA04/2024/0759/DC	LOC	9 Cadogan Park, Belfast, BT9 6HG	Discharge of condition 2 LA04/2023/3475/F Cover letter, planting plan and planting specifications.	Condition Discharged

LA04/2024/0752/DC	LOC	Lands at Stormont Estate, Upper Newtownards Road, Belfast BT14 3SB	Discharge of conditions 6 and 10 of LA04/2023/3856/F	Condition Discharged
LA04/2024/0768/DC	LOC	48-54 Upper Charleville Street, Belfast, BT13 1NP	Discharge of condition 2 and 5 on LA04/2019/2332/F bin storage and cycle parking area	Condition Discharged
LA04/2024/0743/CLOPUD	LOC	34 Adelaide Park, Belfast, BT9 6FY	Installation of Air Source Heat Pump at side of residential property	Permitted Development
LA04/2024/0783/CLEUD	LOC	Flat 2, 111, Fitzroy Avenue, Belfast, BT7 1HU	HMO	Permitted Development
LA04/2024/0784/CLEUD	LOC	Flat 3, 12 University Street, Belfast, BT7 1FZ	HMO	Permitted Development
LA04/2024/0795/WPT	LOC	76 Circular Road, Belmont, Belfast, BT4 2GD	Works to TPO protected trees	Works to TPO Granted
LA04/2024/0802/CLEUD	LOC	27 Carmel Street, Belfast, BT7 1QE	Change of use to HMO (House in multiple occupation) (Existing)	Permitted Development
LA04/2024/0821/DC	LOC	Lands on McClure St to include land south of railway and north of 38-52 Cromwell Rd, BELFAST, BT7 1SH	Discharge of Condition 2 on LA/2021/2829/F Each unit is to be occupied by a tenant on the social housing register.	Condition Discharged

LA04/2024/0833/WPT	LOC	St Gerards Roman Catholic Church,722 Antrim Road, Belfast, BT36 7PG	Works to TPO protected trees	Works to TPO Granted
LA04/2024/0854/WPT	LOC	4 Whispering Pines, Belfast, BT6 9QW	Works to protected trees	Works to Trees in CA Agreed
LA04/2024/0855/WPT	LOC	lands adjacent to 168e Upper Malone Road	Tree protected by a TPO in CA	Works to TPO Granted
LA04/2024/0904/CLEUD	LOC	Flat 1 13 Malone Avenue, Belfast, BT9 6EN	HMO	Permitted Development
				<u>Total Decsions 170</u>



Subject:	Planning Committee decisions awaiting issuing and new Section 76 planning agreement processes
Date:	18 th June 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control Nora Largey, City Solicitor
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Kevin McDonnell, Solicitor, Legal Services

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To provide an update in relation to delays issuing some Committee decisions and to update the Committee on new Section 76 planning agreement processes.
2.0	Recommendation
2.1	The Committee is asked to: <ul style="list-style-type: none"> a) note the contents of this report; and b) agree the proposed reporting method for applications which have been determined by Committee but not yet issued.
3.0	Main Report
	<u>Background</u>
3.1	At its February 2024 meeting, the Committee requested further information in relation to the monthly report it receives on planning application decisions issued by the Council. Following the Committee's request, and for ease of identification, the monthly report now includes a colour coded system, highlighting approvals in green and refusals in red.
3.2	In addition, following clarification of the original request, officers have produced a summary table of all decisions made by the Committee on planning applications that have been determined by Committee but have yet to be issued. The summary table is provided at Appendix 1 .

3.3	<p>Officers propose to report an updated summary table to the Committee at future meetings as part of the monthly report on decisions issued.</p> <p><u>Assessment</u></p>
3.4	<p>The summary table shows that there are 29 applications the Committee has resolved to approve which have not yet issued. The oldest Committee decision dates back to the February 2022 and most recent to the April 2024 Committee.</p>
3.5	<p>The summary table specifies the reason why each decision has not yet issued. The reasons are broken down as follows:</p> <ul style="list-style-type: none"> • 24 applications (83%) awaiting completion of a Section 76 planning agreement; • 3 applications (10%) notified to the Department for Infrastructure (DfI); • 2 applications (7%) awaiting further consultation responses.
3.6	<p>Analysis of all decisions made on applications for Major development in 2023/24 shows that 13 (46%) of the 28 decisions made by the Committee were subject to post-Committee delays of 10-weeks or more before the decisions were issued. Of those 13 decisions, 9 (69%) of the 13 decisions were delayed due to negotiations post Committee in relation to the terms of the Section 76 planning agreements.</p>
3.7	<p>As set out above, some of the delays relate to procedural or technical matters which had to be resolved such as outstanding consultation responses, finalising conditions and other administrative delays. Recognising that the majority of delays in issuing decisions has been the finalisation of planning agreements, officers have been working on how to streamline this process to ensure decision notices are issued as soon as possible after Committee.</p> <p><u>New Section 76 planning agreement process</u></p>
3.8	<p>Historically, focused negotiations on the detail of planning agreements have tended to take place once an application is scheduled to be presented to Committee. This inevitably leads to delays post Committee whilst the detail of the agreement is worked through with solicitors who have sometimes only been instructed post Committee. Officers are proposing a new streamlined process to frontload this work as much as possible before an application is presented to Committee for determination.</p>
3.9	<p>The Planning Service and Legal Services have been working together to produce model Section 76 planning agreement clauses, covering the following areas:</p> <ul style="list-style-type: none"> ✓ affordable housing ✓ financial developer contributions ✓ employability and skills ✓ public realm ✓ open space ✓ property management ✓ green travel measures ✓ purpose built managed student accommodation
3.10	<p>The Model Section 76 planning agreements will be supported by new processes, which will further streamline the overall procedure. These are summarised below.</p>

3.11	The Planning Service's <i>Application Checklist</i> will be amended so that customers are clear about what is expected as part of the application process and what they in turn can expect from the Council. The "Heads of Terms" will be expanded to require confirmation of which proposed obligations contained within the schedule to the model agreement are applicable, details of all owners and/or persons who have an estate in the land and contact details for the applicant's solicitor.
3.12	Applications that require a Section 76 planning agreement will not normally be reported to the Committee until the planning agreement has been agreed in principle by the Planning Service and applicant, including content and ownership details confirmed by the applicant's solicitor.
3.13	The Planning Service will aim to issue the decision notice within 10 working days of the end of the Committee decision call-in process.
3.14	The new processes and customer guidance will be published on the Council's website alongside the Model Section 76 planning agreements. Customers will be encouraged to engage with the planning agreement process early on in the process and advised that where the model clauses are used this will lead to a much quicker processing time. <u>Future reporting</u>
3.15	The Planning Service has worked with the Intelligent Client Function (ICF) (which manages the contract for the Planning Portal) to design an automated report which enables the Planning Service to routinely update and report the summary table to Committee.
3.16	Officers propose to report an updated version of the summary table at Appendix 1 to future meetings as part of the monthly report on decisions issued.
4.0	Financial & Resource Implications
4.1	Significant work has been undertaken by both the Planning Service and Legal Services in drawing up the new Model Section 76 planning agreements. However, this will save time overall in the drafting of future planning agreements and, combined with the new processes, will enable the Council to deal with planning applications more efficiently and effectively.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	There are no equality or good relations / rural needs implications associated with this report.
6.0	Appendices – Documents Attached
	Appendix 1 – Summary table of post Committee applications.

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No	Application No.	Category	Location	Proposal	Date Received	Date Valid	Issue date	Delegated Committee	Committee Date	Weeks Since Committee	Reason decision not issue
1	LA04/2021/0547/F	LOC	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.	02-Mar-21	30-Mar-21		C	15/02/2022	120	Awaiting Section 76 Agreement - currently being drafted
2	LA04/2022/1499/F	LOC	The Lockhouse 13 River Terrace Belfast BT7 2EN.	Construction of new community wellbeing centre and cafe incorporating refurbishment and change of use of existing house, with a new adjacent community garden and men's shed facility.	05-Aug-22	30-Aug-22		C	18/04/2023	59	Late report received from applicant on 15.5.24 and Environmental Health re-consulted
3	LA04/2022/1924/F	LOC	160-164 Kingsway Dunmurry BT17 9RZ.	Mixed-use proposal comprising 13 apartments (with 13 car parking spaces) and coffee shop.	12-Oct-22	19-Oct-22		C	29/06/2023	49	Awaiting Section 76 Agreement - currently being drafted,
4	LA04/2019/2653/F	LOC	Chancery House 88 Victoria Street Belfast BT1 3GN.	Demolition of existing property and erection of a 9 storey building (overall height 37m) comprising a ground floor retail unit together with cycle parking and plant areas; and 8 floors of grade A office accommodation. (amended plans & updated technical information)	01-Nov-19	01-Nov-19		C	29/06/2023	49	Awaiting Section 76 Agreement - close to agreement
5	LA04/2022/1503/F	LOC	Lands within Musgrave Police Station 60 Victoria Street Belfast BT1 3GL	Proposed erection of a freestanding 6.8-metre high screen erected on steel structural supports (9 metres in total height) with associated site works	04-Aug-22	10-Aug-22		C	29/06/2023	49	Awaiting Section 76 Agreement - close to agreement
6	LA04/2022/2059/F	LOC	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)	04-Nov-22	04-Nov-22		C	29/06/2023	49	Awaiting Section 76 Agreement - ownership issues
7	LA04/2021/1808/F	MAJ	Lands South and East of 148-163 Lagmore View Lane North and West of 37 81 82 and 112 Lagmore Glenand Lagmore View Road Belfast	Proposed residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works	08-Jul-21	08-Jul-21		C	19/09/2023	37	Awaiting Section 76 Agreement - Signed by Applicant to be sealed by Council.
8	LA04/2023/2324/F	LOC	MOUNTAIN VIEW CENTRE NORGLLEN 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	13-Dec-22	13-Dec-22		C	17/10/2023	33	Awaiting Section 76 Agreement - Applicant has issue with lender over signing agreement.
9	LA04/2020/1858/F	LOC	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).	09-Sep-20	08-Jan-21		C	14/11/2023	29	Awaiting Section 76 Agreement - discussion about non-standard clauses requested by applicant
10	LA04/2022/1860/A	LOC	1-3 Arthur Street Belfast BT1 4GA.	Active facade to facilitate the display of LED internally illuminated moving images (Temporary consent for 5 years)	04-Oct-22	04-Oct-22		C	14/11/2023	29	Referred to DFI
11	LA04/2019/0081/F	LOC	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.	24-Dec-18	03-Jan-19		C	14/11/2023	29	Awaiting Section 76 Agreement - ownership issues
12	LA04/2020/2325/F	LOC	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)	06-Nov-20	06-Nov-20		C	14/11/2023	29	Awaiting Section 76 Agreement - ownership issues
13	LA04/2022/1861/F	LOC	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)	04-Oct-22	04-Oct-22		C	14/11/2023	29	Referred to DFI

14	LA04/2022/1867/DCA	LOC	1-3 Arthur Street Belfast BT1 4GA.	Part demolition of facade to facilitate replacement facade.	04-Oct-22	04-Oct-22		C	14/11/2023	29	Referred to DFI
15	LA04/2023/2709/F	LOC	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	03-Feb-23	03-Feb-23		C	14/11/2023	29	Awaiting Section 76 Agreement - Applciant has issues with exisiting tenants that need resolved before completion
16	LA04/2021/2687/F	MAJ	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)	02-Nov-21	02-Nov-21		C	12/12/2023	25	Awaiting Section 76 Agreement - close to agreement
17	LA04/2023/2390/F	MAJ	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.	16-Dec-22	22-Feb-23		C	12/12/2023	25	Awaiting Section 76 Agreement - reviewing requirement
18	LA04/2023/3030/F	MAJ	41-49 Dublin Road and 3-5 Ventry Street, Belfast, BT2 7HD	Erection of 201-bed Purpose Built Managed Student Accommodation scheme and retail unit (11-storey) (amended description and plans).	05-Apr-23	05-Apr-23		C	12/12/2023	25	Awaiting Section 76 Agreement - ownership issues
19	LA04/2022/1219/F	MAJ	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	17-Jun-22	21-Jun-22		C	16/01/2024	20	Awaiting Section 76 Agreement - currently being drafted
20	LA04/2021/2016/F	MAJ	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).	26-Aug-21	26-Aug-21		C	16/01/2024	20	Awaiting Section 76 Agreement - draft shared with applicant
21	LA04/2023/2388/F	MAJ	Lands immediately north of Cross Harbour Bridge, East of Donegall Quay and south of AC Marriott Hotel, City Quays, Belfast	Residential development comprising 256no. units, public realm, and associated access and site works.	16-Dec-22	16-Dec-22		C	16/01/2024	20	Awaiting Section 76 Agreement - draft shared with applicant.
22	LA04/2023/2668/F	MAJ	Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 & 65a Dock Street and No. 123 Corporation Street, Belfast	Demolition of existing buildings and the erection of an affordable housing development comprising of 69 No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works (amended description).	10-Feb-23	10-Feb-23		C	16/01/2024	20	Awaiting Section 76 Agreement - draft shared with applicant.
23	LA04/2022/0097/F	LOC	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)	04-Jan-22	04-Apr-22		C	13/02/2024	16	Awaiting Section 76 Agreement
24	LA04/2020/2105/F	MAJ	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.	21-Oct-20	21-Oct-20		C	19/03/2024	11	Awaiting Section 76 Agreement - currently being drafted
25	LA04/2017/1991/F	MAJ	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.	15-Aug-17	20-Sep-17		C	19/03/2024	11	Awaiting Section 76 Agreement - ownership issues

26	LA04/2020/2607/F	MAJ	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]	04-Dec-20	16-Dec-20		C	19/03/2024	11	Awaiting Section 76 Agreement - currently being drafted
27	LA04/2022/1384/F	LOC	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.	04-Jul-22	05-Aug-22		C	19/03/2024	11	Awaiting Section 76 Agreement - currently being drafted
28	LA04/2022/1083/F	MAJ	Lands at London Road/Lismore Street Belfast BT6 8HH	Residential development comprising 115 units (apartments & duplexes including 27 social housing units) with associated private and communal amenity space, landscaping, parking provision, access, relocation of existing sub station and site works (amended description & scheme)	25-May-22	25-May-22		C	16/04/2024	7	Awaiting Section 76 Agreement - draft shared with applicant
29	LA04/2023/3635/RM	MAJ	Lands bound by Glenalpin Street, Wellwood Street and Norwood Street, Belfast	Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works.	11-Jul-23	11-Jul-23		C	16/04/2024	7	Outstanding consultation response from DfI Roads received and decision notice being prepared for issue

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Subject:	Notice of Opinion issued by the Department for Infrastructure: LA04/2021/1317/F and LA04/2021/1318/DCA 450 and 448 Lisburn Road, Belfast
Date:	18 th June 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To report on the Department for Infrastructure's Notice of Opinion in respect of planning applications LA04/2021/1317/F and LA04/2021/1318/DCA. These applications were approved by the Planning Committee at its 29 th June 2023 meeting and subsequently called-in by the Department for Infrastructure (DfI).
1.2	DfI has issued a Notice of Opinion to the Council of its intention to refuse planning permission and Conservation Area Consent. The letter states that DfI must receive any request in writing for an opportunity to appear before and be heard by the Planning Appeals Commission, or a person appointed by DfI, for the purposes of a hearing within 8 weeks of the date of the letter (i.e. by 15 th July 2024).
2.0	Recommendation
2.1	It is recommended that the Council responds to the Notice of Opinion, requesting opportunity to appear before and be heard by the Planning Appeals Commission, or a person appointed by DfI, for the purposes of a hearing.
2.2	This would provide opportunity for the Council to present its case that planning permission and Conservation Area Consent should be granted, contrary to the Department's opinion that the applications should be refused.

2.3	The Committee is also asked to consider whether it wishes to nominate an Elected Member (or Elected Members) to appear at the hearing alongside officers in support of the Council's case.
3.0	Main Report
	<u>Background</u>
3.1	At its 29 th June 2024 meeting, the Committee resolved to approve the following applications: <ul style="list-style-type: none"> LA04/2021/1317/F – Demolition of existing dwellings and erection of two new dwellings and associated site works. 450 and 448 Lisburn Road, Belfast BT9 7GX (application for “planning permission”). LA04/2021/1318/DCA – Demolition of existing dwellings and erection of two new dwellings and associated site works. 450 and 448 Lisburn Road, Belfast BT9 7GX (application for “Conservation Area Consent” for demolition).
3.2	A copy of the Committee report is provided at Appendix 2 and minutes at Appendix 3 .
3.3	Section 89(1) of the Planning Act (Northern Ireland) 2011 requires the Council to notify DfI where it intends to grant Conservation Area Consent. Following ratification of the Committee's decision, on 14 th September 2023, the Council duly notified the Conservation Area Consent application (LA04/2021/1318/DCA) to the Department.
3.4	On 11 th December 2023, DfI issued a letter to the Council, “calling in” both the Conservation Area Consent application and application for full planning permission (LA04/2021/1317/F) for its determination. The Department's reasoning for calling in the applications was stated as follows: <p><i>‘...in view of the proposed development's potential conflict with the Strategic Planning Policy Statement (SPPS) 2015, the Local Development Plan for the area (the Belfast Local Development Plan: Plan Strategy 2035), particularly in relation to heritage matters, and the potential for the proposed development to impact on the implementation of the plan-led system. It is therefore considered to be an exceptional case and that the regional and sub-regional issues raised would benefit from further scrutiny by the Department.’</i></p>
3.5	DfI's call-in decision was reported to the Committee at the time. The decision transferred jurisdiction for determination of the applications from the Council to the Department.
	Notice of Opinion
3.6	On 21 st May 2024, DfI issued its Notice of Opinion of its intention to refuse both planning permission and Conservation Area Consent. The refusal reasons are set out below.
3.7	LA04/2021/1317/F (application for planning permission): <ol style="list-style-type: none"> 1. ‘The proposal would result in the demolition of two existing dwellings that make a material contribution to the character and appearance of the Conservation Area. The proposed replacement dwellings would be of an inappropriate footprint, scale and alignment. The proposal would fail to preserve the character and appearance of the Conservation Area, contrary to Policy BH2 of the Belfast Local Development Plan: Plan Strategy 2035, paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) and Malone Park Conservation Design Guide.’

	2. 'The proposal, by reason of its footprint, scale and alignment, would harm the setting of No. 1a Malone Park, a Grade B2 Listed Building. The proposal is contrary to Policy BH1 of the Belfast Local Development Plan: Plan Strategy 2035, the Strategic Planning Policy Statement and Malone Park Conservation Design Guide.'
3.8	LA04/2021/1318/DCA (<i>application for Conservation Area Consent</i>): 1. 'The proposal would result in the demolition of two existing dwellings which make a material contribution to the character and appearance of the Conservation Area. Furthermore, the proposed replacement dwellings would be of an inappropriate footprint, scale and alignment. The proposal would fail to preserve the character and appearance of the Conservation Area, contrary to Policy BH2 of the Belfast Local Development Plan: Plan Strategy 2035, paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) and Malone Park Conservation Design Guide.'
3.9	The Notice of Opinion states that the Department must receive any written request for an opportunity to appear before and be heard by the Planning Appeals Commission (or a person appointed by the Department) for the purposes of a hearing within 8 weeks of the date of the letter (i.e. by 15 th July 2024). <u>Assessment</u>
3.10	It is recommended that the Council responds to the Notice of Opinion, formally requesting opportunity to appear before and be heard by the Planning Appeals Commission (or a person appointed by DfI) for the purposes of a hearing. This would provide opportunity for the Council to present its case that planning permission and Conservation Area Consent should be granted, contrary to the Department's opinion that the applications should be refused.
3.11	The applicant has also received the Notice of Opinion from the Department. It is unclear at the time of writing this report whether or not the applicant will also request to appear before and be heard for the purposes of a hearing. <u>Conservation Area Consent Pilot</u>
3.12	As reported to the Committee at its January 2024 meeting , the Council is currently taking part in a pilot with the Department which is seeking to reduce the number of Conservation Area Consent (DCA) applications notified to DfI. During the pilot, the Council is only required to notify such applications where the proposal involves full demolition and/or there is an objection from special conservation advice.
4.0	Financial & Resource Implications
4.1	The Planning Service's attendance at the hearing and preparation of the associated written supporting statement that sets out the Council's case would have a modest impact on costs and resources and would be absorbed as part of its day-to-day work.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	There are no equality or good relations / rural needs implications.
6.0	Appendices – Documents Attached
	Appendix 1 – Copy of the Department for Infrastructure's Notice of Opinion (21 May 2023) Appendix 2 – Copy of report to 29 th June 2023 Committee Appendix 3 – Minutes of 29 th June 2023 Committee

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Ed Baker,
Planning Manager (Development Management)
Place and Economy Department
Belfast City Council
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Belfast
BT2 8DJ

James House
Gasworks Site
2 - 4 Cromac Avenue
Belfast
BT7 2JA
Tel: 0300 200 7830

Email: planning@infrastructure-ni.gov.uk

21 May 2024

Dear Mr Baker

Planning Reference Numbers LA04/2021/1317/F & LA04/2021/1318/DCA

Proposal: Demolition of existing dwellings and erection of two new dwellings and associated site works.

Location: 450 and 448 Lisburn Road Belfast BT9 7GX

I refer to the above-mentioned matter and enclose a copy of the Department's Notices of Opinion in connection with the above applications.

The Department must receive any request in writing for an opportunity to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purpose of a hearing.

Any requests must be made within 8 weeks from the date of service of the Notice.

Yours sincerely



Principal Planning Officer
Regional Planning Policy and Casework

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NOTICE OF OPINION
REFUSAL OF PLANNING PERMISSION
Planning Act (Northern Ireland) 2011

Application No: **LA04/2021/1317/F**

Date of Application: **19 May 2021**

Site of Proposed Development: 450 and 448 Lisburn Road Belfast BT9 7GX.
Description of Proposal: Demolition of existing dwellings and erection of two new dwellings and associated site works.

Applicant: Kevin McGarrity

Drawing Ref: 01, 02, 03(Rcv C), 04(Rcv A), 05(Rcv A), 06(Rcv B), 07(Rcv B), 08, 09, 10, 11, 12, 13, 14(Rcv A), 15, 16

1. The proposal would result in the demolition of two existing dwellings that make a material contribution to the character and appearance of the Conservation Area. The proposed replacement dwellings would be of an inappropriate footprint, scale and alignment. The proposal would fail to preserve the character and appearance of the Conservation Area, contrary to Policy BH2 of the Belfast Local Development Plan: Plan Strategy 2035, paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) and Malone Park Conservation Design Guide.
2. The proposal, by reason of its footprint, scale and alignment, would harm the setting of No. 1a Malone Park, a Grade B2 Listed Building. The proposal is contrary to Policy BH1 of the Belfast Local Development Plan: Plan Strategy 2035, the Strategic Planning Policy Statement and Malone Park Conservation Design Guide.

3. The proposal is contrary to Policy RD1, criterion a and Appendix B of the Plan Strategy as the proposed residential development is not in accordance with general urban design policies, represents over-development of the site and fails to conform with the definition of an Established Residential Area in the Plan Strategy.

Date: 21 May 2024

Authorised Officer



Regional Planning Policy & Casework Directorate

NOTICE OF OPINION
REFUSAL OF PLANNING PERMISSION
Planning Act (Northern Ireland) 2011

Application No: **LA04/2021/1318/DC**

Date of Application: **19 May 2021**

Site of Proposed Development: 450 and 448 Lisburn Road Belfast BT9 7GX.
Description of Proposal: Demolition of existing dwellings and erection of two new dwellings and associated site works.

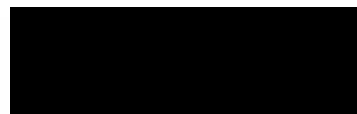
Applicant: Kevin McGarrity

Drawing Ref: 01, 02

1. The proposal would result in the demolition of two existing dwellings which make a material contribution to the character and appearance of the Conservation Area. Furthermore, the proposed replacement dwellings would be of an inappropriate footprint, scale and alignment. The proposal would fail to preserve the character and appearance of the Conservation Area, contrary to Policy BH2 of the Belfast Local Development Plan: Plan Strategy 2035, paragraph 6.12 of the Strategic Planning Policy Statement (SPPS) and Malone Park Conservation Design Guide.

Date: 21 May 2024

Authorised Officer



Regional Planning Policy & Casework Directorate

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Committee Application

Development Management Report

Application ID: LA04/2021/1317/F & LA04/2021/1318/DCA	Date of Committee: 29 June 2023
Proposal: Demolition of existing dwellings and erection of two new dwellings and associated site works	Location: 450 and 448 Lisburn Road Belfast BT9 7GX
Referral Route: Par. 3.8.2 (i) of the Scheme of Delegation – full demolition of existing dwelling in the Conservation Area	
Recommendation: Refusal	
Applicant Name and Address: Kevin McGarrity 1D Malone Park Belfast BT9 6NH	Agent Name and Address: RPP Architects Ltd 155-157 Donegall Pass Belfast BT1 1DT

Executive Summary:

These applications seek full planning permission and Conservation Area Consent for the demolition of the existing dwellings and erection of two new replacement dwellings and associated site works

The main issues to be considered in this case are:

- Principle of development
- Affordable housing and housing mix
- Adaptable and accessible housing
- Climate change including SuDS
- Demolition
- Impact on the character and appearance of the Malone Park Conservation Area
- Design
- Impact on Listed Buildings
- Impact on neighbouring amenity
- Transport
- Waste water infrastructure
- Other environmental considerations

The application site is within the Malone Park Conservation Area.

The proposal would result in the unacceptable demolition of two semi-detached dwellings that make a material contribution to the character and appearance of the area. It is considered that the proposed replacement dwellings would have a harmful impact on the Conservation Area by reason of their excessive plot coverage, scale, height and alignment. The proposed dwellings would harm the setting of the adjacent Listed Building, No. 1a Malone Park.

DfC Historic Environment Division, NI Water and the Conservation Officer object to the proposal.

The Council has received three letters of objection and 18 letters of support. These are set out in more detail in the main report.

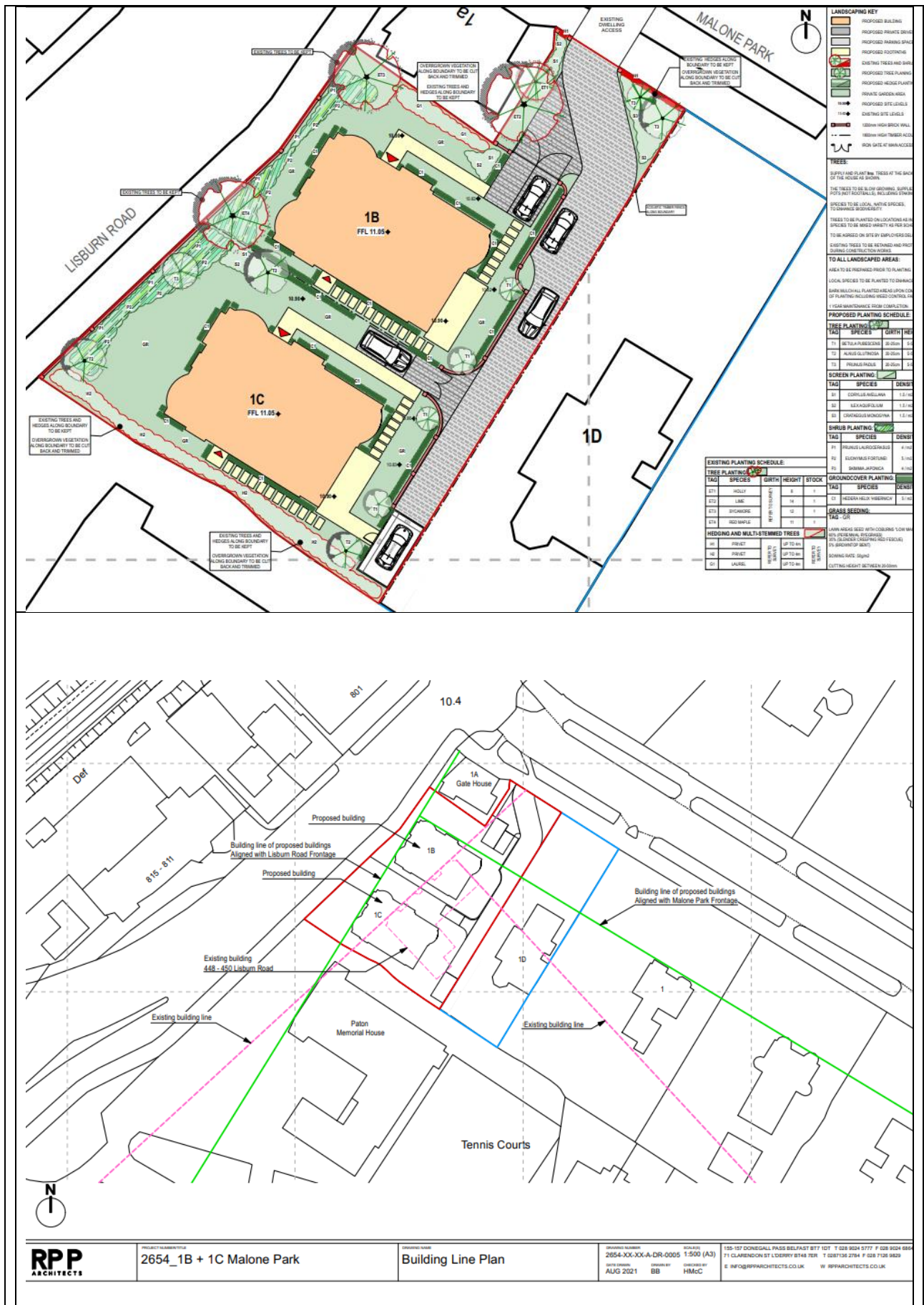
Recommendation

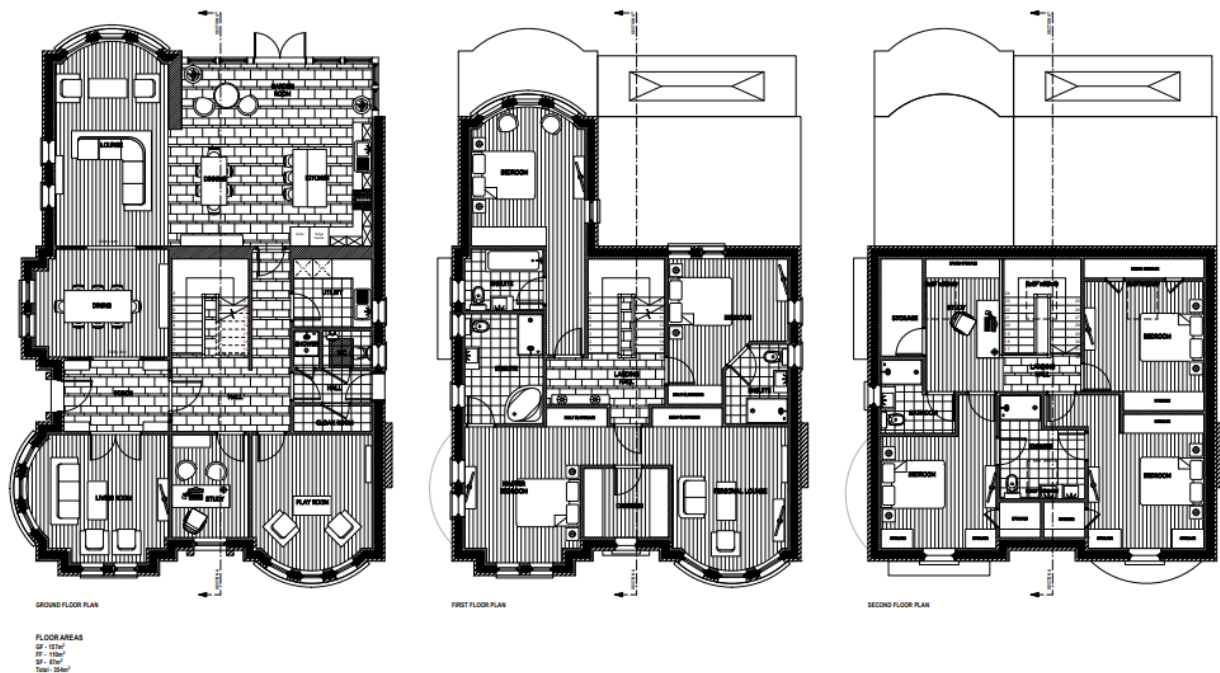
It is recommended that planning permission is refused. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the reasons for refusal.

Case Officer Report

Site Location and other Plans







A 24/08/2021 Dormers replaced with roof window

RPP
ARCHITECTS

PROJECT NAME/TITLE
2654_1B + 1C Malone Park

DRAWING NAME
Floor Plans

DRAWING NUMBER
2654-XX-ZZ-A-DR-1000 1:100 (A3)
DATE DRAWN
APR 2021
DRAWN BY
BB
CHECKED BY
HMcC

155-157 DONEGALL PASS BELFAST BT7 1DT T 028 9024 5777 F 028 9024 5884
71 CLARENDON ST LERRY BT48 7ER T 0287136 2794 F 028 7136 9629
E: INFO@RPPARCHITECTS.CO.UK W: RPPARCHITECTS.CO.UK



FINISHES SCHEDULE

- ① RED BRICKWORK
- ② RED BRICK GLAZED TIMBER SHUTTER WINDOWS
- ③ RED BRICK GLAZED TIMBER SHUTTER WINDOWS AND NEW DOORS
- ④ RED BRICK GLAZED TIMBER SHUTTER WINDOWS - CORNICE
- ⑤ BRICK STONE CLIM
- ⑥ NATURAL SLATE ROOF TILES
- ⑦ NATURAL HAZARD WOODEN DOOR
- ⑧ ROOF WINDOWS
- ⑨ CAST ALUMINIUM RAILING & SCORPION
- ⑩ BRICK PAVING TO GARDEN FRONT



A 24/08/2021 Dormers replaced with roof window

RPP
ARCHITECTS

PROJECT NAME/TITLE
2654_1B + 1C Malone Park

DRAWING NAME
Elevations

DRAWING NUMBER
2654-XX-ZZ-A-DR-1000 1:100 (A3)
DATE DRAWN
APR 2021
DRAWN BY
BB
CHECKED BY
HMcC

155-157 DONEGALL PASS BELFAST BT7 1DT T 028 9024 5777 F 028 9024 5884
71 CLARENDON ST LERRY BT48 7ER T 0287136 2794 F 028 7136 9629
E: INFO@RPPARCHITECTS.CO.UK W: RPPARCHITECTS.CO.UK



PROPOSED REPLACEMENT HOMES - ARTIST'S IMPRESSIONS- CONTEXTURAL AERIAL VIEW - CONTEXT CONSISTENT SCALE, BULK & MASSING

Description of the Proposal and Area

1.0 Description of Proposed Development

1.1 Full planning permission is sought for the demolition of two existing dwellings and erection of two new dwellings with associated site works (LA04/2021/1317/F).

1.2 Associated Conservation Area Consent is sought for the demolition (LA04/2021/1318/DCA).

2.0 Description of Site

2.1 The application relates to Nos. 448 and 450 Lisburn Road. It comprises a pair of vacant semi-detached dwellings; currently the properties are boarded up and showing signs of deterioration. The existing dwellings are traditionally designed and two storeys in height, finished in red brick with sandstone lintels and sills. Each of the properties have a centralised doorway with a two-storey canted bay to either side. One property has retained the rear return (No.450) whereas the other dwelling's return has been removed. Fronting the dwellings is an area of hard standing that utilises much of the ground, there is an area of soft landscaping to the side of the dwellings which extends to the rear of 1a Malone Park. Boundary treatment consists of a mix of mature vegetation and brick wall. The brick wall to the front of the site is circa 1/8m high with entrance gates to either end for access.

2.2 Although the site fronts onto the Lisburn Road, it falls within the Malone Park Conservation Area. The site backs onto another dwelling that is owned by the applicant which is currently subject to an application for a replacement dwelling (LA04/2021/0691/F, listed on the same 29 June Planning Committee agenda).

2.3 The character of the surrounding area is mix of residential and commercial. Malone Park and the southern side of the Lisburn Road is mainly residential with neighbouring church buildings. To the northern side of the Lisburn Road there is a marked contrast with a more commercial feel to the buildings which are associated with a private hospital. The Lisburn Road is a main arterial route into and out of the city and therefore has a significant number of traffic movements.

Planning Policy and other Material Considerations	
3.0	Site History
3.1	<p>Z/1982/1674 conversion to 3 no flats PP granted.</p> <p>Z/1987/1354 Alterations and extension with change of use of existing coach house to dwelling unit and conversion of existing dwelling to 2 dwelling units and provision of domestic garage PP granted.</p> <p>Z/1988/0884 Conversion of ground floor to medical consulting rooms and office with dwelling accommodation above PP granted.</p> <p>Z/1989/0505 Conversion of dwellings into guest house PP granted</p> <p>Z/2000/0955/F Demolition of existing 18 bedroom guesthouse with 20 parking spaces and adjacent private dwelling. Construction of 18 apartments and associated parking. Withdrawn</p> <p>Z/2000/1966/F Demolition of existing guesthouse with 20 parking spaces and adjacent private dwelling. Construction of 17 apartments and associated parking. PP refused.</p> <p>Z/2000/2024/D Complete demolition of buildings, Private dwelling at 1b Malone Park and Guesthouse at 448-450 Lisburn Road Belfast. PP refused</p>
4.0	Policy Framework
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, 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).
4.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) 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.

4.3	<p>Belfast Local Development Plan: Plan Strategy</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p>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</p> <p>Policy DES1 – Principles of Urban Design Policy RD1 – New Residential Design</p> <p>Policy BH1 – Listed Buildings Policy BH2 – Conservation Areas</p> <p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 - Sustainable drainage systems (SuDS)</p> <p>Policy TRAN 2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy TRE1, Trees</p> <p><u>Supplementary Planning Guidance (SPG)</u> Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development Malone Park Conservation Area Design Guide</p>
4.4	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 Strategic Planning Policy Statement (2012) Creating Places (guidance)</p>
5.0	<p>Statutory Consultees Responses</p>
5.1	<p>DfC Historic Environment Division (HED) – objection</p>
5.2	<p>DfI Roads Service (DfI) – no objection</p>

5.3	NI Water (NIW) – objection
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health (EHO) – no objection subject to conditions
6.2	BCC Conservation Officer (CO) – objection
6.3	BCC Trees Officer (TO) – no objection
7.0	Representations
7.1	<p>The application was advertised in the local press and fifteen neighbouring properties notified. To date, the Council has received three letters of objection: 2 letters from a planning consulting representing neighbours and residents' association; and an objection from the owner of No. 4 Malone Park. A total of 18 letters of support was received from 10 individuals, the occupants of 1A, 2, 5, 16, 21, 38, 41, 43 and 49 Malone Park. 7 letters were submitted on behalf of Kings Bridge Hospital and one letter from 1A Malone Park Central. Seven of the supporting letters come from the one person, representing the private hospital fronting the site, each of the letters give a different address of the buildings fronting the site.</p> <p><u>Objections</u></p>
7.2	<p>The objections raise the following concerns.</p> <ul style="list-style-type: none"> • Impact of on listed building and conservation area • Scale, height and massing • Dominance • Lack of amenity • Consideration of refurbishment <p><u>Support</u></p>
7.3	<p>The representations in support raise the following issues.</p> <ul style="list-style-type: none"> • Proposal is complimentary to Malone Park • Current buildings an “eyesore” proposal adds to appearance of surroundings • Betterment and beneficial to area
7.4	The issues raised are addressed in the report.
8.0	ASSESSMENT
8.1	<p>The key issues are set out below.</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and housing mix • Adaptable and accessible housing • Climate change including SuDS • Demolition • Impact on the character and appearance of the Conservation Area • Impact on Listed Building • Impact on neighbouring amenity • Transport • Waste water infrastructure • Other environmental considerations

	<u>Background</u>
8.2	The application as submitted in May 2021 under the previous planning policy framework. The Belfast Local Development Plan: Plan Strategy was adopted in May 2023. 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.
8.3	The applicant has subsequently provided a Plan Strategy Statement, which sets out the policies in the Plan Strategy which they believe apply to this proposal. In summary, the applicant considers that the proposal complies with the relevant policies and that the development remains acceptable in relation to the Plan Strategy and other material considerations.
8.4	No additional consultations have been considered necessary following adoption of the Plan Strategy and receipt of the Plan Strategy Statement.
8.5	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.
8.6	<u>Principle of development</u> Policy HOU2 of the Plan Strategy requires all new housing development to be delivered on previously developed land. The site is previously developed land within an urban setting offering associated conveniences. The proposed site is accessible and convenient to public transport, walking and cycling infrastructure.
8.7	Policy HOU4 seeks to achieve appropriate housing densities. For Outer Belfast, a density of 25 to 125 units per hectare is targeted. The site is 0.13 ha in size and the proposed density is 15 dwellings per ha. Whilst this is lower than the recommended band, regard is had to the proposal being for replacement dwellings and the importance of maintaining the character and appearance of the Conservation Area.
8.8	<u>Affordable housing and Housing Mix</u> Policy HOU5 of the Plan Strategy applies as the site is 0.13ha, exceeding the policy threshold 0.1ha. Moreover, the site is in the same ownership as the adjacent site at No. 1D Malone Park for a replacement dwelling (LA04/2021/0691/F). The adjacent site is 0.07ha, which means that the combined sites have a total area of 0.2ha.
8.9	The Affordable Housing and Housing Mix Supplementary Planning Guidance requires the Council to consider adjacent sites in the same ownership for the purposes of Policy HOU5. Policy HOU5 requires schemes of 5 units or more or sites of 0.1ha or greater to provide a minimum of 20% of the units as affordable housing.
8.10	In accordance with the SPG, schemes of less than 5 units are not required to deliver affordable housing. The SPG seeks to ensure that appropriate densities are achieved on smaller sites and that proposals are not artificially kept below 5 units. In this case, the combined proposals seek permission for three replacement dwellings with a zero net increase in units. The overall density of both schemes would be 15 units/ha, which is below the target band of 25 to 125 units/ha for Outer Belfast. However, the sites are subject to various constraints which it is considered make it inappropriate to increase the densities with even the minimum density of 25 units/ha only delivering 5 units on

	<p>the site and net increase of 3 units. These constraints include the sensitive location of the sites within the Malone Park Conservation Area and setting of a Listed Building. Also, the difficulties achieving suitable access and parking for a higher number of units, whilst maintaining appropriate levels of amenity and garden space. Regard is also had to the longevity of the applications which were submitted in 2021 and the reasonableness of requiring significant changes to both applications now.</p>
8.11	<p>Taking these considerations into account, it is not considered appropriate nor reasonable to increase the density of the schemes and require affordable housing.</p>
8.12	<p>Policy HOU6 relates to housing mix and also applies. The policy requires a suitable mix of house types and sizes to promote choice and assist in meeting community needs. The proposed dwellings are large six-bedroom units. However, the proposal is to replace two already large existing dwellings. The desirability of increased variety in the housing mix has to be balanced with appropriately designed dwellings in the Conservation Area. Taking these factors into account, and in the planning balance, the proposed housing mix is considered acceptable.</p> <p><u>Adaptable and accessible housing</u></p>
8.13	<p>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.</p>
8.14	<p>The parking would have a firm and flat surface. Whilst the main entrance does not have a shelter, nor do many of the historic properties in Malone Park and this is a characteristic of the area. There is dining and living room space on the same ground floor level. There is a ground floor W/C and bathroom facilities on all levels. An assessable bathroom can be accommodated. There would be outlook from the windows when seated in the main living area. The proposal is considered acceptable having regard to Policy HOU7 of the Plan Strategy.</p> <p><u>Climate change including SuDS</u></p>
8.15	<p>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.</p>
8.16	<p>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.</p>
8.17	<p>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.</p>

8.18	<p>The applicant states that the dwelling will exceed Building Regulations standards in terms of thermal insulation and air tightness although does not indicate how. Consideration is being given to an air source pump. Photovoltaic panels are also being considered, but this will be subject to further discussion with the Planning Service due to the sensitivity of the site within the Conservation Area. In terms of SuDS, the applicant states that they are considering rain garden planter boxes. New paving will be permeable with porous sub-base. Additional soft landscaping features such as lawn, trees and hedging are proposed that will offer a betterment to the local environment. Having regard to the length of the time that the Council has been considering the application, which was submitted in 2021, specific proposals to mitigate environmental change and resilience can be secured by condition.</p> <p><u>Demolition (climate change)</u></p>
8.19	<p>Policy ENV2 of the Plan Strategy states that 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.</p>
8.20	<p>The applicant has submitted a structural visual inspection report by way of letter. However, this does not demonstrate that the dwellings are structural unsound and beyond repair. Although it does make reference to the commercial feasibility of maintaining the dwellings. The applicant had initially submitted costings for retention and refurbishment of the dwellings (with comparisons to the costings and viability of the proposed replacement scheme) but this was later withdrawn.</p>
8.21	<p>The application has not demonstrated that retention and re-use of the existing dwellings is inappropriate or unfeasible. Therefore, the proposal fails to accord with Policy ENV2. However, regard is had to the longevity of the application, which was submitted in 2021. In the planning balance, it is not considered appropriate to refuse the application on this new policy requirement.</p> <p><u>Impact on the character and appearance of the Malone Park Conservation Area</u></p> <p><i>Legislation</i></p>
8.22	<p>Section 104 of the Planning Act (Northern Ireland) 2011 states that 'Special regard must be had to the desirability of:</p> <ul style="list-style-type: none"> (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. <p><i>Demolition</i></p>
8.23	<p>Paragraph 6.18 of the SPPS states that there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is outweighed by other material considerations grounded in the public interest.</p>
8.24	<p>Policy BH 2 states there is a presumption of retaining non-listed buildings within a Conservation Area. Total or partial demolition will only be permitted where key criteria are met. These are that the building makes either a negative or no material</p>

	contribution to the character and appearance of the Conservation Area; and that the design quality of the replacement buildings enhances its character.
8.25	HED advises that the existing dwellings are a pair of villas set back from the main road with large garden spaces to the front, reflective of larger plots intrinsic to the identity of this part of Lisburn Road and an early suburban development of Belfast. The existing dwellings are of a few remaining along this historic route which retain this theme. The Conservation Officer advice echoes that of HED and states that the existing dwellings make a significant contribution to the architectural and historic interest / character and appearance of the Conservation Area through, in part, ascribing its historical architectural evolution as a late Victorian / Edwardian / interwar period residential suburb. The existing dwellings are a historic asset which make a positive contribution to the character and appearance of the Conservation Area by way of age, features and legibility within the wider streetscape.
8.26	Having regard to the advice from HED and the Conservation Officer, it is considered that the existing dwellings make a material contribution to the character and appearance of the Conservation Area.
8.27	The applicant has submitted a structural visual inspection report by way of letter, which highlights a number of issues with the current buildings. However, this does not demonstrate that the dwellings are structural unsound and beyond repair. Although it does make reference to the commercial feasibility of maintaining the dwellings. The applicant had initially submitted costings for retention and refurbishment of the dwellings (with comparisons to the costings and viability of the proposed replacement scheme) but this was later withdrawn.
8.28	The existing dwellings make a material contribution to the character and appearance of the Conservation Area. The applicant has not provided a persuasive case for demolition of the existing dwellings. Furthermore, for the reasons set out in the next section of the report, the design of the proposed replacement dwellings is considered inappropriate and detrimental to the character and appearance of the Conservation Area.
8.29	In conclusion, the proposal is contrary to the SPPS and Policy BH2 of the Plan Strategy insofar as demolition.
	<i>Suitability of the replacement dwellings</i>
8.30	The proposed dwellings are of a traditional design, similar to those proposed on the adjacent site at No. 1D Malone Park and in character with existing properties in Malone Park. However, the Conservation Officer has a number of concerns about the proposal. These include that the proposal would have greater site coverage compared to the existing semi-detached properties. The height of the new dwellings would also be greater than the existing dwellings, contrary to the Malone Park Conservation Design Guide. There are also concerns about the proposal breaking the existing building line, with the proposed dwellings much closer Lisburn Road. The Design Guide requires the building line to reflect that of the original dwelling.
8.31	Having regard to these concerns, it is considered that the proposal would fail to preserve or enhance the character and appearance of the Conservation Area, contrary to criteria a. of Policy BH2 of the Plan Strategy. The proposal also conflicts with criterion b. in that the proposal does not respect the built form of the area by way of height, scale, form and legibility. Key views of the Conservation Area (including the Listed 1a Malone Park) would be negatively impacted, contrary to criterion c. The proposal is also contrary to the Design Guide, in contravention with criterion e.

	<i>Malone Park Conservation Design Guide</i>
8.32	The Malone Park / Adelaide Park Conservation Guide was published in 2003 after the area being designated as a Conservation Area by the former Department of Environment. The Conservation Guide is an important material consideration.
8.32	The Conservation Guide states that: <i>'Malone and Adelaide represent the best of what remains of the leafy middle-class suburbs which developed around the turn of the century in South Belfast. Individually designed residences combine with generous plots, mature landscapes and tree lined avenues to produce a distinctive townscape character.'</i>
8.33	The guide contains several development guidelines. The guide encourages the retention of existing buildings and emphasis will be placed on the protection and restoration of the individual architectural character of each building. The proposal involves the demolition of the existing dwellings and is in conflict with the Design Guide. The guide also requires heights, building line and coverage to reflect those of the original dwelling on site and the design of new development to complement the existing architecture and townscape character. Again, the proposal is in conflict with this guidance.
8.32	The Design Guide also states that to allow landscape to remain dominant, the established relationship between building mass and gardens should be respected and retained where possible. In no circumstances should building coverage be more than one and a half times that of the original dwelling
8.33	The existing footprint of the dwellings (without the return to No. 248) is 205 sqm giving a plot coverage of 15%. The proposed dwellings would have a total footprint of 314sqm and plot coverage of 23%.
8.34	As stated, the Design Guide states that new build plot coverage should not be more than one and a half times the original. In this case, the coverage would be 1.53 times greater, just in excess of the maximum. This supports the case that the plot coverage of the proposed development is too great and detrimental to the character and appearance of the Malone Park Conservation Area.
	<u>Design</u>
8.35	Policy DES1 of the Plan Strategy 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 where it accords with a range of criteria. Officers consider that the proposed dwellings fails to satisfy the policy in that they will not respond positively to the local context and character for the reasons previously given.
8.36	Policy RD1 of the Plan Strategy 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 meets defined criteria. The proposal is compatible with adjacent uses. The proposed dwellings would not unduly affect neighbouring properties in terms of overlooking, shadowing and dominance. The site is accessible public transport. The dwellings would have appropriate open space, each would have external private amenity space, set behind the front building line, of circa 250sqm. The guidance set out within <i>Creating Places</i> indicates that new buildings require on average 70sqm of private amenity space per dwelling. The proposal would provide sufficient space to meet the needs of any future occupier.

	<p><u>Impact on the setting of Listed Buildings</u></p> <p><i>Legislation</i></p>
8.37	<p>Section 91 of the Planning Act (NI) 2011 requires when considering whether to grant planning permission for development which affects a listed building or its setting, 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.</p>
8.38	<p>No. 1a Malone Park is adjacent the site. It is a Grade B2 Listed Building and former gate lodge. Policy BH1 requires new development not to impact on the setting of listed buildings. HED <i>'considers the loss of the historic buildings (albeit in a state of disrepair) of most concern. The existing buildings contribute significantly to the setting of the Listed Buildings and are also important to the character and appearance of the Conservation Area. The existing dwellings proposed for demolition consist of a pair of villas which are set back from the main road with large garden spaces to the front. This is reflective of larger plots intrinsic to the identity of this part of Lisburn Road and an early suburban development of Belfast. The existing dwellings are one of a few remaining along this historic route which retain this theme'</i>.</p>
8.39	<p>HED further advises that the proposal would <i>'compete with the visual relationship between the gate lodge and the church as the established building line, the current proposal does not 'respect the listed building(s) in terms of alignment'</i>. Policy BH1 requires that there will be no significant loss to key views of the listed building to this regarded HED considers that any proposal should be aligned with the established building line therefore retaining the existing views of the listed building. The proposal would have a detrimental impact on the setting of the Listed Building by way of the proposed dwellings dominating the listed building by removing the current open view currently enjoyed.</p>
8.40	<p>The proposal would have an adverse impact on the setting of the Listed Building and is considered to fail to comply with Policy BH1 of the Plan Strategy.</p> <p><u>Impact on neighbour amenity</u></p>
8.41	<p>Policy DES1 and RD1 requires that proposals do not unduly affect the amenity of neighbouring land uses. The location of the of the proposed dwellings provides an outlook to the front over the Lisburn Road creating no issues of overlooking. The south elevation has two secondary bedroom windows that will look towards the neighbouring Church and there is no issue of overlooking from these windows. The north elevation has a total of six windows, four of which serves bathrooms/en-suites and two serving as secondary windows to a master bedroom. These windows look towards the listed gate lodge, however, overlooking can be prevented through imposition of planning conditions regarding obscured glazing.</p>
8.42	<p>The two dwelling will have windows looking towards each other on the north and south elevation, given that the windows serve bathrooms/en-suites and secondary windows to bedrooms obscured glazing can control any potential to overlook. The east elevations would look towards 1D Malone Park with the properties separated by garden area fencing and laneway. Whilst the proposed dwellings are closer to the rear boundary with 1D Malone Park than would normally be acceptable, they are actually further away than the existing dwellings and in this regard this is acceptable.</p>

	<u>Transport</u>
8.43	The proposal is considered to comply with Policy TRAN2 given the accessibility of the site. The proposal would result in a new access onto Malone Park with the abandonment of the accesses onto the Lisburn Road. This alteration is considered an improvement, reducing the likelihood of vehicular and pedestrian conflict when accessing onto a main arterial route and directing access via a residential road. The proposed new access onto Malone Park complies with Policy TRAN6 in that it will not prejudice road safety or inconvenience road users. The means of access is considered safe and suitable. Policy TRAN8 requires adequate parking within the site for car parking. The proposal includes two in-curtilage space and satisfied the relevant Parking Standards for domestic dwellings.
8.44	DFI Roads offers no objection and in terms of transport the proposal is acceptable.
	<u>Drainage infrastructure</u>
8.45	NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plant. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, it is known that additional capacity will be achieved by August 2023.
8.46	NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.
8.47	Crucially, the proposal is for two replacement dwellings and would not significant increase the pressure on waste water infrastructure over and above the existing situation.
8.48	For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.
	<u>Other environmental considerations</u>
8.49	The proposal is considered acceptable in terms of impact on trees, landscaping proposals, drainage, flooding, ecology and noise impacts.
9.0	Summary of Recommendation:
9.1	It is recommended that planning permission and Conservation Area Consent are refused for the reasons set out in this report and below.
9.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the reasons for refusal.
10.0	DRAFT REFUSAL REASONS
	<u>Refusal of full planning permission (LA04/2021/1317/F)</u>
	1. The proposal would result in the demolition of two existing dwellings which make a material contribution to the character and appearance of the Conservation Area. Furthermore, the proposed replacement dwellings would be of an inappropriate footprint, scale, height and alignment. The proposal would fail to preserve the

	<p>character and appearance of the Conservation Area, contrary to Policy BH2 of the Belfast Local Development Plan: Plan Strategy 2035, paragraph 6.12 of the Strategic Planning Policy Statement and Malone Park Conservation Design Guide.</p> <p>2. The proposal, by reason of its footprint, scale and alignment would harm to the setting of No. 1a Malone Park, a Grade B2 Listed Building. The proposal is contrary to Policy BH1 of the Belfast Local Development Plan: Plan Strategy 2035, Strategic Planning Policy Statement and Malone Park Conservation Design Guide.</p> <p><u>Conservation Area Consent (LA04/2021/1318/DCA)</u></p> <p>1. The proposal would result in the demolition of two existing dwellings which make a material contribution to the character and appearance of the Conservation Area. Furthermore, the proposed replacement dwellings would be of an inappropriate footprint, scale, height and alignment. The proposal would fail to preserve the character and appearance of the Conservation Area, contrary to Policy BH2 of the Belfast Local Development Plan: Plan Strategy 2035, paragraph 6.12 of the Strategic Planning Policy Statement and Malone Park Conservation Design Guide.</p>
<p>Representations from Elected members:</p> <p>None</p>	

Agenda item

LA04/2021/1317/F - Demolition of existing dwellings and erection of two new dwellings and associated site works, 450 and 448 Lisburn Road

Minutes:

The Planning Manager provided the Committee with an overview of the applications and highlighted the following main issues for consideration:

- Principle of development;
- Affordable housing and housing mix;
- Adaptable and accessible housing;
- Climate change including SuDS;
- Demolition;
- Impact on the character and appearance of the Conservation Area;
- Design;
- Impact on Listed Buildings;
- Impact on neighbouring amenity;
- Transport;
- Waste water infrastructure;
- Other environmental considerations; and
- The application site was within the Malone Park Conservation Area.

He explained that officers were recommending that planning permission be refused as the proposal would result in the unacceptable demolition of two semi-detached dwellings that make a material contribution to the character and appearance of the area and the proposed replacement dwellings would have a harmful impact on the Malone Park Conservation Area by reason of their excessive plot coverage, scale, height and alignment. He added that it was considered that the proposed dwellings would harm the setting of the adjacent Listed Building, 1a Malone Park.

He reported that DfC Historic Environment Division, NI Water and the Council's Conservation Officer had objected to the proposal and that the Council had received three letters of objection and 18 letters of support.

The Chairperson welcomed Mr. H. McConnell, RPP Architects and Mr. M. Gordon, Turley to the meeting on behalf of the applicant.

Mr. McConnell explained that the current buildings on the site had been vacant for 20 years and were in such a state of dereliction that they were well beyond viable refurbishment, as detailed in the engineer's report which accompanied the application.

He reported that the upper floors of the buildings had collapsed to the ground floor and that the properties were well known to Building Control and that there had been many visits to the site by the Police Service of Northern Ireland (PSNI) to address ongoing issues of antisocial behaviour and risk to life, especially to children.

He stated that, given the degree of dereliction, disrepair and near collapse, the repeated issues of recorded antisocial behaviour and the ongoing danger the properties present to the adjacent residents and to the public, the properties made a negative contribution to the distinctive character of the area. He added that the proposal demonstrated that bringing families back to Malone Park, the high-quality design of the homes and the materials used, would enhance the area and the wider streetscape of the Lisburn Road.

He acknowledged the three letters of objection which had been received, but pointed out that none of them were from properties immediately adjacent to the site and that there had been a significant degree of support for the scheme, including the residents of the listed gate lodge property at 1a Malone Park.

He highlighted the planning policies that the proposal aligned with and that the proposed dwellings were in character with the conservation area and supported the surrounding context and would enhance the character of the conservation area.

Following discussion around the safety of the existing buildings, the Director of Planning and Building Control clarified that the assertions around the dangers

posed were indeed assertions, and that there was currently no evidence to substantiate the claims and no surveys had been undertaken.

Proposal

Moved by Councillor P. Donnelly,

Seconded by Councillor Carson,

“That the Committee grants planning permission on the basis that:

- The application meets the desirability criteria of section 104 of the planning act 2011 as the replacement buildings will enhance the character and appearance of the area and this is an opportunity to do so;
- Given the condition of the buildings and the likelihood of further deterioration, even dereliction public safety could become an issue at the site, it is my view that the application meets the public interest criterion and the presumption against demolition should be relaxed as laid out in paragraph 6.18 of the SPPS;
- The current buildings make a negative and nonmaterial contribution to the character of the area, and the design quality, form, and use of materials sympathetic to the area in the replacement dwellings will enhance the character of the area and bring vibrancy to what is a key junction in the south of our city thus meeting the criteria in relation to policy BH2;
- The officer discusses the footprint of the replacement dwellings, this is a mathematical equation which doesn't include the rear return of number 448, and that if this was included (as it was originally a part of the initial footprint of the property) the existing plot coverage would increase in turn changing the equation in square meters and in percentage terms and the 1.5 criteria would be met. That said 0.3 is

negligible and in line with other applications where the same issue arose permission was granted, it is not seen as a reasonable reason for refusal in relation to policy BH1 or the Malone Park conservation design guide; and

- Delegated authority to the Director of Planning and Building Control to finalise any conditions.”

On a vote, fourteen Members voted for the proposal and four against and it was declared carried.

(Alderman Lawlor left the meeting while the following item was being considered.)



Subject:	Planning Committee review of previously determined applications
Date:	18 th June 2024
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	It is a recommendation of both the NI Audit Office and Public Accounts Committee reports of the NI planning system that planning committees regularly review a sample of their previously determined applications.
1.2	The Committee is asked to agree to undertake an annual review of a sample of implemented schemes that it has granted planning permission.
2.0	Recommendation
2.1	It is recommended that the Committee agrees to undertake an annual review of a sample of implemented schemes that it has granted planning permission. This would involve visiting selected sites and reflecting on what was good about the scheme and what could have made it better.
3.0	Main Report
	<u>Background</u>
3.1	In February 2022, the NI Audit Office ("NIAO") reported on its review of the NI planning system. The NIAO found that there was significant scope for improvement of the way in which the planning system operates and made a series of recommendations. This included Committees undertaking an annual monitoring exercise to review the impact of planning decisions that they have made in the past.

3.2	The NIAO report was shortly followed by the Public Accounts Committee's review of the NI planning system in March 2022. The Public Accounts Committee similarly recommended that Councils regularly review past decisions to understand their real-world outcomes, impacts on communities and the quality of completed development.
3.3	A copy of the relevant recommendations of the NIAO and Public Accounts Committee reports, together with links to the reports in full, can be found at Appendix 1 .
3.6	The NIAO and Public Accounts Committee reports have previously been reported to the Committee, notably at its 14 April 2022 meeting and it has subsequently received periodic updates on the Departmental-led regional planning improvement programme.
	<u>Assessment</u>
3.7	Officers consider that the recommendations of both reports relating to the Committee reviewing implemented schemes that it has granted permission has great merit. It will support learning and development, and potentially improve future decision making.
3.8	Planning staff have similarly undertaken visits to implemented schemes as part of their continuous professional development.
3.9	It is suggested that the Committee visits a small selection of sites across the City that it has approved, covering a range of different development types such as residential, affordable housing, purpose built managed student accommodation and commercial. A specific list of sites is not suggested at this stage due to the need coordinate and make logistical arrangements with applicants, developers, occupants and operators.
3.10	Due to other pre-existing commitments, it is recommended that the review of schemes is relatively "light-touch" at this stage, primarily based around a visit to the selected sites and a basic assessment of the quality of decision making and outcomes.
3.11	The Committee is asked to agree the above approach.
4.0	Financial & Resource Implications
4.1	The proposed review of implemented schemes would have a modest impact on time and resources. It is considered extremely good value for money in terms of supporting learning and development, and potential to improve future decision making.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	There are no equality or good relations / rural needs implications associated with this report.
6.0	Appendices – Documents Attached
	Appendix 1 – NIAO and Planning Appeals Commission Recommendations relating to planning committees reviewing schemes that they have previously approved

Appendix 1 – NI Audit Office and Public Accounts Committee Report Recommendations

NI Audit Office Recommendation (paragraph 3.26)

'The Department's guidance for planning committees indicates that they should undertake an annual monitoring exercise to review the impact of planning decisions they have made in the past. It suggests that a committee could inspect a sample of previously determined applications to allow them to reflect on the real-world outcomes. This would enable committees to highlight good and bad decision-making and inform future decisions. We did not find any evidence of a formal review of decisions at any council we spoke to. In our view, this is an important aspect of the quality assurance process which is being overlooked.'

Recommendation:

Planning committees should ensure that they regularly review a sample of their previously determined applications, to allow them to understand the real-world outcomes, impacts and quality of the completed project. Councils should ensure that they review a range of applications, to ensure that it is not only focused on those applications that tell a good news story about how the system is working. Lessons learned from this process should be shared across all councils.'

Planning Appeals Commission (Recommendation 10, paragraph 24)

'Without any review of past decisions, it is hard for those who make decisions to properly understand how the outcomes of those decisions impact on the communities around them. A key means of improving the quality of future decisions must be to reflect on the consequences of planning decisions.'

The Committee recommends that planning authorities regularly review past decisions to understand their real-world outcomes, impact on communities and the quality of the completed development.'

References

The NIAO and Public Accounts Committee reports can be found in full at the following links.

NI Audit Office:

<https://www.niauditoffice.gov.uk/publications/planning-northern-ireland>

Planning Appeals Commission:

<https://www.niassembly.gov.uk/globalassets/documents/committees/2017-2022/pac/reports/planning-in-ni/public-accounts-committee---planning-in-northern-ireland.pdf>

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Subject:	EQIA - Plan Strategy Stage 7 Year 1 (2024) Monitoring Report
Date:	18 June 2024
Reporting Officer:	Dermot O’Kane – Acting Development Planning & Policy Manager
Contact Officer:	Conor Campfield, Acting Principal Planning Officer

Restricted Reports

Is this report restricted?

Yes

☐

No

☒

Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes

☒

No

☐

1.0 Purpose of Report/Summary of Main Issues

1.1	The purpose of this report is to provide members with an update on the preparation of the Stage 7 Year 1 (2024) Monitoring Report of the Plan Strategy.
1.2	The Local Development - Plan Strategy was adopted on 2 May 2023. The Plan was prepared alongside a number of statutory assessments including an Equality Impact Assessment (EQIA) which assesses any possible 'adverse impact' on any group under section 75 of the Northern Ireland Act 1998.
1.3	There are 7 stages to Equality Impact Assessments. This Monitoring stage represents the final stage in the process. The process has identified no negative impacts on any S75 group. The EQIA concluded that all nine S75 groups will benefit from the policies through the provision of a broader mix of housing, more jobs, access to green infrastructure, including open space, walking and cycling routes and improved access to services and facilities.
1.4	The LPP which is currently underway will be assessed against the same mechanisms.
2.0	Recommendation
2.1	The Committee is asked to note the report.
3.0	Main Report
	<u>Background</u>
3.1	<p>Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between:</p> <ul style="list-style-type: none"> • persons of different religious belief, political opinion, racial group, age, • marital status or sexual orientation; • men and women generally; • persons with a disability and persons without; and • persons with dependants and persons without.
3.2	In addition, without prejudice to the above obligation, public authorities must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
3.3	Within the Council's Revised Equality Scheme, the council gave a commitment to apply screening to all new and revised policies and where necessary and appropriate to subject new policies to further equality impact assessment. This includes the Community Plan (Belfast Agenda) and the Local Development Plan (LDP).
3.4	Each stage of the LDP process includes consideration of equality matters through the Equality Impact Assessment (EQIA) process. Belfast City Council undertook the first LDP (POP) stage during 2017.
3.5	The City Council has completed the second LDP stage with the adoption of the Plan Strategy (PS) in May 2023. As the PS is now adopted, the planning policies contained in it have been in effect from May 2023 and form the basis of planning application decision-making by the Council.

3.6	In line with Stage 7 of the Equality Commission Guidance, a final EQIA includes a process for monitoring to determine equality impacts, in the light of any changes made and any mitigating actions taken.
3.7	The PS EQIA found that there is unlikely to be any adverse impact against Section 75 groups associated with the implementation of the strategic and operational planning policies. It revealed that, generally, the PS policies will have a positive or neutral impact upon the entire population and will improve the overall quality of life for those who live in or visit Belfast. It noted that some Section 75 groups in particular will be positively impacted upon by the implementation of some of the PS policies, including in relation to affordable, adaptable and specialist forms of housing and access for all measures.
3.8	The PS EQIA concluded that all nine S75 groups will benefit from the policies through the provision of a broader mix of housing, more jobs, access to green infrastructure, including open space, walking and cycling routes and improved access to services and facilities. The EQIA identified no negative impacts on any S75 group. Furthermore, the EQIA assessment of impacts on religious, political and racial groups considered each group individually, as well as the three groups collectively, including in terms of promoting good relations.
3.9	Since the adoption of the Plan Strategy in May 2023, the strategic and operational planning policies now form the basis of all planning application decisions taken by the Council. As set out above, some positive impacts are anticipated, and no unintended or negative impacts have been identified to date.
3.10	In line with Stage 7 of the Equality Commission Guidance, monitoring of the policies for adverse impacts is required over a 2-year period. This is the Stage 7 Monitoring Report for year 1. Ongoing monitoring will continue to determine whether there is any effect over a longer period of time. A Stage 7 (Year 2) Report will be required in May 2025.
3.11	<u>Financial and Resource Implications</u> There are no resource implications associated with this report.
3.12	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> There are no equality or good relations implications arising from this report.
4.0	Appendices - Documents Attached
	Appendix 1 - Plan Strategy Stage 7 Year 1 (2024) Monitoring Report

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Belfast Local Development Plan

Equality Impact Assessment – LDP Plan Strategy

Stage 7 Report (Year 1): May 2024

Access to information

As part of our commitment to promoting equality of opportunity and good relations, we want to ensure that everyone is able to access the documents we produce. This document is available in different languages and formats on request, please contact:

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Belfast City Hall, Belfast BT1 5GS

Introduction

Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between:

- persons of different religious belief, political opinion, racial group, age,
- marital status or sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

In addition, without prejudice to the above obligation, public authorities must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

We are committed to the discharge of our Section 75 obligations in all parts of our organisation and ensure that the Section 75 statutory duties are complied with.

Within the Council's Equality Scheme, the council gave a commitment to apply screening to all new and revised policies and where necessary and appropriate to subject new policies to further equality impact assessment. This includes the Community Plan (Belfast Agenda) and Local Development Plan. [Link to BA EQIA](#)

Background

The Planning Act (Northern Ireland) 2011 transferred responsibility for the preparation of Local Development Plans (LDPs) from central government to councils and established a plan-led system that gives priority to the LDPs in the determination of planning applications.

There are three key stages in the development of the LDP:-

1. First stage is the publication on the Preferred Options Paper (POP).
2. Second Stage is the preparation of the LDP Plan Strategy (PS).
3. Third Stage is the preparation of the LDP Local Policies Plan (LPP).

Each stage of the LDP process has been subject to an Equality Impact Assessment (EQIA). Belfast City Council undertook the first LDP (POP) stage during 2017, including formal public consultation that commenced in January 2017. Data and research gathered in the POP EQIA was considered in the development of the next stage – the PS.

The City Council has completed the second LDP stage with the adoption of the PS in May 2023. The public consultation on the PS, including the PS EQIA, was undertaken in summer/autumn 2018. As the PS is now adopted, the planning policies contained in it have been in effect from May 2023 and form the basis of planning application decision-making by the Council.

Stage 7 Monitoring

In line with Stage 7 of the Equality Commission Guidance, an EQIA includes a process for monitoring to determine equality impacts, in the light of any changes made and any mitigating actions taken. The purpose of monitoring policies which have been subjected to EQIA is to determine whether the impacts predicted, particularly those which may have an adverse impact on anyone in the Section 75 equality categories, have occurred in practice and whether the impacts are greater or lesser than anticipated.

If the monitoring and analysis of results over a two- year period show that the proposed policies result in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, the Council is committed to ensuring that the policies are revised to achieve better outcomes for the relevant equality groups.

PS EQIA Monitoring

The PS EQIA ([link](#)) found that there is unlikely to be any adverse impact against Section 75 groups associated with the implementation of the strategic and

operational planning policies. It revealed that, generally, the PS policies will have a positive or neutral impact upon the entire population and will improve the overall quality of life for those who live in or visit Belfast. It noted that some Section 75 groups in particular will be positively impacted upon by the implementation of some of the PS policies, including in relation to affordable, adaptable and specialist forms of housing and access for all measures.

The PS EQIA concluded that all nine S75 groups will benefit from the policies through the provision of a broader mix of housing, more jobs, access to green infrastructure, including open space, walking and cycling routes and improved access to services and facilities.

Since the adoption of the Plan Strategy in May 2023, the strategic and operational planning policies now form the basis of all planning application decisions taken by the Council. As set out above, some positive impacts are anticipated and no unintended or negative impacts have been identified to date.

In line with Stage 7 of the Equality Commission Guidance, monitoring of the policies for adverse impacts is required over a 2-year period. This is the Stage 7 Monitoring Report for year 1. Ongoing monitoring will continue to determine whether there is any effect over a longer period of time. A Stage 7 (Year 2) Report on the PS EQIA will be required in May 2025.

During this time the development of the LDP will continue with the Local Policies Plan (LPP), which will align with the PS.

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Development Management Report Committee Application

ADDENDUM REPORT	
Application ID: LA04/2023/4162/F	Committee Date: 18 th June 2024
Proposal: Change of use from retail unit to amusement arcade and adult gaming centre.	Location: 51 Rosemary Street Town Parks Belfast Antrim BT1 1QB
Referral Route: Referral to the Planning Committee under section 3.8.2 (d) of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Sam Stranaghan Ava House 14 Prince Regent Road Belfast BT5 6QR	Agent Name and Address: Sam Stranaghan Ava House 14 Prince Regent Road Belfast BT5 6QR
<p>Background:</p> <p>This application was deferred at the Planning Committee on Tuesday 14th May 2024 to allow members of the Committee opportunity to visit the site. The site visit took place on Tuesday 21st May 2024. At the site visit Members raised queries regarding the condition of the front façade and roof of the building at first floor level.</p> <p>The agent has confirmed the front façade of the building will be refurbished as part of the change of use and overall investment into the site, however no physical alterations are to take place. The proposal relates solely to the change of use of the ground floor unit of the site. A condition can be added any permission ensuring refurbishment of the façade.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Recommendation</p> <p>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.</p> <p>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.</p>	

Development Management Report

Committee Application

Summary	
Application ID: LA04/2023/4162/F	Date of Committee: 14 th May 2024
Proposal: Change of use from retail unit to amusement arcade and adult gaming centre.	Location: 51 Rosemary Street Town Parks Belfast Antrim BT1 1QB
Referral Route: Referral to the Planning Committee under section 3.8.2 (d) of the Scheme of Delegation	
Recommendation:	Approve
Applicant Name and Address: Sam Stranaghan Ava House 14 Prince Regent Road Belfast BT5 6QR	Agent Name and Address: Sam Stranaghan Ava House 14 Prince Regent Road Belfast BT5 6QR
<p>Executive Summary: The proposal is for a Change of Use of ground floor retail unit to amusement arcade and adult gaming centre.</p> <p>The site is located within a terrace building with retail frontage on the ground floor and upper floor which is finished in white render. The surrounding area is of mixed use containing a mix of retail, offices, and a bank adjacent and opposite the site. Building heights vary between two storey and four storey buildings on Rosemary Street, however the adjoining building which fronts on to Royal Avenue is 5 stories in height.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of the change of use • Impact on the character and appearance of the conservation area • Impact on amenity • Proliferation of Amusement Arcades <p>The site is located within the City Centre within the BUAP and draft BMAP. The site is also located within the Primary Retail Core as well as the City Centre Conservation Area within both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015). There are no family dwellings or schools in the immediate area. There is a live application for 12no residential units adjacent the site 31-39 Royal Avenue, this has been considered in the main section of the report.</p> <p>Environmental Health, Historic Environment Division, DFI Roads and the Conservation Team offer no objections. Building Control, which is responsible for amusement licensing, is concerned that the proposal may impact on retail vitality and viability of Belfast City and result in a cumulative impact due to the number of amusement arcades in the surrounding area. There are currently three other amusement / gambling premises within 200 metres in the immediate area.</p> <p>The site is located within the Primary Retail Core within City Centre where main town centre uses such as this are acceptable in principle. There would be no harmful impacts on the character and appearance of the area, amenity or transportation.</p>	

There is no impact on the character and appearance of the conservation area given there are no external alterations proposed.

Two letters of objection have been received in relation to the application. These raised concerns regarding;

1. Clarity of the description
2. Principle of a non-retail use in this location
3. Impact on the character and appearance of the Conservation Area
4. Amenity of the area in terms of noise, litter, and traffic
5. Health and Well-being
6. Impact on character and setting of nearby Listed Buildings
7. Impact on the image and Profile of Belfast City Centre
8. Not supportive to tourism, leisure and cultural development
9. Causes a cluster of these uses in a small area.

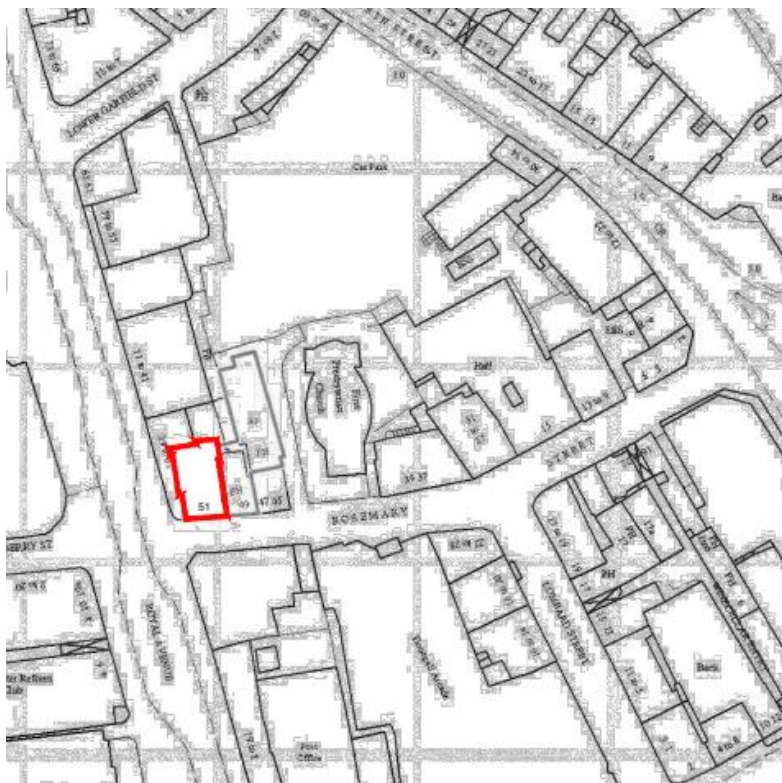
The proposal complies with Plan Strategy Policies SP3 – Improving Health & Wellbeing, RET 1 Establishing a centre hierarchy, RET 5 Primary retail area, Policy ENV 1 – Environmental Quality, BH1 Listed Buildings, BH2 Conservation Areas, TRAN 8 Car Parking and Servicing Arrangements.

Recommendation

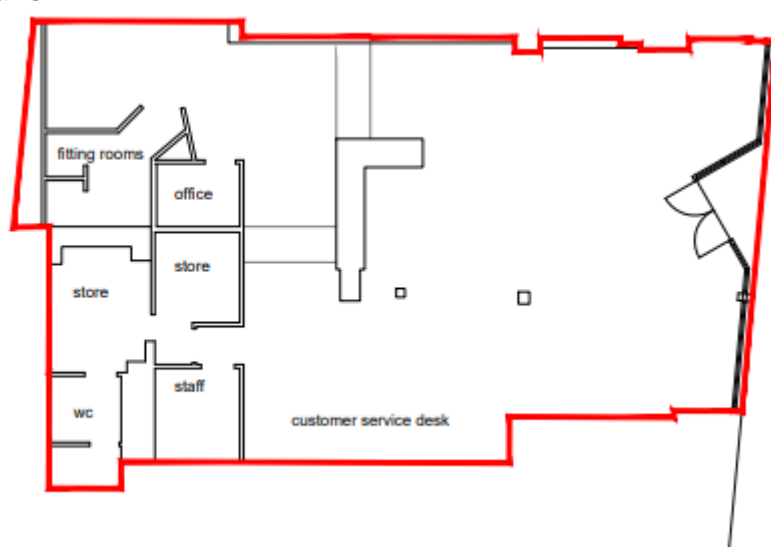
It is recommended that planning permission is granted with delegated authority sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

Case Officer Report

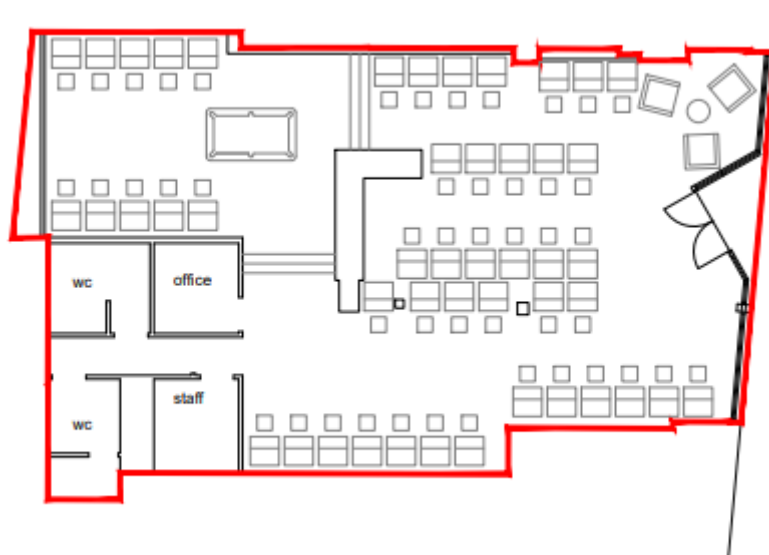
Site Location Plan



Existing Floor Plans



Proposed Floor Plans



Characteristics of the Site and Area

1.0 Description of Proposed Development
Change of use from retail unit to amusement arcade and adult gaming centre.

2.0 Description of Site
The site is located within a 2 storey terrace building. The ground floor has a glass retail frontage whilst the upper floor is finished in white render. The unit is situated within a row of terrace buildings, the adjoining buildings are finished in red brick and are a mixture of 3 and 4 and a half storeys. The surrounding area is of mixed use containing a mix of retail, offices a bar and a bank opposite.

The site is located within the Primary Retail Core within the City Centre as defined by and draft BMAP (v2004 and 2014).

Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>Application site</p> <p>Z/2005/1901/F, 51 Rosemary Street, Town Parks, Belfast, BT01 1QB, New shopfront entrance with change of sashwork colour and provision of air conditioning units., Permission Granted, 25.10.2005</p> <p>Z/2005/1933/A, Ann Summers Ltd, 51 Rosemary Street, Town Parks, Belfast, Northern Ireland, BT01 1QB, Shop sign and projecting sign. Consent Granted. 07.11.2005</p> <p>Surrounding Site History</p> <p>LA04/2021/1222/F, 31-39 Royal Avenue, Belfast, BT1 1FD - Change of use from retail to restaurant at ground floor and 12no. apartments at first to fourth floors (including demolition of internal walls, stairwell, rear return and window openings) and refurbishment works.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application: SP3 – Improving Health & Wellbeing RET 1 - Establishing a centre hierarchy. RET 5 - Primary retail area BH1 - Listed Buildings BH2 - Conservation Areas Policy - ENV 1 – Environmental Quality TRAN 8 - Car Parking and Servicing Arrangements</p> <p>Development Plan – zoning, designations, and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other material considerations Sensitive Uses Supplementary Planning Guidance BCC Amusement Permit Policy (2013)</p>
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	<p>Statutory Consultees Responses</p> <p>DFI Roads- No objection HED- No Objection</p>

6.0	Non Statutory Consultees Responses Environmental Health- No objections Building Control- Objections raised Conservation Officer – No objection
7.0	Representations The application was advertised on the 10 th November 2023 and neighbour notified on 2nd November 2024 and again on 1 st February 2024. Two letters of objection have been received in relation to the application. These raised concerns regarding; <ol style="list-style-type: none"> 1. Clarity of the description 2. Principle of a non-retail use in this location 3. Impact on the character and appearance of the Conservation Area 4. Amenity of the area in terms of noise, litter, and traffic 5. Health and Well-being 6. Impact on character and setting of nearby Listed Buildings 7. Impact on the image and Profile of Belfast City Centre 8. Not supportive to tourism, leisure and cultural development 9. Causes a cluster of these uses in a small area. <p>The description for the proposal reads ‘Change of use from retail unit to amusement arcade and adult gaming centre’. This is considered an appropriate description for the proposed use. The agent has also clarified the meaning of ‘an adult gaming centre’ is intended to define the proposed development as being suitable only for those over the age of 18 within the additional information submitted. The proposal has been since neighbour notified again following this clarification.</p> <p>Issues relating to, the principle of a non-retail use, impact on the character and appearance of the area/conservation area, impact on amenity, health and well-being, impact on listed buildings and potential cluster of the proposed use have all been assessed in the main section of the report.</p> <p>In terms of the impact the proposal has on the image and profile of Belfast City Centre, the proposal must be assessed against relevant planning policy. The image or profile of Belfast City Centre can only be taken into account in terms of relevant policy and the impact the proposal would have on the character and appearance of the area.</p> <p>In relation to the proposal not being supportive to tourism, leisure and cultural development, the proposal is again assessed against relevant policy within the Local Development Plan. The proposal is considered to be acceptable in principle. A single unit for a proposed City Centre use of an amusement Arcade located within the City Centre is not considered to have an impact on the tourism leisure and cultural provision within Belfast.</p> <p>The agent contacted the Council to request additional time to consider and respond to the objections raised above prior to April Committee. No further correspondence has been received from the agent following this request.</p>
9.0	Assessment
9.1	The proposal is considered to be in compliance with the Development Plan.
9.2	Assessment The key issues to be considered are:

	<ul style="list-style-type: none"> • Principle of the change of use • Impact on the character and appearance of the area • Impact on amenity • Proliferation of Amusement Arcades
9.3	<p>Principle of the Change of Use</p> <p>The site is located within the City Centre as defined by both BUAP and draft BMAP and within the Primary retail core within draft BMAP where main town centre uses, including amusement arcades, are acceptable in principle as per Policy RET1 – Establishing a centre hierarchy and the Sensitive Uses SPG.</p>
9.4	<p>The Plan Strategy defines main town centre uses as cultural and community facilities, retail, leisure, entertainment, and business. The proposed use as an amusement arcade and adult gaming centre is considered entertainment and leisure.</p>
9.5	<p>Policy RET1 – Establishing a centre hierarchy states;</p> <p><i>The following network and hierarchy is to be maintained to ensure that proposals for main town centres uses, including retail, are directed to the appropriate level of centre based on size, function and catchment. Such proposals will be considered in the following order of preference:</i></p> <p><i>a. Belfast City Centre primary retail core and frontage (retail applications);</i> <i>b. Belfast City Centre;</i> <i>c. District centres; then</i> <i>d. Local centres.</i></p>
9.6	<p>The site is located within the Belfast City Centre primary retail core but not along a primary retail frontage. The location of the proposed development is therefore located in the first area of preference and considered acceptable in principle.</p>
9.7	<p>The Council's Amusement Permit Policy (2013) is a material consideration. Building Control, which is responsible for issuing licensing permits for amusement arcades, has been consulted on the application.</p>
9.8	<p>Building Control note that there are other amusement arcades operating nearby within walking distance of the application premises. These are:</p> <ul style="list-style-type: none"> • Oasis, 73-75 North Street; • Twilight Zone, 13 North Street; • Funtime, 91 Castle Street; • Oasis, 17-19 Queen Street; and • Oasis, 7-9 Wellington Place.
9.9	<p>Officers advise that the Council's Amusement Permit Policy lists five criteria for assessing site suitability. Of these, the following are particularly relevant to planning:</p>
9.10	<ul style="list-style-type: none"> • Impact on the retail vitality and viability of Belfast City – the Policy seeks to control amusement arcades in the retail core of the City Centre. The Policy also seeks to prevent the breakup of an otherwise continuous shopping frontage. The application site does not form part of a continuous shopping frontage with Ulster bank ATM's in one of the adjacent units to the site. Other units along this section of Rosemary Street are made up of a charity shop, a solicitors Office, cafes, fast food outlet, a bank and Social Club and Church that is set back off Rosemary Street.

9.11	The Council's Permit Policy indicates that, outside of renewal applications, there is a presumption against granting permits for amusement arcades in the Retail Core unless they are related to a major, retail-led, mixed use development or an upper storey development. This policy is adopted in order to promote retailing and footfall levels, thereby maintaining City Centre vibrancy. It must be considered the unit has been vacant since April 2023 when considering the potential impact on City Centre vibrancy.
9.12	Whilst The Council's Permit Policy is a material consideration that must be considered, it must also be balanced against relevant Planning policy within the Plan Strategy. As per Policy RET1 Establishing a centre hierarchy The Belfast City Centre Primary Retail Core is the first preference for main town centres uses. Therefore, on balance there is no conflict with this criterion.
9.13	<ul style="list-style-type: none"> • Cumulative build-up of amusement arcades in a particular location – the Policy seeks to prevent more than one amusement arcade per shopping or commercial frontage and one per shopping centre. The policy goes on to state that under this criterion, 2 or more amusement arcades in adjacent ground-floor units will not be allowed (except for those already existing). There are no other amusement arcades on the same commercial block on Rosemary Street.
9.14	In relation to this criterion Building Control Officers state 'there is availability nearby within walking proximity of the application site. These include: Oasis, 73-75 North Street; Twilight Zone, 13 North Street; Funtime, 91 Castle Street; Onassis, 17-19 Queen Street; and Oasis, 7-9 Wellington Place. If a permit application is subsequently applied for, Members of the Licensing Committee may more broadly consider the issue of the proliferation of amusement arcade use and the effect of same on the character and amenity of an area.'
9.15	Two of these units are greater than 5mins walking distance and therefore are not considered to result in proliferation in the nearby area.
9.16	Due to an amusement arcade being defined as a main town centre use 4no amusement arcades within a 5 minute walk or 200m radius is not considered proliferation.
9.17	<ul style="list-style-type: none"> • Proximity to residential use – There is no residential use currently adjacent to the application site, however there is a live application under consideration - reference LA04/2021/1112/F for '<i>Change of use from retail to restaurant at ground floor and 12no. apartments at first to fourth floors (including demolition of internal walls, stairwell, rear return and window openings) and refurbishment works.</i>' At 31-39 Royal Avenue.
9.18	Environmental Health have been consulted and offer no objection to the proposal in terms of the impact on amenity of any potential residential units should the application be approved. Environmental Health concluded;
9.19	<i>The windows of the habitable rooms of the residential accommodation proposed at 31-39 Royal Avenue do not face onto the current proposal or its front curtilage on Rosemary Street apart from the windows to the proposed first floor terrace. This terrace is protected by a parapet wall and given the existing high ambient noise levels it is not considered that there will be an adverse impact from noise should both proposals be granted permission by the Planning Service.</i>

9.20	The sensitive Uses SPG states 'there are locations which would not be preferable, such as wholly residential areas.' It is considered the surrounding area is not wholly residential, rather an area of mixed-use located within the City Centre. Whilst in many cases a proposal for an amusement arcade may not be suitable next to a residential use, in this specific circumstance it is considered on balance acceptable given the city centre location and both sites have different frontages. It is also noted the Planning application for the residential apartments has not yet been granted.
9.21	Building Control Officers consider the area is not one that is predominantly residential in character.
9.22	Impact on the Character and Appearance of the Area/Conservation Area. The impact of an amusement centre on the amenity and character of an area will usually depend on the location of the premises in relation to other development, its appearance, the type of amusement to be provided, the impact on neighbouring amenity and the hours of operation. Regarding the location, amusement centres are not normally acceptable near residential properties or in close proximity to schools, churches, hospitals or hotels.
9.23	The proposal is not located in close proximity to residential use, schools, hospitals or hotels. There is a Church located on Rosemary Street, however there is a separation distance of 2no units providing a separation between the two units. There is approx. 40m separation distance with the Church being set back from the Rosemary Street, there is not considered to be any significant impact on the Church. Any potential impact on the amenity of the Church can be controlled hours of use that will be obtained through the separate process of applying for an Amusement Permit Policy.
9.24	In a Conservation Area or other area of special architectural or historic interest, amenity value may be higher and here, the major consideration will be the effect of the proposal upon the general character of the area. The proposal does not propose any external alterations that would impact on the character and appearance of the Conservation Area. The Conservation Team have been consulted and offer no objection to the proposal.
9.25	Building Control Service considers that there may be an issue in respect of the proliferation of amusement arcade use at this location, which might impact upon the character and amenity of the area. It is considered that there is not a proliferation of amusement arcades given there are no other Amusement Arcades on Rosemary Street. Building Control have listed 5 other Amusement Arcades, however 2 of these are located greater than a 5 minute walk from the site which are not considered to contribute to proliferation of this area. A total of 4no Amusement Arcades within a 200m radius of the site is not considered to impact on the overall character and appearance of this section of the City Centre.
9.26	
9.27	Impact on Amenity The Sensitive Use SPG states that noise is a consideration for Amusement Arcades. Environmental Health were therefore consulted and took into consideration the proposed use and the concerns raised in the representations. Environmental Health considered the potential impact on the proposal in terms of noise, odour, contaminated land, litter and general nuisance and offer no objection to the proposal.
9.27	Adjacent the site is a live application for 12no. apartments at first to fourth floors of 31-39 Royal Avenue. The windows of the habitable rooms do not face onto the current proposal or its front curtilage on Rosemary Street apart from the windows to the proposed first floor terrace. This terrace is protected by a parapet wall and given the existing high ambient

9.28	<p>noise levels it is not considered that there will be an adverse impact from noise should both proposals be granted permission.</p> <p>Other Issues</p> <p>DFI Roads were consulted and offered no objection to the proposal. Historic Environment Division were consulted on the potential impact on the Setting of Listed Buildings, and offered no objection to the proposal.</p> <p>In conclusion, having regard to the Local Development Plan the proposal is therefore considered to comply with Plan Strategy Policies SP3 – Improving Health & Wellbeing as it will not result in any significant harm to human life, health or wellbeing, Policy RET1 - Establishing a centre hierarchy in that the location is suitable for a main town centre use, RET 5 Primary retail area in that the proposal is not located within a primary retail frontage, Principles of Policy ENV 1 – Environmental Quality, in that the proposal will not result in an unacceptable adverse impact on the environment, BH1 Listed Buildings, BH2 Conservation Areas, TRAN 8 Car Parking and Servicing Arrangements.</p>
10.0	<p>Summary of Recommendation:</p> <p>It is recommended that planning permission be granted. 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 that they are not substantive.</p>
11.0	<p>Draft Conditions</p> <p>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.</p> <p>Draft Informatives</p> <ol style="list-style-type: none"> 1. 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. 2. AMUSEMENT PERMIT In accordance with the Betting, Gaming, Lotteries and Amusement (Northern Ireland) Order 1985, the applicant must apply to Belfast City Council, Building Control for an application form to apply for an amusement permit.

Development Management Officer Report- Addendum Committee Application

Summary	
Application ID: LA04/2023/3936/O	Committee Meeting Date: 18 th June 2024
Proposal: Proposed replacement dwelling and all associated site works	Location: 89a Upper Springfield Road, Hannahstown, Belfast, BT17 0LU
Referral Route: Member call-in, in accordance with Section 3.8.1 of the Scheme of Delegation	
Recommendation: Refusal	
Applicant Name and Address: Michael McCormick 89A Upper Springfield Road Belfast BT17 0LU	Agent Name and Address: Robbie Gilmour Suite 9 Avonmore House 15 Church Square Banbridge BT63 6LY
<p>Background:</p> <p>This application was deferred at the Planning Committee on Tuesday 14th May 2024 to allow members of the Committee opportunity to visit the site. The site visit took place on Tuesday 21st May 2024.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered unacceptable. It is recommended that application is refused for the reasons set out in the original report to Committee with delegated authority requested to finalise the wording (attached).</p>	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/3936/O	Committee Meeting Date: 14 th May 2024
Proposal: Proposed replacement dwelling and all associated site works	Location: 89a Upper Springfield Road, Hannahstown, Belfast, BT17 0LU
Referral Route: Member call-in, in accordance with Section 3.8.1 of the Scheme of Delegation	
Recommendation: Refusal	
Applicant Name and Address: Michael McCormick 89A Upper Springfield Road Belfast BT17 0LU	Agent Name and Address: Robbie Gilmour Suite 9 Avonmore House 15 Church Square Banbridge BT63 6LY
Executive Summary: <p>This application seeks Outline planning permission for a proposed replacement dwelling and all associated site works.</p> <p>The application has been called in to Committee following a request from Cllr McLaughlin, after consideration and agreement by the Director of Planning and Building Control.</p> <p>The main issues to be considered are:</p> <ul style="list-style-type: none"> Principle of Development - Does the proposal meet policy requirements for new / replacement dwellings within the countryside. <p>Having regard to the development plan the Plan Strategy 2035 and other material considerations, the proposal is unacceptable. It is recommended that planning permission is refused.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.</p>	

Officer Report

1.0

Drawings

Fig 1. Site Location Plan

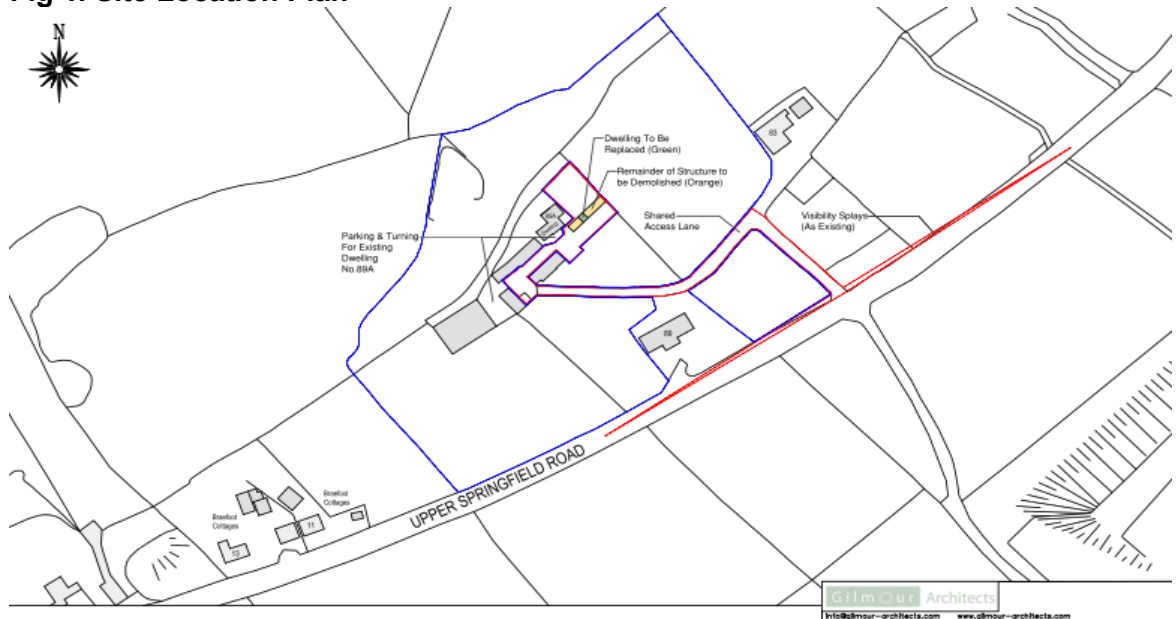
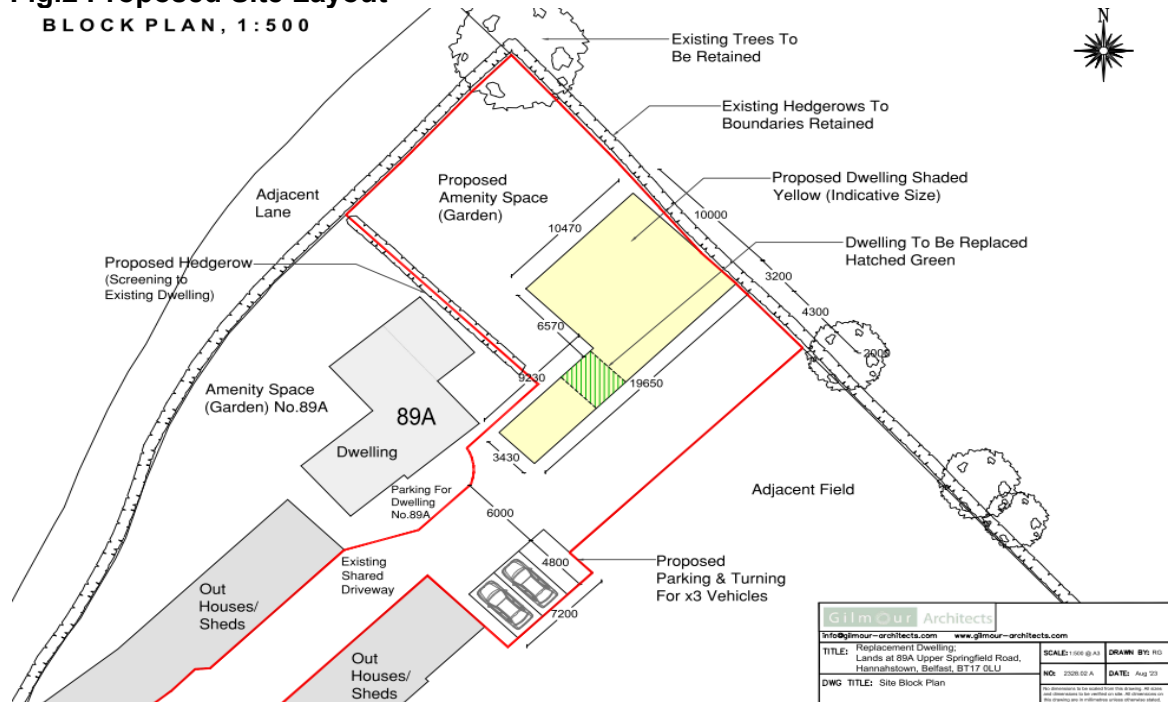


Fig.2 Proposed Site Layout

BLOCK PLAN, 1:500



2.0

Characteristics of the Site and Area

2.1

The site is located circa 30m back from the Upper Springfield Road, within a rural setting on Black Mountain. The proposed building to be replaced is located within part of an existing farm holding with outbuildings and a dwelling. The setting of the buildings has a linear appearance running from entrance laneway to site boundary (orientated from SW to NE). The building to be replaced was designed to service different farm requirements and is therefore divided into several different parts, a garage, accessed from the yard, a small room that it is claimed to have been living space for a farm labour and the

	remainder currently being used for storage. The site offers extensive views over the city from its elevated position.
3.0	Description of Proposal
3.1	This application seeks outline planning permission for a proposed replacement dwelling and all associated site works.
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 History Z/1977/0983 - 89 Upper Springfield Road - Erection of replacement farm dwelling - Permission Granted, No decision date Z/1980/0634 - 89 Upper Springfield Road - Extension to dwelling - no decision recorded. Z/1995/2317 - 89A Upper Springfield Road - Two storey extension to dwelling - Permission Granted 27th June 1995
5.0	Consultations and Representations
5.1	Statutory Consultations <ul style="list-style-type: none"> DfI Roads – Content subject to conditions NI Water – Content
5.2	Non-Statutory Consultations <ul style="list-style-type: none"> BCC Environmental Health – Content subject to informatives
5.3	Representations The application has been advertised and neighbours notified. The Council has received no third-party representations.
6.0	PLANNING ASSESSMENT
6.1	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.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The 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.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p><i>Countryside Development Policies</i></p> <p>Policy DC1 – General policy principles</p> <p>Policy DC2 – housing in the countryside</p> <p>Policy DC3 – replacement dwellings</p> <p>Policy LC1B – Areas of High Scenic Value</p> <p>Policy LC3 – Belfast Hills</p> <p><i>Transport</i></p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p> <p><i>Building a Smart Connected and Resilient Place</i></p> <p>Policy ENV1 – Environmental Quality</p> <p>Policy ENV2 – Mitigating Environmental Change</p> <p>Policy ENV3 – Adapting to Environmental Change</p> <p>Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> Principle of development – Given the proposal is for outline approval, all matters relating to design, siting and climate change are reserved. The main issue to be resolved at outline stage is the principle of the development regarding acceptability of proposed development within the rural area.
6.7	The site is located outside of the existing settlement limit (BUAP and dBMAP). It is located within an area of High Scenic Value (dBMAP). There are no other zonings or designations affecting the site. Adjacent lands are designated as a site of Local Nature Conservation Importance.
6.8	<p><u>Housing in the Countryside</u></p> <p>Policy DC2 states that the Council will assess development proposals for houses within the countryside in accordance with the general principles set out in policy DC1. There will be a general presumption against new housing within the countryside unless the proposal accords with the exceptions set out in other countryside related policies. It is considered</p>

	that the proposal fails to satisfy Policy DC3 in relation to replacement dwellings.
6.9	<p><u>Replacement Dwellings</u></p> <p>Policy DC3, relating to replacement dwellings, states that planning permission will only be granted for a replacement dwelling where the building to be replaced exhibits the essential characteristics of a dwelling house. A justification of locational need for the applicant shall be provided where the house to be replaced is no longer in residential use. The policy also states that buildings designed and used for agricultural purposes such as sheds or stores will not be eligible for replacement.</p>
6.10	It is considered that the existing building was designed and erected for agricultural purposes notwithstanding the small element that is stated to have been used for domestic purposes. The fact that someone, for whatever reason, lived within a section of an agricultural building does not itself makes the building, in its entirety, a domestic dwelling house.
6.11	The policy clearly states that the building to be replaced should exhibit the essential characteristics of a dwelling. It is clear from the evidence, supplied by the applicant, that the building operated, in the main, as an agricultural outbuilding, comprising garage, hen house and slaughter/preparation house. The total floor area for the building is approximately 68sq/m, with the 'living space' amounting to approximately 6.8sq/m, which equates to 10% of the total floor space. Officers are of the opinion that 10% of the building being used as a form of accommodation does not result in the building exhibiting the essential characteristics of a dwelling.
6.12	The applicant has claimed that the construction materials of the building, which includes natural slate roofing, a render finished, fireplace and chimney and electricity demonstrate that the building was at least partly used for residential purposes. Officers in response would state that the building in question exhibits the same / similar construction style as other outbuildings on site, rendered walls and natural slate roofing. This indicates that these materials were considered appropriate for outbuildings without any consideration of domestic use.
6.13	It is considered that the electricity supply, in all probability, was installed for the convenient use of the outbuilding and not solely relating to domestic use of a small element of the outbuilding.
6.14	The chimney and domestic fireplace together with the signed affidavit would appear to confirm that a small section of the building was occupied as a living space. The building lacks any basic amenities / facilities that would generally have been the norm for the stated period from the 1950s to 1980s. The Plan Strategy Statement indicates that the occupant used a separate outhouse for toilet facilities, however there is no further corroborating evidence. It is noted that two versions of the Plan Strategy Statement were submitted, a superseded version indicating that the occupant relied on the main farmhouse for meals, whilst the amended version stated the occupant cooked his own meals in the 'dwelling'. Furthermore, it is considered that traditionally, older dwellings would have had at least two rooms separated into sleeping and living quarters. Whilst the evidence appears to indicate that an individual may have used the room for sleeping, this does not make the outbuilding a dwelling house.
6.15	Officers would contend that a 10% occupation of the building does not represent a dwelling as set out in the policy which requires the building to be replaced to exhibit the essential characteristics of a dwelling, the building in question exhibits the characteristics of an agricultural building, similar to others within the agricultural holding. It is concluded that the building was originally designed and used for agricultural purposes and it does not exhibit

	the essential characteristics of a dwelling.
6.16	As the building is no longer in residential use, a justification of locational need (JLN) was submitted in accordance with Policy DC3. The JLN indicates that the applicant is likely to take on the management of the farm holding in the long term, as his uncle moves towards retirement age. The JLN also states that the applicant and his wider family will benefit in terms of providing care / assistance for elderly relatives and childcare.
6.17	<p><u>All Countryside Development – General policy principles</u></p> <p>Policy DC1 relating to general principles for countryside development states for development within the countryside, proposals should be supported by a justification of rural locational need and site-specific need and demonstrate that there is no significant detrimental impact on rural amenity and environmental quality. Furthermore, all development must ensure there is no loss or erosion of the rural character of the area. Matters relating to design will be reserved in the event of approval, however it is considered that a dwelling could potentially be sensitively sited so as not to impact detrimentally on rural amenity, character or environmental quality.</p>
6.18	<p><u>Belfast Hills / Area of High Scenic Value (AHSV)</u></p> <p>In the event of approval, it is considered that a dwelling could potentially be designed to ensure protection of the Belfast Hills and associated AHSV.</p>
6.19	<p><u>Climate change</u></p> <p>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 should seek to avoid demolition and consider how the existing building could be reused. New development proposals 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. Similarly, ENV3 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.</p>
6.20	<p>The applicant has submitted a Climate Change Statement indicating that the building has a low thermal efficiency it is therefore proposed that the proposed dwelling is design to comply with both ENV2 and ENV3:</p> <ul style="list-style-type: none"> • The building is designed to be orientated to optimise solar gain and energy efficiency, • Improved fabric standards and reuse existing materials saved from the demolition of the existing building.
6.21	<p>Regarding ENV5 sustainable drainage it is proposed that:</p> <ul style="list-style-type: none"> • A soakaway will be installed and • Permeable paving will be used.
6.23	The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. Measures to achieve the required standards to meet policy can be conditioned for any future reserve matters application.

6.24	Access, movement, and parking With regard to the proposed access, DfI Roads were consulted and advised they are satisfied that the existing means of access to the development would be safe. It is also considered that adequate parking is obtainable within the site. The proposal is considered in accordance with Policies TRAN 6 and 8.
7.0	Recommendation
7.1	Having regard to the local development plan and other material considerations, the proposal is considered to be unacceptable as it is contrary to policies DC2 (Housing in the Countryside) and DC3 (Replacement Dwellings). It is therefore recommended that planning permission is refused.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of refusal reasons.
Refusal Reasons: <ol style="list-style-type: none"> 1. The proposal is contrary to Policy DC2 of the Belfast Local Development Plan: Plan Strategy 2035 in that there is a presumption against new housing in the countryside and the proposal does not constitute an exception. 2. The proposal is contrary to Policy DC3 of the Belfast Local Development Plan: Plan Strategy 2035 in that the building to be replaced does not exhibit the essential characteristics of a dwelling and the building was designed and used for agricultural purposes rather than domestic purposes. 	

ANNEX	
Date Valid	07/09/2023
Date First Advertised	29/09/2023
Date Last Advertised	
Neighbours Notifications issued 21/09/2023 89 Upper Springfield Road, Ballymoney, Belfast BT17 0LU 83 Upper Springfield Road, Ballymoney, Belfast BT17 0LU	

Development Management Officer Report- Addendum Committee Application

Summary	
Application ID: LA04/2023/2748/A	Committee Meeting Date: 18 th June 2024
Proposal: 1 Digital Advertisement Display	Location: 12-13 Shaftesbury Square, Belfast, BT2 7DB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member.	
Recommendation: Refusal	
Applicant Name and Address: Michael Fairfowl 5b Willowbank Rd, Milbrook Larne BT40 2SF	Agent Name and Address: Enda McKenna Unit A3 Harbour Court, 5 Heron Road Belfast BT3 9HB
<p>Background:</p> <p>This application was deferred at the Planning Committee on Tuesday 14th May 2024 to allow members of the Committee opportunity to visit the site. The site visit took place on Tuesday 21st May 2024.</p> <p>This report should be read in conjunction with the original Committee report, appended.</p> <p>Appeal Decision – 1 Bradbury Place (Planning Application Ref: LA04/2021/2842/A PAC Ref 2022/A0155):</p> <p>Since the Committee meeting on 14th May, the PAC issued a decision (on 16th May 2024) to dismiss an appeal for a Digital Advertising Screen (LED) in close proximity to the application site at 1 Bradbury Place.</p> <p>The main issue in the appeal was whether the proposed advertisement would be detrimental to visual amenity. The PAC report states that the proposed signage would obscure decorative stucco panels and be visually disruptive to the building's appearance. Furthermore, the decision states that proposed signage between first and second floor levels would visually dominate the upper floors of the host building and read as discordant features and would also be dominant in the immediate area when viewed approaching the building from critical viewpoints due to the location on the upper floor of the host building and the illumination. The report further states that '<i>overall, the proposal which would be considerably more illuminated than the in situ signage, would be dominant on the host building both during the day and at night on multiple approaches to the appeal site</i>'. The PAC decision concludes that the proposed signs would not be sensitively located within the streetscape and would have a negative impact on amenity and be contrary to criterion (a) of Policy DES 4.</p> <p>The appeal decision is considered material to the determination of this advertisement consent which is also considered contrary to criterion (a) of Policy DES 4 for the reasons set out in the original Committee report (appended).</p>	

In summary, these include that the proposed sign would visually dominate the upper floors of the host building and obscure architectural features and would be visually dominant in the immediate area when viewed on approach from critical viewpoints including Great Victoria Street, Dublin Road, Donegall Pass, Bradbury Place and Botanic Avenue.

Recommendation

Having regard to the development plan and other material considerations, the proposal is considered unacceptable. It is recommended that advertisement consent is refused for the reasons set out in the original report to Committee (attached).

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the reasons for refusal and deal with any other issues that arise provided that they are not substantive.

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2023/2748/A	Committee Meeting Date: 14 th May 2024
Proposal: 1 Digital Advertisement Display	Location: 12-13 Shaftesbury Square, Belfast, BT2 7DB
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation – request to be reported to Planning Committee by Elected Member.	
Recommendation:	Refusal.
Applicant Name and Address: Michael Fairfowl 5b Willowbank Rd, Milbrook Larne BT40 2SF	Agent Name and Address: Enda McKenna Unit A3 Harbour Court, 5 Heron Road Belfast BT3 9HB
<p>Executive Summary</p> <p>This application seeks advertisement consent for a digital advertisement located at Nos.12-13 Shaftesbury Square.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Impact on amenity • Impact on the setting of listed buildings • Impact on public safety. <p>The application has been referred to the Committee following a request from Councillor Magee.</p> <p>Objections have been received from DfC HED and DfC Roads on grounds of adverse impact on the setting of the adjacent Listed Building and road safety, respectively.</p> <p>The application originally sought to replace the existing LED screen (which measures 6.8m x 3.8m) with a larger LED sign measuring 20m (length) x 5m (height). The proposal was amended during the processing of the application, reduced to 16m (length) x 4m (height) in an attempt to address HED and DfC's concerns. However, both HED and DfC Roads maintain their objections.</p> <p>Officers consider that the proposed sign, which would be significantly larger than the existing sign (i.e. 9.2m longer and 0.2m higher), would be unacceptably prominent in the street scene, adversely impacting on the amenity of the area and detracting from the setting of the adjacent Listed Building. Furthermore, the proposal would harm public safety, by prejudicing road and pedestrian safety.</p> <p>3 letters of support have been received and are addressed in the main body of the report.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is unacceptable.</p>	

It is recommended that planning permission is refused. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and deal with any other issues that arise, provided that they are not substantive.

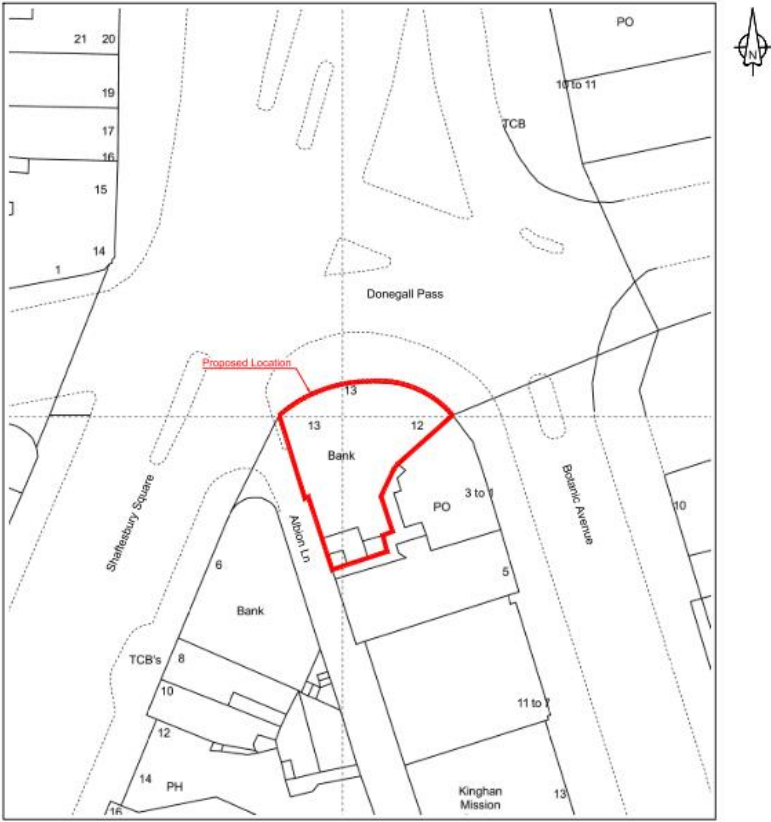
Officer Report

1.0

Drawings

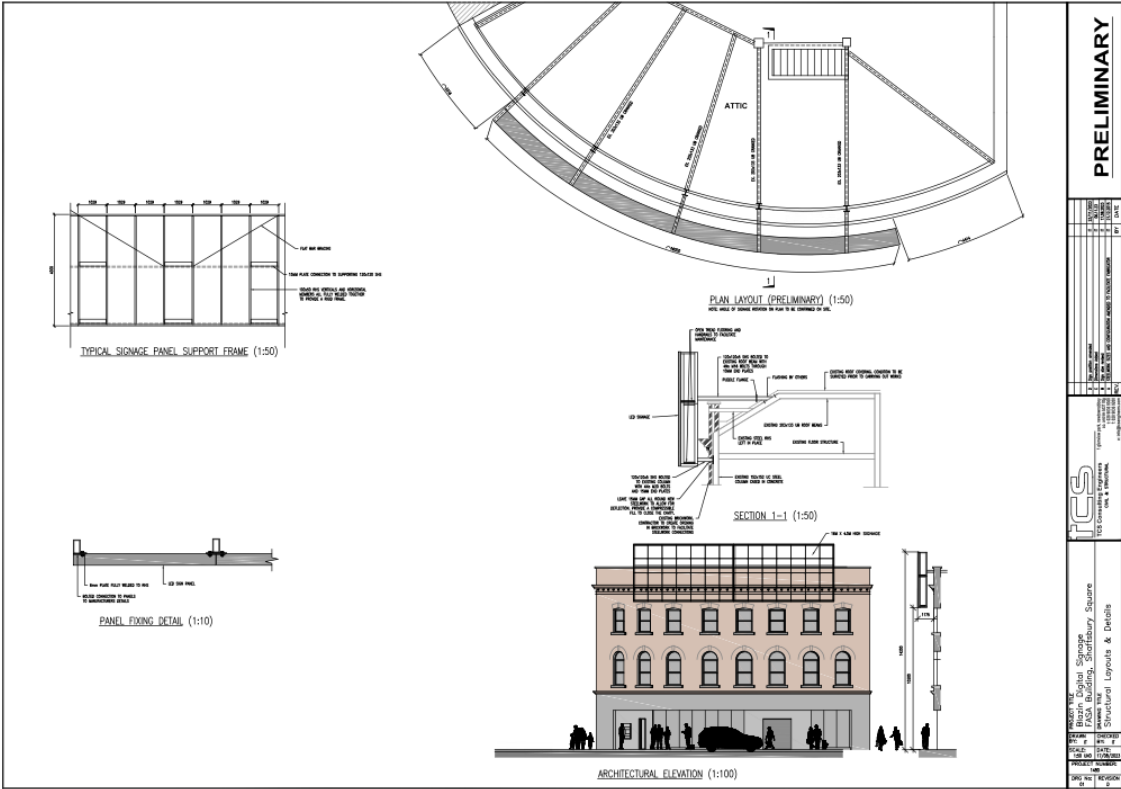
1.1


Site Location



Site Plan (1/1250)

Proposed Plans



	
2.0	Characteristics of the Site and Area
2.1	The application site is located at Nos. 12-13 Shaftesbury Square, which is situated on the Shaftesbury Square, adjacent to the Bradbury place exit of the junction.
2.2	There is an existing digital sign located externally at the top of the building which measures 6.8m long x 3.8m high.
3.0	Description of Proposal
3.1	The application seeks Advertisement Consent for a replacement larger digital advertisement display.
3.2	The application originally sought to replace the existing LED screen (which measures 6.8m x 3.8m) with a larger LED sign measuring 20m (length) x 5m (height). The proposal was amended during the processing of the application reduced to 16m (length) x 4m (height) in an attempt to address HED and DFI's objections.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.1.1	Policies in the Plan Strategy relevant to the application include the following: <ul style="list-style-type: none"> Policy DES4 – Advertising and Signage
4.1.2	<u>Supplementary Planning Guidance</u> Advertising and Signage
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	<p>Relevant Planning History</p> <p>LA04/2015/0366/A - 12-13 Shaftesbury Square - 28 Panel LED digital screen on steel frame – Consent Granted – Appeal re: temporary condition, allowed – 23/11/2015.</p> <p>Z/2012/0032/A – 12-13 Shaftesbury Square- 20m x 5m building wrap banner - Consent Refused- 28/03/2012.</p> <p>Z/2005/2147/A – 12-13 Shaftesbury Square- Erection of new ATM surround sign - Consent Granted- 06/11/2008.</p> <p>Z/2003/0263/A – 12-13 Shaftesbury Square- Two no. shop signs front and side elevations, one no. projecting box. - Consent Granted- 31/03/2003.</p> <p>Z/1991/2671 – 12-13 Shaftesbury Square – Erection of signs- Consent Granted - 17/10/1992.</p> <p>Z/1994/5006 – Northern Bank, Shaftesbury Square - Electronic illuminated display – Permitted Development</p> <p>Z/1998/2679 – Northern Bank, Shaftesbury Square - Replacement of hi-level electronic advertising display panel (3.9m x 7.46m) – Consent Granted</p> <p>Z/1989/2867 - 12-13 Shaftesbury Square- Replacement sign – Consent Granted – 21/03/1990.</p>
5.0	<p>Consultations and Representations</p>
5.1	<p>Statutory Consultations.</p> <p>DFI Roads – recommends refusal on the grounds that the sign would, if permitted, prejudice the safety and convenience of road users.</p>
5.2	<p>Non-Statutory Consultations</p> <p>DfC Historic Environment Division (HED) – adverse impact on adjacent listed building.</p>
5.3	<p>Representations</p> <p>The Council has received 3 letters of support, 2 letters from Linen Quarter BID and 1 from the Belfast Chamber. The letters of support have been summarised below:</p> <ol style="list-style-type: none"> 1. Linen Quarter BID – states Linen BID is a not-for-profit place making organisation that supports the installation of a digital screen at Shaftesbury Square. 2. They believe it is appropriate given the history with the Golden Mile. 3. The screen will provide interesting content and the applicant is willing to provide free community content as a condition of planning. 4. Digital signage is becoming more common, and Belfast should embrace this. They would not regard the screen dimensions to be disproportionate and would enhance the city centre. 5. This would support regeneration in the wider area. 6. Longstanding tradition of digital advertising at this location and it is natural location for a proposed new screen. 7. The proposed screen would help catalyst much needed further development in the immediate area. 8. Belfast Chamber support this application.

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 section 4.0 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).
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	The site is located within the settlement development limit in the BUAP and is not zoned for any use. In draft BMAP 2015 (v2004) the site is located within the settlement development limits of Belfast and is designated as a Character Area (CC 016), an area of parking resistant (CC 102) and within the city centre boundary (CC 001). In draft BMAP 2015 (v2014) the site is also located within the settlement development limits of Belfast and within a Character Area (CC 016), an area of parking resistant (CC 102) and within the city centre boundary (CC 001).
6.2	Key Issues
6.2.1	The key issues to be considered in this application are: <ul style="list-style-type: none"> • Impact on amenity • Impact on the setting of listed buildings • Impact on public safety.

6.2.2	<p><i>Relevant policy:</i></p> <p>The proposal is assessed against Policy DES4 of the Plan Strategy and the guidance set out in the Advertising and Signage SPG ("SPG"). Policy DES 4 states that:</p> <p><i>'Planning permission will be granted for advertisements and signage where it has been demonstrated that they:</i></p> <ul style="list-style-type: none"> <i>a. Are of good design quality, are located sensitively within the streetscape and do not have a negative impact on amenity;</i> <i>b. Will not result in clutter when read in addition to existing advertising and signage in the area;</i> <i>c. Will not adversely impact listed buildings, conservation areas or ATCs and their Settings' and</i> <i>d. Do not prejudice road safety and the convenience of road users.</i> <p><i>In all cases applications for advertising consent will be expected to adhere to supplementary planning guidance.'</i></p>
6.2.3	The proposal is assessed against the relevant criteria below.
6.2.4	Guidance on advertisements is provided at paragraphs 6.52 to 6.60 of the SPPS.
6.3.	<i>Planning history:</i>
6.3.1	The host building is located within a mixed commercial area, where offices and places of entertainment dominate. The principle of signage has already been established at this location. The planning history indicates that the site has been the subject of a number of consents and refusals for advertisements. The site has displayed a similar sized LED screen to the existing for many years. A sign was first approved on the building in 1994 and again in 1998. Advertisement consent was granted for a high-level electronic advertising display panel under planning application Z/1998/2679.
6.3.2	A previous sign on the building was removed in 2009 and there was no signage on the building for several intervening years. Temporary consent was later granted for the existing LED digital sign in 2015 (LA04/2015/0366/A), identical to that previously approved in 1998 under planning application Z/1998/2679. The temporary time condition attached to this approval was to allow reassessment of the long-term impact of the signage at this location, however, the temporary condition was the subject of a planning appeal which was allowed (PAC reference 2015/A0234) and permanent consent granted.
6.4.	Impact on Amenity
6.4.1	Criterion a. of Policy DES 4 indicates that consent will be granted for advertising where it is of good quality design and is located sensitively within the streetscape and does not have a negative impact on amenity. The SPG at paragraph 4.3.3 states that the term amenity is usually understood to mean their effect upon the appearance of the building or structure or the immediate neighbourhood where they are displayed, or their impact over long distance views. Paragraph 4.3.4 of the SPG: sets out the criteria to be taken into account when assessing the impact of an advertisement on amenity.
6.4.2	Paragraph 5.5.7 of SPG guidance highlights the potential of high-level signage to be obtrusive and dominant over long distances particularly when located on roofs.

6.4.3	<p>The SPG provides the following design guidelines for high level advertisements:</p> <ul style="list-style-type: none"> • <i>High level signs will generally be appropriate where they relate to the scale and primary use of the host building.</i> • <i>They should be designed to be read as part of the building and should not detract from any architectural feature.</i> • <i>They should not project above the eaves or parapet of the host building.</i> • <i>They should have only the lettering illuminated, preferably in the form of back lighting/halo illumination and restricted to sign lettering and logo only.</i> • <i>On upper floors, advertising/signage should be printed or etched onto the glass or on to internal window blinds. As an alternative, individual letters rather than an advertisement panel may be suspended behind the glass.</i>
6.4.4	<p>Paragraph 5.9.3 of the SPG sets out further guidance in relation to digital advertisements and states that ‘<i>by their very design and sitting, digital advertisements can be visually prominent and ‘attention focused’ by way of their illumination and sense of movement particularly when they are large in size and in close proximity to each other</i>’. The SPG provides the following guidance for digital advertisements.</p> <ul style="list-style-type: none"> • <i>More suitable to predominantly commercial areas, industrial areas or along transport corridors and areas with larger buildings where signage can be integrated more effectively into architecture.</i> • <i>Avoid siting in sensitive areas including listed buildings, with conservation areas/ATCs, predominantly residential areas and where they could become the most prominent feature of the street scene. Consideration should also be given to the orientation and positions to the carriageway and proximity to traffic signals and hazards.</i> • <i>Assess potential impact of lighting levels including degree of luminosity, brightness and operational hours, particularly during times of reduced daylight hours.</i> • <i>Consideration given to elements such as message duration, transitions and sequencing.</i> • <i>Consideration should be given to the cumulative effect of digital advertisements when read with other advertisements and signs which would result in clutter to the streetscape.</i>
6.4.5	<p>The SPG states that digital and LED signs are more suitable in predominantly commercial areas, industrial areas or along transport corridors and areas with larger buildings where signage can be integrated more effectively into architecture. The site is located within a mixed-use area comprising offices, student accommodation, restaurants, hotel, retail uses etc. However, the proposed LED sign is considered to be too large, dominant and out of scale with the host building.</p>
6.4.6	<p>The initial drawings submitted with the application proposed an LED sign which measured 20m (length) x 5m (height). During the processing of the application, officers DfI Roads and HED met with the applicant to discuss concerns and amended drawings were received seeking to address issues raised in respect of amenity, road safety and impact on the adjacent listed building. The most recent amendment shows a reduction in size to 16m (length) x 4m (height).</p>
6.4.7	<p>The building on which the sign is proposed to be located is a neo-Georgian, 3-storey building with extended parapet wall, finished in brown brick with a unique curved frontage (semi-circular) onto Shaftesbury Square. The windows at first and second floor level display arched features with decorative brick surrounds. At parapet level the building displays a mutilated cornice which is a key decorative feature of the building’s design.</p>

	<p>Whilst the building is not listed it is a building which displays key architectural features and makes an important contribution to the streetscape.</p>
6.4.8	<p>The proposed digital sign would project above the parapet by approximately 1.8m and would obscure key architectural features such as the mutilated cornice, in contravention of the SPG. Whilst it is acknowledged that the existing sign obscures some key features, the proposed sign would be 9.2m longer than the existing sign and 0.2m higher and would be located approximately 1.3m from the edge of the building on both sides. As a result, a substantial part of the building's key features at parapet level would be obscured. The sign itself is approximately 3m in depth and would be highly visually prominent when viewed from surrounding streets including Botanic Avenue and Donegall Pass. It is considered that the sign would be visually prominent in the streetscape with short and medium range views available including views on approach from Great Victoria Street. Given the significant size of the sign and proposed location at high level along with the digital format, the proposal would be unacceptably prominent and harmful in the street scene and of a scale which would adversely impact the character and appearance of the area. The proposed sign would also be an overly dominant feature on the host building and would be significantly harmful to the visual amenity of the area.</p>
6.4.9	<p>The proposed digital sign is considered to be contrary to criterion a. of Policy DES 4 and guidance on high-level, projecting, and digital advertisement signage as set out in the SPG: Advertising and Signage for the reasons set out above.</p>
6.5.	<p>Impact on the setting of a listed building</p>
6.5.1	<p>Section 91 (2) of the Planning Act (Northern Ireland) 2011 states that '<i>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.</i>'</p>
6.5.2	<p>The proposal would sit adjacent to Nos. 2-6 Bradbury Place, Shaftesbury Square, which is a 3 storey Tudor revival style Grade B2 Listed Building.</p>
6.5.3	<p>Criterion c. of Policy DES 4 states that permission will be granted for advertising where it will not adversely impact listed buildings, conservation areas or ATCs and their settings. The SPG at paragraph 4.2.7 recognises that there is a particular need to protect the important townscape heritage assets, such as listed buildings and their settings and advises that they should avoid being siting in sensitive areas including near listed buildings.</p>
6.5.4	<p>HED has objected to the application on the grounds that the proposal would negatively impact on the setting of the Grade B2 Listed building at 2-6 Bradbury Place. They advise that '<i>The listed building of 2-6 Bradbury Place is positioned on the junction of Shaftesbury Square, Donegall Road and Bradbury Place. A key feature of the building is how it has been designed to be read on the approach from the Dublin Road as the listed building 'addresses' this approach - as expressed by the curved façade design towards the junction. We add that 1 Bradbury Place, Malone Lower (HB26 29 031), although not listed, has also been designed to 'address' the junction of Shaftesbury Square, Donegall Road and Bradbury Place. Again, notable due to the curved façade at the junction.</i>'</p> <p><i>'HED acknowledge the existing illuminated signage on the application site, albeit significantly smaller in size than the current proposal. The proposed 20m x 5m, Digital Advertisement Display would form a continuous band across the full of the application building's façade. Due to the increased size and nature of the proposed moving/kinetic electronic signage screen, we consider the installation would have a detrimental impact on the setting of the listed building, due to its scale, form, height, alignment and would</i></p>

	<i>form a competing focus to the listed building. The negative impact on the setting of the listed building would be further increased, due to the cumulative impact of existing signage at 1 Bradbury Place, further diminishing the setting of the listed building’.</i>
6.5.5	Having regard to HED’s advice, it is considered that the proposal would have a significant adverse impact upon the adjoining listed building. The proposal would fail to respect the setting of the adjoining listed building, would be unsympathetic to the essential characteristics of the listed building and would impact upon key views of the listed building by its reason of its location, scale, size, prominence, proximity to the listed building and design. The scale of the proposal would detract would unduly draw the eye away from the listed building having a detrimental impact upon its setting. The proposal fails to accord with the SPPS and criterion c. of Policy DES 4.
6.6	Impact on public safety
6.6.1	Criterion d. of Policy DES 4 states that permission for advertisements will be granted for signage which does not prejudice road safety and the convenience of road users. Policy DES 4 paragraph 7.2.35 and the SPG (Para 4.6.1) acknowledges that the very nature of advertisements and signs are designed to attract the attention of passers-by and therefore have the potential to impact on road safety and that the Council will expect all advertisements to accord with the supplementary guidance with regard to its impact on public safety. The SPG advises that the Council will have regard to effect of an advertisement upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians).
6.6.2	<p>The SPG at paragraph 4.6.2 outlines the main types of advertisements and signs which are likely to pose a threat to public safety. Those criteria which the proposal is in contravention of are set out below:-</p> <p><i>(b) Those which, by virtue of their size or siting (orientation/angle to road), would obstruct or confuse a road user’s view or reduce the clarity or effectiveness of a traffic sign or traffic signal, or those which would be likely to distract road users because of their unusual design.</i></p> <p><i>(e) Illuminated signs:</i></p> <ul style="list-style-type: none"> <i>• Where the means of illumination is directly visible from any part of the road.</i> <i>• Which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals.</i> <i>• Which, because of their size or brightness, could result in glare or dazzle, or otherwise distract road users especially in wet or misty weather.</i> <p><i>(f) Signs which incorporate moving or apparently moving elements in their display, especially where the whole message is not displayed at one time therefore increasing the time taken to read the whole message.</i></p>
6.6.3	The SPG further advises that in assessing the impact on road safety, a consideration for the council will be whether the advertisement/sign itself or its location is likely to be so distracting or confusing that it creates a hazard to, or endangers, people in the vicinity, be they drivers, cyclists or pedestrians.
6.6.4	DFI Roads advises that <i>‘the proposed digital display is significantly larger than the current display and would therefore intensify the risk of driver distraction’</i> . They go on to say that <i>‘this proposal conflicts with’</i> the SPG, Para. 4.6.2 (b) <i>in that it would, if permitted, prejudice the safety and convenience of road users. Since the erection of this proposal,</i>

6.6.5	<p><i>by virtue of its size and siting, would obstruct or confuse a road user's view and reduce the clarity or effectiveness of a traffic sign or traffic signal.'</i></p> <p>DfI Roads considers the proposal to be unacceptable on the basis that the advertisement, if permitted, would prejudice the safety and convenience of road users, by virtue of its size and siting and would obstruct or confuse a road user's view and reduce the clarity or effectiveness of a traffic sign or traffic signal. The proposal therefore fails to comply with criterion d. of Policy DES and guidance set out in the SPG and is unacceptable.</p>
8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered unacceptable. It is recommended that planning permission is refused.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and deal with any other issues that arise, provided that they are not substantive.
DRAFT REFUSAL REASONS: <ol style="list-style-type: none"> 1. The proposal, by reason of its character, excessive size, elevated position, highly prominent location and design, would have a significantly negative impact on amenity, including impact on the host building, Shaftesbury Square and surrounding area. The proposal therefore fails to accord with criterion a. of Policy DES4 of the Belfast Local Development Plan: Plan Strategy 2035, Advertising and Signage SPG and paragraphs 6.56, 6.57 and 6.59 of the Strategic Planning Policy Statement for Northern Ireland (2015). 2. The proposal, by reason of its character, excessive size, elevated position, highly prominent location and design, would adversely affect the setting of the adjacent Grade B2 Listed Building at No 2-6 Bradbury Place. The proposal therefore fails to accord with criterion c. of Policy DES4 of the Belfast Local Development Plan: Plan Strategy 2035, Advertising and Signage SPG and paragraphs 6.12 and 6.59 of the Strategic Planning Policy Statement for Northern Ireland (2015). 3. The proposal would, by reason of its excessive size and location, prejudice the safety and convenience of road users. The proposal therefore fails to accord with criterion d. of Policy DES4 of the Belfast Local Development Plan: Plan Strategy 2035, Advertising and Signage SPG and paragraphs 6.52, 6.56 and 6.57 of the Strategic Planning Policy Statement for Northern Ireland (2015). 	

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Committee Application

Development Management Officer Report	
Committee Meeting Date: 18th June 2024	
Application ID: LA04/2023/2459/F	
Proposal: Redevelopment of the NICSSA pavilion complex within the Stormont Estate creating a centre of excellence for sport. The development will comprise of demolition of the existing pavilion building and replacement with new 2 storey building providing state of the art indoor sports halls, changing accommodation, function/meeting space offering improvements to the existing offering. Day to Day operation of the site will be improved by way of improvements to internal road network via new access/egress arrangements from the existing Stoney Road junction, additional car and cycle parking and new waste/recycling areas.	Location: Lands within the Stormont Estate to include The Maynard Sinclair Pavilion and Dundonald House, Belfast, County Down, BT4 3TA & BT4 3SU
Referral Route: Application for Major development	
Recommendation: Approve subject to conditions	
Applicant Name and Address: NICSSA . The Pavilion Stormont Estate Belfast BT4 3TA	Agent Name and Address: Michael Sloan 3 Joy Street Belfast BT2 8LE
Executive Summary: This application seeks full permission for the redevelopment of the existing Northern Ireland Civil Service Sports Association (NICSSA) Pavilion at Stormont Estate and the development of new international standard outdoor multi-sports playing, training and ancillary facilities with the overall objective of creating a regional Centre of Excellence for sport. The application follows a Pre-Application Discussion (PAD) process when not all issues were satisfactorily resolved. A briefing to the Planning Committee and a Pre-emptive site visit took place on 23 rd April 2024. Key Issues: <ul style="list-style-type: none"> • Principle of the proposed development • Acceptability of the design of the new pavilion and ancillary development • Impact on the setting of the adjacent Listed Dundonald House • Impact on trees subject to a Tree Preservation Order • Impact on natural heritage 	

- Traffic Impact/parking
- Environmental protection
- Drainage, flood risk and climate change
- Employability and Skills
- Pre-Application Community Consultation

The site currently consists of a variety of sports pitches and a pavilion located centrally and is part of the wider Stormont Castle and Parliament Buildings Historic Park, Garden and Demesne.

In the BUAP 2001, the site is located within an area reserved for '*landscape, amenity or recreation use*' and is identified as an area '*existing open space*' in both versions of Draft BMAP. The site is also designated as part of a wider Local landscape Policy Area (BT135 – Stormont LLPA) in both versions of Draft BMAP and part of the site is located within a designated Site of Local Nature Conservation Importance (Ref BT084/27 – Stormont SLNCI). The site has a significant number of existing trees and the Council placed a Tree Preservation Order on the site which was confirmed on 14 September 2023.

The proposed development was the subject of a PAD and officers provided advice during the PAD process raising fundamental policy concerns about the then proposed demolition of the Listed Dundonald House and the adverse impact on natural heritage assets of the site through the removal of significant groups of trees. The application as originally submitted did not take account of the advice provided at the PAD stage. Officers raised the above concerns again during the processing of the application and provided the applicant with the opportunity to amend the proposal. Minor revisions to the scheme were received in September 2023 retaining additional trees at the south east of the site but the fundamental issues of principle were not addressed through that particular submission. However, a further revised submission was received in March 2024 which reduced the site boundary, omitting the demolition of the Listed Dundonald House and its environs from the proposal and retaining additional trees. Further environmental information was also submitted in response to concerns raised by DAERA. It is the revised submission of March 2024 which is assessed in this report.

The principle of sport uses on the site is considered compliant with Policy OS5 (Intensive Sports Facilities) and strategic Policy SP3, which seeks to maximise opportunities for improving health and wellbeing.

Following the submission of the further information, DAERA NIEA Water Management Unit, Regulation Unit and Natural Environment Division have no objections to the proposal subject to conditions. SES has carried out an appropriate assessment on behalf of the Council and advises 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 subject to mitigation measures which are recommended as conditions.

The proposal would result in substantial loss of trees across the site. The Tree Officer advises that they are unable to support the application and advises that the removal of large groups of existing trees within the site (404 trees are proposed to be removed) would be detrimental and impact the existing amenity, wildlife, habitat, and impact visual character within the site which the trees currently offer and provide.

BCC Landscape Planning and Development Team raises concerns regarding the potential loss of a significant amount of mature tree cover and the subsequent impact on local biodiversity and wider amenity value and advises that the landscape proposals would not adequately mitigate for substantial tree loss across the whole site.

DfC HED Historic Buildings and Historic Monuments raise no objection to the revised proposal subject to conditions. Environmental Heath considers the proposal acceptable subject to conditions. DFI Rivers has no objections to the proposal.

Five representations have been received raising concerns about lack of parking and the impact on nearby residential streets and amenity impacts including noise, impact of floodlighting, impact on trees and wildlife. DFI Roads has considered the proposal and the objections and raises no objection to the proposal subject to conditions. The site is located in a sustainable location fronting onto the Upper Newtownards Road which is well served by public transport.

The proposal is subject to receipt of funding from the Special EU Programmes Body (SEUPB) and a funding decision is expected early June. The applicant has advised that SEUPB are likely to give a very tight timeframe for obtaining key criteria of which gaining planning permission is one since the funding programme is very focused on a "state of readiness". The applicant has advised that the obtaining planning permission is likely to be stipulated as a requirement within 4-6 weeks of the funding decision from SEUPB.

Officers consider that the very significant benefits that would accrue from this proposal including the health and community benefits from the provision of a modern sports centre of excellence, as well as international standard facilities, would outweigh the adverse impact resulting from the loss of trees, some of which have a limited lifespan due to the presence of Ash dieback.

Recommendation

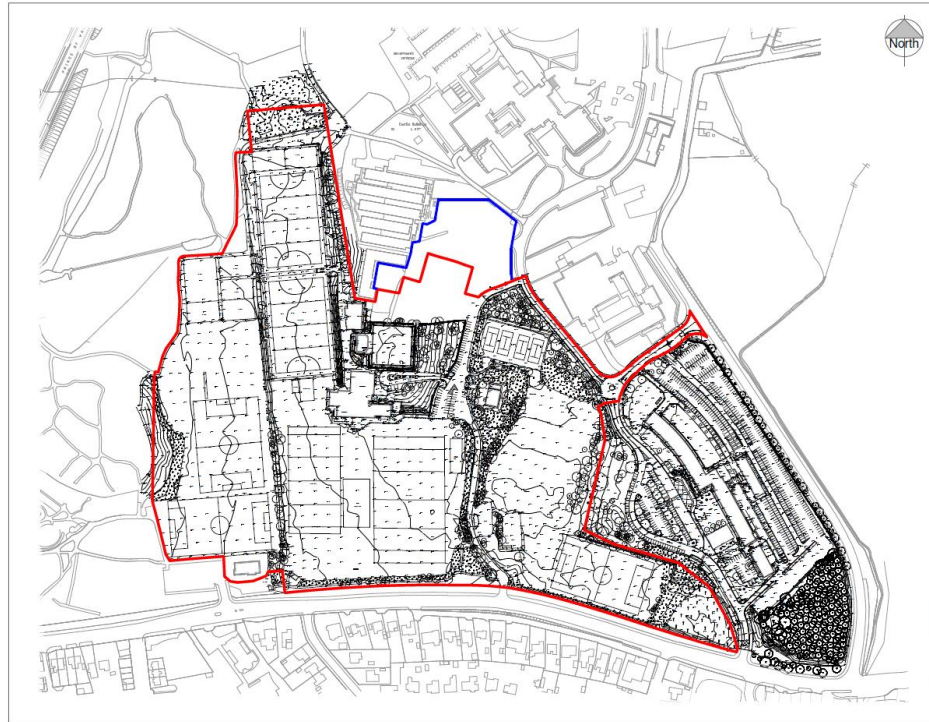
Having regard to the development plan and other material considerations, the proposal is in the planning balance considered unacceptable. It is recommended that planning permission is granted subject to conditions.

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

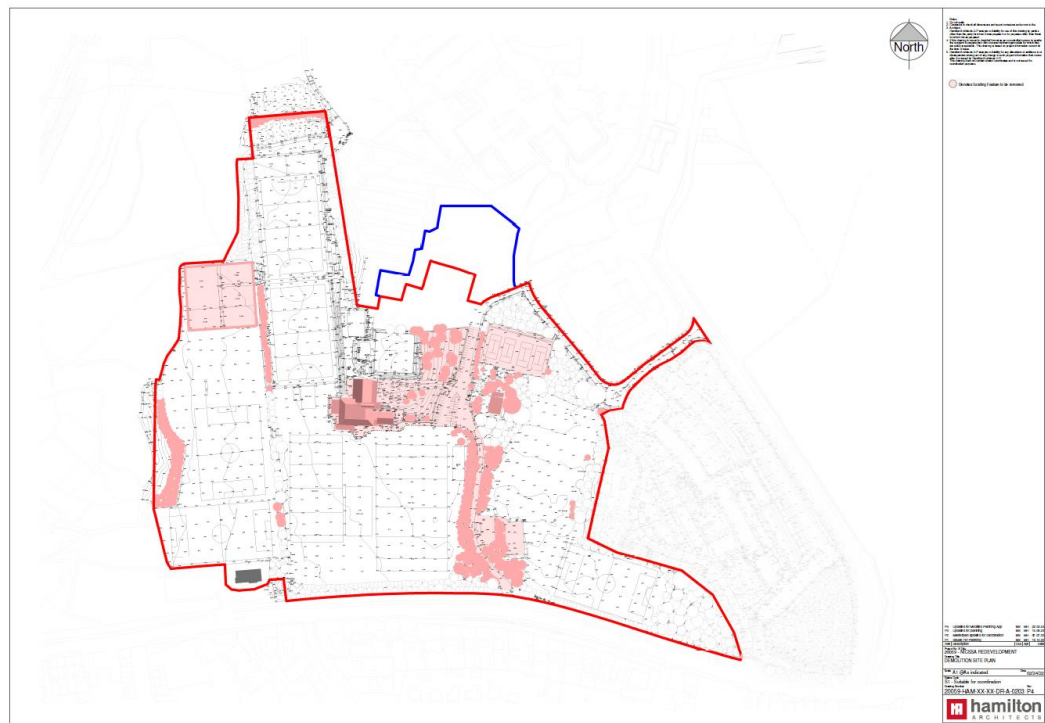
PLANS, DRAWINGS AND CGIs

1.0 Drawings

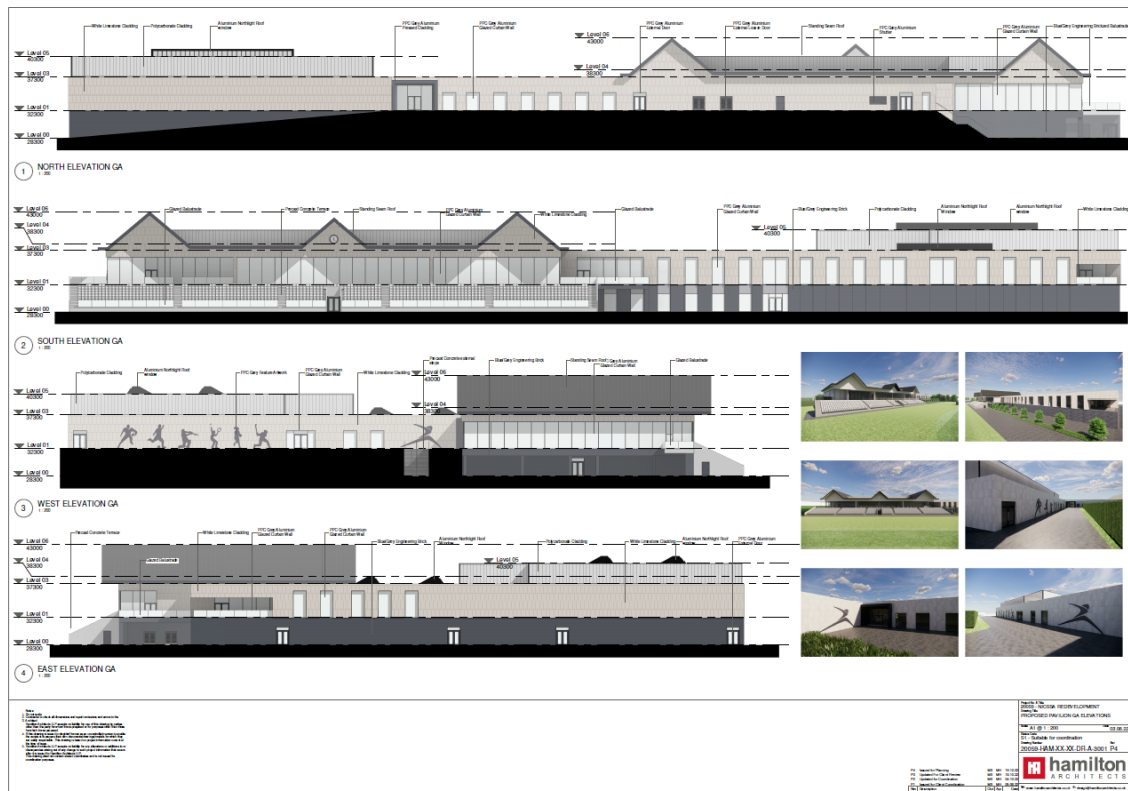
Site Location Plan



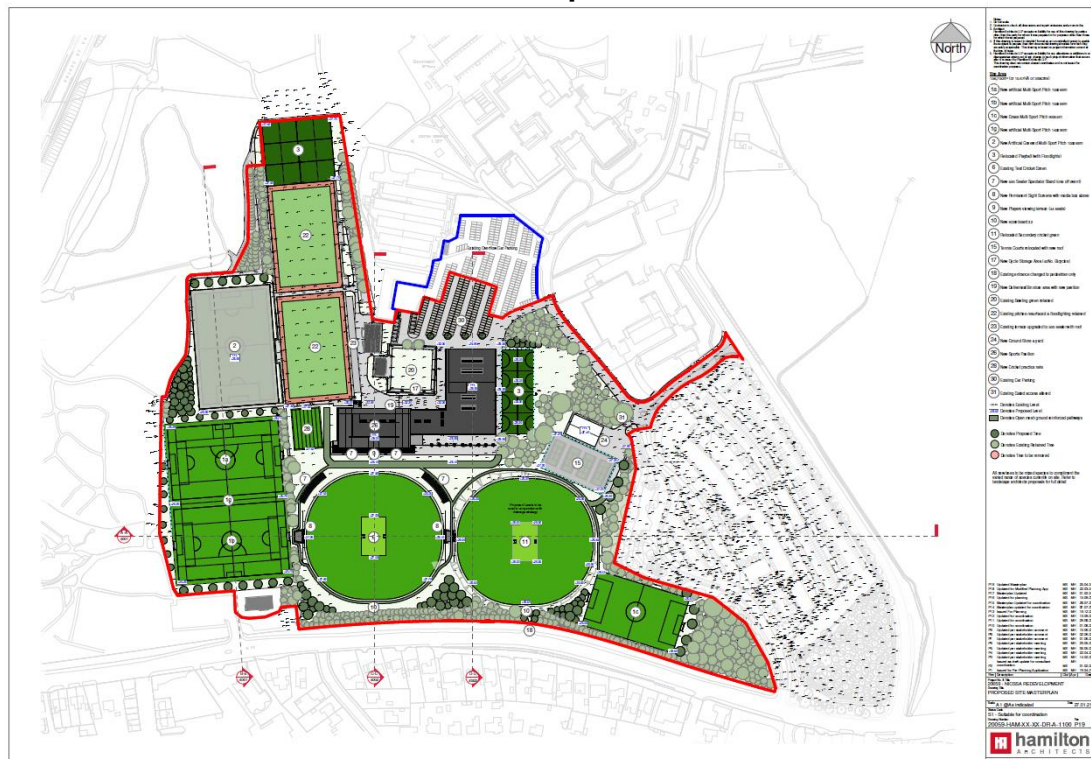
Demolition Plan



Elevations of Proposed Pavilion



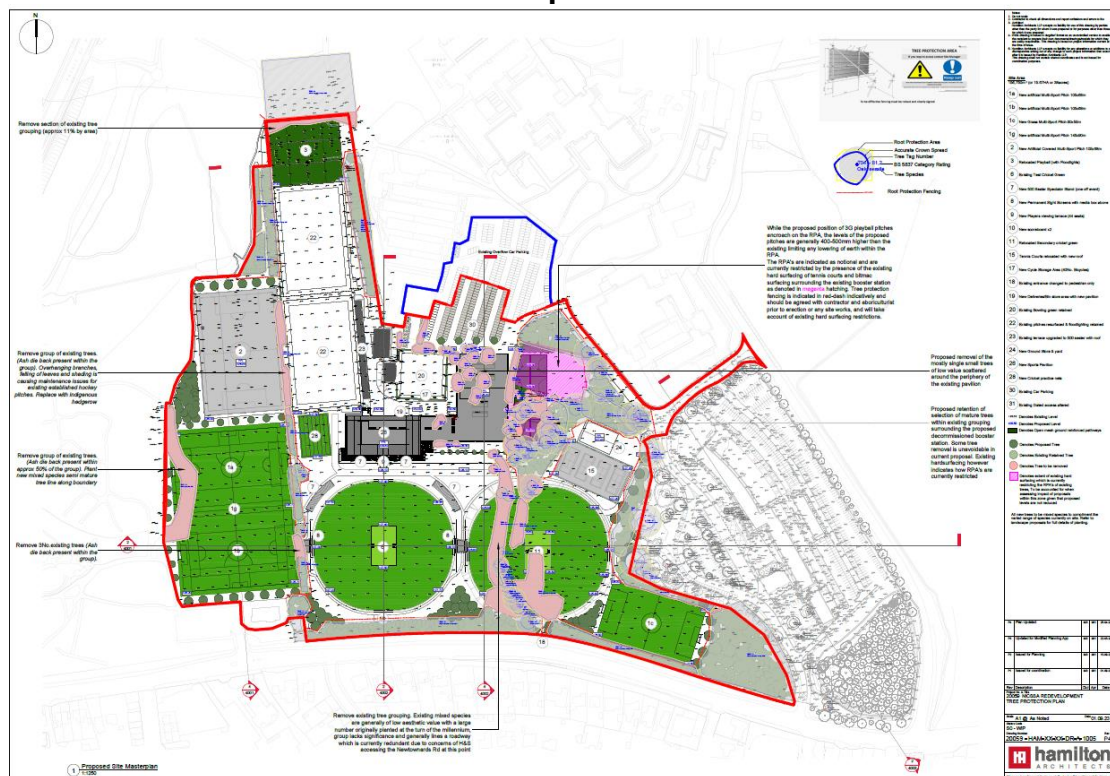
Masterplan



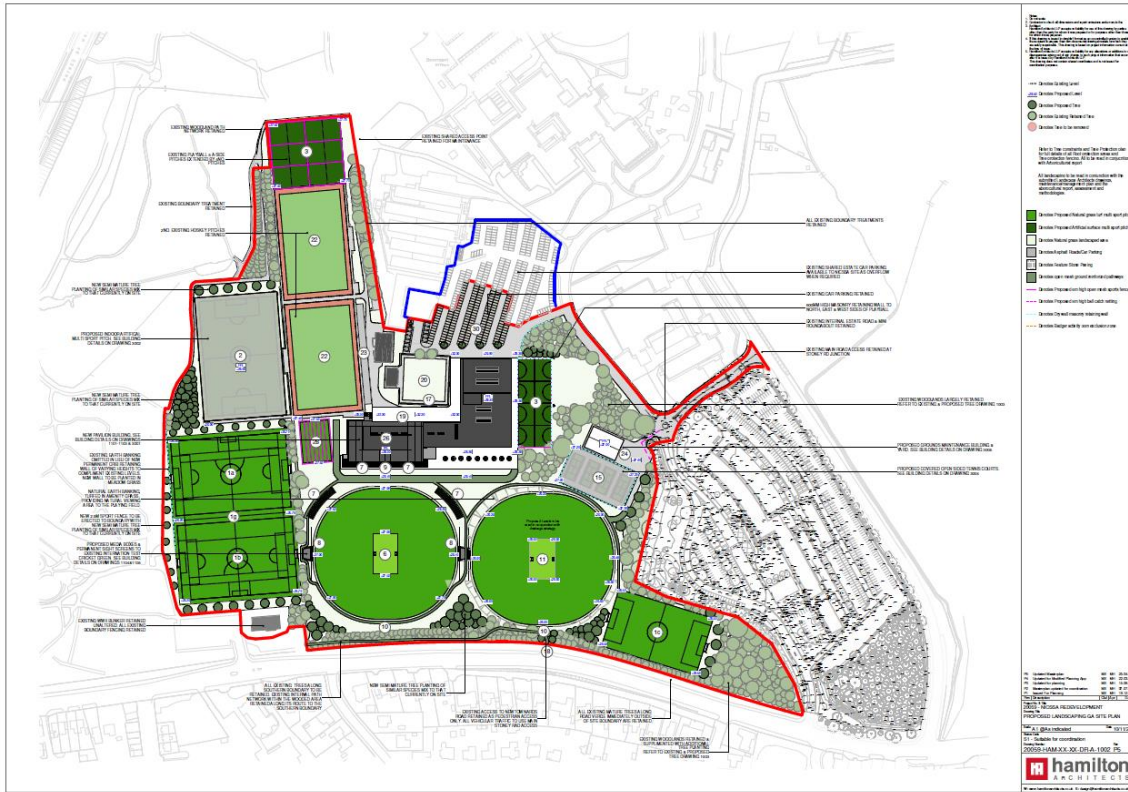
Existing and Proposed Tree Plan



Tree Impact Plan



Proposed Landscaping Plan



CGIs



Proposed New Pavilion overlooking main International Cricket Green



Existing Aerial View 1



Proposed Aerial View 1



Existing Aerial View 2



Proposed Aerial View 2

2.0	Characteristics of the Site and Area
2.1	The site is located off the Upper Newtownards Road, in the east of the city close to the Council boundary with Lisburn and Castlereagh Council and is part of the wider Stormont Castle and Parliament Buildings estate. The site is currently occupied by NICSSA who operate the existing pavilion and manage the existing open space facilities. The site sits adjacent to the listed Dundonald House, a government owned office building immediately east of the site.
3.0	Description of Proposal
3.1	The application seeks full planning permission for the redevelopment of the NICSSA pavilion complex within the Stormont Estate, creating a centre of excellence for sport. The development would comprise demolition of the existing pavilion building and replacement with new 2 storey building providing state of the art indoor sports halls, changing accommodation, function/meeting space offering improvements to the existing offering. The proposal also includes the extension and development of new international standard outdoor multi-sports playing, training and ancillary facilities. Day-to-day operation of the site will be improved by way of improvements to internal road network via new access/egress arrangements from the existing Stoney Road junction, additional car and cycle parking and new waste/recycling areas.'
3.2	The application follows a detailed Pre-Application Discussion (PAD) process when not all issues were satisfactorily resolved.
4.0	Planning Assessment of Policy and Other Material Considerations
4.1	Planning Policy
4.1.1	Development Plan – operational policies Belfast Local Development Plan: Plan Strategy 2035
4.1.2	Relevant Planning Policies: Policies in the Plan Strategy relevant to the application include the following: Policy SP2 – Sustainable Development Policy SP3 – Improving Health and Wellbeing Policy SP5 – Positive Placemaking Policy HC1 – Promoting Healthy Communities Policy CI1 – Community Infrastructure Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for Major development Policy BH1 – Listed Buildings Policy BH4 – Works to grounds affecting built heritage assets Policy BH5 – Archaeology Policy BH6 – Parks, gardens and demesnes of special historic interest

	<p>Policy TRAN 1 – Active Travel</p> <p>Policy TRAN 2 – Creating an Accessible Environment</p> <p>Policy TRAN 3 – Transport Assessment</p> <p>Policy TRAN 4 – Travel Plan</p> <p>Policy TRAN 6 – Access to Public Roads</p> <p>Policy TRAN 7 – Access to Protected Routes</p> <p>Policy TRAN 8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental Quality</p> <p>Policy ENV2 – Mitigating Environmental Change</p> <p>Policy ENV3 – Adopting to Environmental Change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p>Policy GB1 – Green and Blue Infrastructure Network</p> <p>Policy OS1 – Protection of Open Space</p> <p>Policy OS5 – Intensive Sports Facilities</p> <p>Policy OS7 – Floodlighting</p> <p>Policy NH1 – Protection of Natural Heritage Resources</p> <p>Policy LC1 – Landscape</p> <p>Policy LC1C – LLPAS</p> <p>Policy TRE1 – Trees</p>
4.1.3	<p><u>Supplementary Planning Guidance</u></p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p>
4.2	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Policies / Material considerations</p> <p>Developer Contribution Framework (BCC)</p> <p>Belfast Agenda (Community Plan)</p>
4.5	<p>Relevant Planning History</p>
4.5.1	<p>LA04/2023/3856/F - Short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk. Planning Permission granted 30.04.2024.</p>
4.5.2	<p>LA04/2021/0976/PAN - Proposed redevelopment of the NICSSA Pavilion Sports Complex within the Stormont Estate creating a centre of excellence for sport. The development will comprise of partial demolition of the existing building and replacement with new 2 storey</p>

	<p>extensions providing state of the art indoor sports halls, changing accommodation, function/meeting space and improvements to the internal layout.</p> <p>Wider site works will include the demolition and site clearance of the Dundonald House site to facilitate the extension and development of new international standard outdoor multi-sports playing, training, and ancillary facilities. Day -to -day operation of the site will be improved by way of improvements to the internal road network via new access/egress arrangements from the existing Stoney Road Junction, additional car & cycle parking, and new waste/recycling areas. PAN acceptable 11 May 2021.</p>
4.5.3	<p>LA04/2021/1615/PAD - Proposed redevelopment of the NICSSA Pavilion Sports Complex within the Stormont Estate creating a centre of excellence for sport. The development will comprise of partial demolition of the existing building and replacement with new 2 storey extensions providing state of the art indoor sports halls, changing accommodation, function/meeting space and improvements to the internal layout. The wider site works will include the demolition and site clearance of the Dundonald House site to facilitate the extension and development of new international standard outdoor multi-sport playing, training and ancillary facilities. Day to day operation of the site will be improved by way of improvements to the internal road network via new access/egress arrangements from the existing Stoney Road junction, additional car and cycle parking and new waste/recycling areas.</p>
4.5.4	<p>LA04/2023/2904/PAN - Short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk. PAN acceptable 28.03.2023.</p>
5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DFI Roads – No objections subject to conditions DFC HED – No objections subject to conditions DAERA NIEA Regulation Unit & NED – No objections subject to conditions DAERA NIEA Water Management Unit – No objection NI Water – No objection Rivers Agency – No objection NIE – No objection</p>
5.2	<p>Non-Statutory Consultations</p> <p>Shared Environmental Services – Project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. Conditions recommended. BCC Environmental Health – No objections subject to conditions. BCC Tree Officer – Unable to support the development. BCC Plans & Policy team – Concerns raised regarding quantum of trees lost and nature conservation impact. BCC Landscape, Planning and Development Team – likely to be no significant adverse landscape or visual impacts, proposal will not likely result in a loss of open space, concerns raised regarding the tree loss. BCC Waste Management Team – No objections</p>

5.2.1	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.
5.3	Representations
5.3.1	<p>The application has been advertised and neighbours notified. The Council has received five objections raising the following issues (summarised):</p> <ul style="list-style-type: none"> • Reduction in parking runs contrary to the expansion of the site/grave concerns regarding lack of car parking spaces. • Concerns about where people are going to park during large events or where there is multiple concurrent users. • Impact of parking in nearby residential areas needs to be considered. • Concern regarding the slip road that runs parallel to the Upper Newtownards Road in front of properties 669 – 697 – increasing and recurring problems with car parking on the slip road by non-residents resulting in driveways being blocked/inaccessibility by residents causing significant stress. Multiple meetings over the years have taken place with residents, legal representatives, politicians, government departments, PSNI and NICSSA and no sustained resolution has been implemented to address the ongoing problem. • Proposals do not include a strategy to deal with these matters – joined up strategy required/ lack of detail regarding how additional traffic will be managed given lane closures due to glider which causes long traffic delays. • Conversion of existing NICSSA vehicular access point on Upper Newtownards Road to pedestrian access is only likely to exacerbate the parking problem on the residents' slip road. • Query over disruption to neighbours and additional traffic generated by proposed demolition/building processes. • Lack of detail on hours the facility would be used. • Concerns regarding excessive noise, floodlights affecting neighbours, public nuisance. • Impact on wildlife/ trees. • Concerns regarding funding the project. • Impact on neighbours not given much thought.
5.3.2	The issues raised in the objections are considered in the main assessment below.
6.0	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	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational Polices</p>
6.1.4	<p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 4.1.2.</p> <p>Proposals Maps</p>
6.1.5	<p>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.</p> <p>Belfast Urban Area Plan 2001</p>
6.1.6	<p>Part of the site (excluding Dundonald House) is reserved for ‘<i>landscape, amenity or recreation use</i>’ in the BUAP.</p> <p>Draft Belfast Metropolitan Area Plan 2015 (dBMAP) v2004</p>
6.1.7	<p>The majority of the site is within an ‘Area of existing open space’. The site is designated as part of a wider Local Landscape Policy Area (BT152 – Stormont LLPA) and part of the site is located within a designated Site of Local Nature Conservation Importance (Ref BT 102/27 – Stormont SLNCI). A small part of the site (access/car parking/planting) falls within the Stormont Office Node (BT 019). A community greenway (BT 162/07 Odyssey/Stormont)) is identified along the Upper Newtownards Road fronting the site and through the western portion of the site connecting to the wider Stormont Estate. The site is also within Stormont Castle and Parliament Buildings Historic Park, Garden and Demesne (BT 094).</p> <p>Draft Belfast Metropolitan Area Plan 2015 (dBMAP) v2014</p>
6.1.8	<p>The majority of the site is identified as ‘<i>existing open space</i>’ in Draft BMAP 2015 (v 2014). The site is designated as part of a wider Local Landscape Policy Area (BT135 – Stormont LLPA) and part of the site is located within a designated Site of Local Nature Conservation Importance (Ref BT084/27 – Stormont SLNCI). A small part of the site (shared car parking/planting) falls within the Stormont Office Node (BT012). A community greenway (BT 147/08) is identified along the Upper Newtownards Road fronting the site and through the western portion of the site connecting to the wider Stormont Estate. The site is also within Stormont Castle and Parliament Buildings Historic Park, Garden and Demesne (BT 076).</p>

6.2	Key Issues
6.2.1	<p>The key issues for the assessment of the application are summarised below.</p> <ul style="list-style-type: none"> • Principle of the proposed development • Acceptability of the design of the new pavilion and ancillary development • Impact on the setting of the adjacent listed Dundonald House • Impact on trees subject to a Tree Preservation Order • Impact on natural heritage • Traffic Impact/parking • Environmental protection • Drainage, flood risk and climate change • Employability and Skills • Pre-Application Community Consultation
6.3	<p>The principle of the proposed development at this location</p> <p><i>Policy context:</i></p>
6.3.1	The proposal comprises a number of elements including the demolition and redevelopment of the pavilion, redevelopment of and creation of new multi-use pitches along with associated development including spectator stands, floodlighting, car parking and ancillary works.
6.3.2	Strategic Policy SP3 seeks to maximise opportunities for improving health and wellbeing.
6.3.3	Policy CI1 of the Plan Strategy supports the improvement of facilities subject to no <i>'unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements for access...'</i> Therefore, there is policy support for improvement of existing facilities subject to detailed consideration set out later in the report.
6.3.4	The proposal would not result in the loss of open space and the retention of existing open space is supported by Policy OS1 (Protection of open space) of the Plan Strategy. Neither would it conflict with the designation as <i>'Lands reserved for Landscape, Amenity or Recreation Use'</i> as set out in the statutory plan, BUAP 2001. Policy OS5 (Intensive Sports facilities) supports the provision of new or extended intensive sports facilities at appropriate and accessible locations within the settlement limit subject to meeting a number of criteria which are considered below.
6.3.5	The existing sports facility is located within the settlement limits of Belfast and the proposal seeks to retain and enhance the existing open space and recreational facilities on the site. The site is highly accessible off the Upper Newtownards Roads next to a Glider route. The principle of the continued use and enhancement of this existing open space/recreational facility is considered acceptable and indeed welcomed.
6.3.6	Further assessment of the proposal against relevant planning policies including the impact on the natural and built environment is set out below.

	<i>Community infrastructure and international standard play pitches:</i>
6.3.7	<p>The applicant has provided letters of support from the following organisations:</p> <ul style="list-style-type: none"> • Cricket Ireland • Northern Cricket Union of Ireland • East Belfast GAA • Age Northern Ireland • Civil Service North of Ireland Cricket Club • Special Olympics Ulster • Ulster Rugby, Boys and Girls Clubs • Ulster Hockey • Hockey Ireland • NICS Hockey Club • Archery NI • NI Sports Forum • Bloomfield Collegiate School • St. Joseph's Primary School • People 1st • Belfast Exposed • East Belfast Community Development Agency • eye4education • Netball Northern Ireland • NI Volleyball • NICSSA Archery Club • NICS Table Tennis Club • Ulster Badminton, Cinemagic • Department of Finance (landlord) • Mike Nesbitt MLA, Stephen Dunne MLA, Aisling Reilly MLA, Justin McNulty MLA • Geological Survey of NI DfE • Living with Water Programme Department for Infrastructure • Minorities Recognition Awards Northern Ireland • St. Donard's Parish Church • NI Civil Service Football Club.
6.3.8	<p>The letters of support submitted by the applicant demonstrate the high level of support for the proposal and indicates that the proposal will significantly enhance the opportunities for cross border participation and cooperation at the NICSSA site, which is aligned to the wider Departmental strategic objectives of local and central government to further develop sport across the island of Ireland. Furthermore, the letters of support indicate that the proposal would result in the creation of further employment opportunities, increase tourism via the hosting of international events, foster cross-border relationships and encourage community engagement via the delivery of a range of cross community events and programmes. The letters of support and these factors are material considerations that support the granting of planning permission.</p>
6.3.9	<p>The applicant has advised that whilst NICSSA has historically been a membership based organisation, under its new Charitable Status (achieved in December 2022), all sporting and recreational facilities (outside the bar facilities) will be open to all members of the community and hence subscription is not necessary. NICSSA states that it has derived a pricing list to</p>

	<p>ensure that it does not prohibit any individual/group who may be unable to access the facilities due to financial hardship. Research carried out by NICSSA shows the lack of suitable facilities within the immediate area and hence the need for the proposed development. Therefore, no displacement of existing facilities has been identified.</p>
6.3.10	<p>In summary average rates will be as follows:</p> <ul style="list-style-type: none"> • Corporate users: 100% fee • Governing Body: 50% of corporate rate • Schools/Charitable bodies: 35% of corporate rate.
6.3.11	<p>In addition, NICSSA will provide a number of the Peace Plus programming events free of charge for up to 10% of the proposed users, equating to 8,372 users per annum. NICSSA states that this process will be managed through a process whereby users can demonstrate financial need through a straightforward application process with NICSSA staff.</p>
6.4	<p>Acceptability of the design of the new pavilion and ancillary development</p>
6.4.1	<p>The proposal has been assessed against the SPPS, and Policies SP5, DES1 and DES2 of the Plan Strategy. 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 and seeks the retention of existing trees within and around the site.</p>
6.4.2	<p>The application follows a Pre-Application Discussion (PAD) process when issues relating to scale, height, massing and architectural treatment of the proposed pavilion, the impact on the listed building and natural environment were discussed in detail.</p> <p><i>Scale, height and massing:</i></p>
6.4.3	<p>The existing split level pavilion building serves as the headquarters of the NICCSA and occupies a central location within the site, well set back from the Upper Newtownards Road. It comprises staff offices, conference and hospitality facilities, fitness suites, and changing accommodation over 2 floors with ancillary space (GIFA of approx. 2465sqm) and measures approximately 11.5m high. The applicant's Design and Access Statement advises that <i>'the existing pavilion has reached the end of its practical life with changing accommodation and ancillary facilities lacking the required standards for modern and universally accessible sporting activities required on site'</i>.</p>
6.4.4	<p>The proposed pavilion building seeks to create a state-of-the-art centre of sporting excellence accessible by people from all sections of society, all ages and all levels of sporting ability providing facilities for use by individuals and clubs/groups including Cricket Ireland, Ulster GAA, Ulster Rugby, Irish Football Association, Ulster Hockey, Netball NI, NI Volleyball, Table Tennis Ulster etc. The proposed replacement pavilion building would replace the existing in situ pavilion and its footprint will extend further east. The design and form of the proposed building comprises of a split-level building following the form of the existing pavilion in order to integrate with the existing landscape. The height of the building would increase from 11.5m to 14.7m. External public views of the new pavilion building would be limited particularly along the Upper Newtownards Road given the existing trees within the site which will be retained and existing</p>

	<p>trees outside the site along the Upper Newtownards Road which cumulatively will provide screening of the new pavilion. The proposed pavilion would incorporate improved facilities currently in place (such as changing accommodation, fitness suites, function suites, staff offices/facilities, etc) along with an additional indoor sports hall and training centre and conferencing/hospitality space over two floors (GIFA of 11,500sqm). A 500 seater spectator stand is proposed to the front of the pavilion fronting onto the main cricket pitch.</p>
6.4.5	<p>Key elements of the design of the pavilion focus on enhancing accessibility and the main entrance would be re-orientated to provide better accessibility from the existing main car park for users, staff and services satisfying Policy TRAN 2. The main entrance will be at grade from the upper ground floor level.</p> <p><i>Architectural treatment:</i></p>
6.4.6	<p>The proposed building would be predominantly finished in white limestone cladding and blue/grey engineering brick (at lower ground floor level only) with large glazed sections including along the front of the building overlooking the cricket pitches. The dark brick and roofing materials (see image below) would contrast with the predominant lighter limestone cladding finish adding visual interest to the building.</p>
6.4.7	<p>The design, scale and massing of the proposed pavilion, shown in the images below, is considered understated but of good quality and appropriate to its proposed setting.</p> <div data-bbox="321 982 1500 1312" data-label="Image"> </div> <p><i>Proposed New Pavilion overlooking main International Cricket Green</i></p>
6.4.8	<p>Other ancillary structures proposed include two permanent media boxes to serve the existing main international cricket green which would provide internal space of 70sqm each giving overall total of 140sqm.</p>
6.4.9	<p>The proposed grounds/maintenance store is a single storey building to the east of the site. The design of the building comprises a pitched roof measuring 8.7m in height to the ridge which will house equipment to maintain the grounds. The building would be nestled with existing and proposed trees and will satisfactorily integrate into the existing landscape. As a result, the visual impact of this proposed building is considered minimal.</p>
6.4.10	<p>One indoor multi-sport artificial pitch is proposed and a tennis court both with dome roofs allowing for all weather play. These are located on the site of existing pitches, one is located to the east of the site (immediately adjacent to the secondary cricket pitch) and will house tennis courts and the second, larger one to the west of the site accommodating a multi-use sports pitch. The curved roof structures would comprise white/grey insulated PVC tensile fabric sheet</p>

	cladding which would be attached to grey masonry walls for the multi-sports pitch and grey PPC open mesh sports fencing for the tennis courts. The maximum height of these indoor pitches is 6.5m high for the tennis courts and 15m (curving to 7.5m high the eaves) high for the multi-sport pitch. The height of the latter is required to give appropriate head height for practical ball use. Both covered pitches will be set against a backdrop of mature trees including trees within the site and would satisfactorily integrate into the landscape. New trees are proposed to be planted around the perimeter of the larger indoor pitch to the west of the site. Public views of these indoor/covered pitches would be limited given their location within the site and the adequate set back from the Upper Newtownards and Stoney Road.
6.4.11	The proposed media screens and score boards associated with the main cricket are taller structures albeit small in scale. The most westerly media screen will require the removal of a number of trees to facilitate this structure. Notwithstanding, Ash die back is present within this tree grouping which threatens the long-term survival of this tree grouping. It is considered that given a large portion of the adjacent linear band of trees adjacent to the main cricket pitch would be retained and those lost will be replaced on other parts of the site, the location of this media screen is on balance acceptable. Public views of these structures would be limited given the screening provided by existing trees to be retained within the site along the Upper Newtownards Road and trees outside the site along the Upper Newtownards Road.
6.4.12	There are a number of new spectator stands proposed across the site including at the front of the pavilion and around the cricket pitch. An existing terrace is to be upgraded to a 500 seater covered stand adjacent to an existing 3G pitch to the west of the site. This stand is located behind the pavilion buildings and views of it would be limited. Notwithstanding, it would sit against a backdrop of existing trees both within and outside the site and it is considered that it would satisfactorily integrate into the existing landscape.
6.4.13	The ancillary buildings and structures proposed would be of appropriate scale and massing and are in principle considered acceptable for the reasons set out above.
6.4.14	The proposed development would result in the loss of trees, the impact of which is further considered below.
6.5	Impact on the setting of the adjacent listed Dundonald House <i>Impact on historic buildings:</i>
6.5.1	Policy BH1 (Listed Buildings) seeks to safeguard the setting of Listed Buildings. Dundonald House is a large, international style 1960s office complex and a Grade B+ Listed Building of special architectural or historic interest, which sits immediately to the east of the site. The gates and piers at the Upper Newtownards Road and the Stoney Road entrances are also listed. Whilst the site encroaches onto part of the Stormont Castle Demesne and there are a number of other Listed Buildings in the wider locality, they are not considered to be adversely affected by the proposal.
6.5.2	DfC Historic Environment Division (HED) has been consulted and initially objected with regard to the demolition of Dundonald House. However, this element has been since removed from the proposal following advice from officers. Following reconsideration HED has advised they are content with the proposal subject to conditions. It is considered that the proposal would not adversely affect the setting of the Listed Buildings and is compliant with Policy BH1.

	<i>Archaeology:</i>
6.5.3	Policy BH5 relates to archaeology with the Council seeking to conserve and where possible enhance archaeological assets. Consent will normally only be granted where criteria a. to d. of Policy BH5 are met. The application is partially located within the historic demesne of Stormont Castle and it also includes a Civil Defence Control Bunker a monument of regional importance and scheduled monument.
6.5.4	HED (Historic Monuments) is content that the proposal satisfies Policy BH5, subject to conditions for the agreement and implementation of a programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ and the implementation of fencing around the historic monument during construction. These measures will be secured by condition as set out below.
6.6	Impact on trees subject to a Tree Preservation Order
6.6.1	The proposal has been assessed against the SPPS and Policies LC1 (Landscape), LC1C (LLPAS), TRE1 (Trees) and NH1 (Protection of natural heritage resources). The site is impacted by a number of environmental designations as set out in draft BMAP. The site falls within a larger LLPA designation (Ref: BT 035 – Stormont LLPA) and a small portion in the western part of the site falls with a SLNCI (BT 084/27 Stormont - SLNCI). In addition, the Council confirmed a Tree Preservation Order on the site in September 2023 in order to ensure the protection of the large number of trees.
6.6.2	<i>The applicant's Design and Access Statement states that 'Respecting the existing natural landscaping of mature and semi mature treelines and wooded areas has been at the forefront of the design to integrate the new proposals without losing the sites parkland feel and characteristics'. The site benefits from natural treelines to South, East and West boundaries and while the proposal does propose some tree removal from within the confines of the site, the vast majority of trees and natural topography within the wooded areas is proposed to be retained. Any trees that are proposed to be removed shall be replaced with new planting elsewhere within the site, further enhancing the sites landscape. With reference to drawing 1003 and consultant landscape design proposals, there is potential for the site to benefit from a net increase of approx. 800 new planting through strategic mixed species tree and woodland planting. There is significant potential for roosting bird boxes, bat boxes etc to be incorporated into the design to maintain and enhance the existing wildlife habitats and biodiversity across the site'.</i>
6.6.3	The development proposes a network of woodland paths around the perimeter and within the site using open grid reinforcing meshes to promote grass growth and provide root erosion protection. The applicant states that <i>'As part of the overall plan NICSSA intends to provide greater access to the pedestrian link/connection from the site to the wider Stormont Estate. At the moment access is limited, therefore the plans will allow greater access to the wider Stormont Estate. Access currently exists between the site and the wider Stormont Estate along the Western and Northern boundaries connecting to the existing parkland path network.'</i> The network of paths will support the maintenance of the Community greenway as designated in dBMAP.

North

Legend:

- Existing Tree
- Existing Tree to be removed
- Existing Tree to be retained

Notes:

1. The proposed development is shown in red.
2. The existing trees are shown in green.
3. The existing trees to be removed are shown in red.
4. The existing trees to be retained are shown in green.

Table:

Item	Description	Scale	Author
1	Proposed Development	1:100	Hamilton Architects
2	Existing Trees	1:100	Hamilton Architects
3	Existing Trees to be removed	1:100	Hamilton Architects
4	Existing Trees to be retained	1:100	Hamilton Architects

Hamilton Architects

[illegible]

6.6.5	The Tree Officer has raised concerns regarding the loss of large swathes of existing tree cover within the site and considers the removal would have a detrimental impact on the visual character and existing amenity offered by the trees as well as wildlife and habitat. Furthermore, the Tree Officer considers that the revised scheme would have a significant adverse impact on tree belts, corridors, and woodland structure across the site, as well as individual trees and has advised that they are unable to support the development in its current form.
6.6.6	The Planning Service's Plans & Policy (Environment) team advises that whilst significant new tree planting is proposed to help mitigate the substantial felling proposed, the quantum and nature conservation impact of felling is of concern and would have a significant adverse impact on tree belts, corridors and woodland structure across the site, as well as individual trees and does not comply with Policies NH1 and TRE1 of the LDP and the SPPS.
6.6.7	BCC Landscape Planning & Development Team acknowledges that the proposals are not likely to result in a loss of open space however raises concerns regarding the loss of a significant amount of mature trees and the subsequent impact on local biodiversity and wider amenity value. The Landscape Planning & Development Team considers that the proposed development does not occupy a prominent location within the landscape and agree with the conclusions of the Landscape Visual Impact Assessment that there is likely to be no significant adverse landscape or visual impacts from the development.
6.6.8	Officers consider that given the proposed trees to be removed in the western portion of the site (including within the SLNCI) are affected by ash die back (a chronic fungal disease of ash trees) which compromises the ability of these tree groups to survive in the long term and affects their lifespan, their removal is on balance considered acceptable and will be compensated by replacement trees providing long term benefits and mitigate for the loss of the affected trees.
6.6.9	The trees proposed to be removed adjacent to the pavilion are generally single trees and given the species which is primarily cypress and birch trees the amenity value associated with this grouping of trees is considered to be low compared with other tree groupings within the site. It is the view of officers that the benefits of the provision of a state of the arts sports facility outweigh the loss of these trees. Notwithstanding, replacement trees are proposed to compensate for their loss. The trees to be removed in the most northern part of the site to facilitate the relocated playball court are on balance considered acceptable given the proposal to replace these trees within the site.
6.6.10	The largest area of trees to be removed is the central woodland band running north to south. Removal of trees is being sought at this location to facilitate the secondary cricket pitch and associated development. This woodland area comprises a mix of tree species which offer a significant amenity value particularly when viewed from within the site. It is considered that the loss of the trees at this location is on balance acceptable taking into account proposed replacement trees which would result in a net gain of trees in accordance with Policy TRE1 together with the significant benefits of the scheme in terms of providing international standard play pitches and enhanced sporting facilities for the community.
6.6.11	Significant existing planting along the eastern boundary of the site and around Dundonald House would be retained and, along with proposed new planting in the vicinity of this woodland area, would continue to provide a landscape framework and natural habitat. Furthermore, it is the view of the officers that the loss of this woodland area would not compromise the wider mature landscape framework within which the site is nestled.

6.6.12	A landscape plan and management and maintenance plan has been submitted and has been assessed by BCC Landscape Planning & Development Team who are content with the specifications. This would be required to be implemented by condition.
6.6.13	It is the view of officers that in the planning balance, taking account of the benefits of creating a regional excellence for sport for the wider community in terms of significant health and community benefits, combined with the mitigation measures proposed (i.e. the planting of 796 trees to offset the loss of 404 trees proposed to be felled) the benefits of the proposal outweigh the negative impacts resulting from the removal of the trees.
6.7	Impact on natural heritage
6.7.1	DAERA NIEA, NED has assessed the impact of the proposal on the natural environment and acknowledges the amendments during the processing of the application in which further retention of trees is proposed. NED advises that it is content that the amended plans include more retention of existing trees and mature vegetation on site and are content with that a mix of native species proposed to be planted. NED is also content that root protection fencing is proposed around areas of woodland to be retained as well as around individual and groups of trees.
6.7.2	With regards to Bats, NED is content with the revised lighting assessment (NICSSA – Stormont Redevelopment, Lighting Assessment, revised 22.03.24) that show that lighting is no longer proposed along the western boundary of the site where NED previously had concerns about light-spill on bat corridors. By removing this aspect of lighting, NED does not consider that the proposed lighting scheme would likely significantly impact upon bats and their commuting/foraging corridors located outside of the application site but within the zone of influence of works.
6.7.3	NED recommends that a condition requiring a Wildlife Licence to be obtained from NIEA for a specific tree to be felled at which bat activity was observed during the time of surveying.
6.7.3	Following consideration of a Badger Activity Report, NED is content subject to conditions requiring a Wildlife Licence for to be obtained from NIEA for the proposed closure of badger outlier setts and the protection of existing setts in accordance with submitted details.
6.7.4	NED also recommends a condition requiring the retention of all existing trees to be retained in the interests of biodiversity. Existing trees to be retained are protected under the Tree Protection Order and any works to these trees will written require approval from the Council.
6.7.5	The proposal includes a number of new multi sports pitches which will have 3G artificial surfaces. An Infill Management & Pitch Maintenance Plan was submitted with the application and sets out alternatives to using microplastic infill material following the recent EU ban on such infill materials. Whilst there is a transition period, the Plan advises that it is NICSSA's intention to install a natural fully biodegradable infill material in lieu of rubber crumb using potential infill products such as cork, olive husk or grain. The plan also sets out proposals to include filter drains thereby reducing the risk of any infill material entering the watercourses. The plan states that through the mitigation measures and maintenance schedule the risk of contaminants entering the watercourse is deemed to be negligible. This report has been considered by Shared Environmental Services and DAERA, NIEA who raise no objection to the proposed surface treatment subject to conditions.

	<i>Habitats Regulation Assessment</i>
6.7.6	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.
6.7.7	The Council has consulted with SES and DAREA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. This conclusion is subject to mitigation in the form of a planning conditions to provide at least a 10m buffer between the location of machinery refuelling/ storage of oil/fuel/concrete mixing and washing areas and the watercourse adjacent to the eastern boundary and also that the drainage of all 3G artificial synthetic pitches must be constructed in accordance with the measures detailed in the Infill Management & Pitch Maintenance Plan to retain microplastics/rubber granulate within the pitch area.
6.7.8	Subject to the conditions, it is considered that the proposal would not have an adverse impact on the environmentally protected Belfast Lough.
6.8	Health impacts
6.8.1	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles and states that 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.
6.8.2	The use of the site as a centre of sporting excellence provides the opportunity for modern high specification open space/sporting facilities, which will promote health and wellbeing.
6.8.3	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through excellent linkages with the city centre. Active travel will be further encouraged through the applicant's green travel plan.
6.8.4	In terms of place making, the proposed building is considered to be of a high-quality design which would provide a pleasant working and sporting environment for employees and visitors.
6.8.5	The proposal is considered to satisfy the requirements of Policy HC1.

6.9	Access, Parking and Servicing
6.9.1	The site is located in a highly accessible location off the Upper Newtownards Road, which is well served by public transport including the Glider service. A bus lane runs along the Upper Newtownards Road adjacent to the site. There is pedestrian access to the site from the Upper Newtownards Road and a network of paths within the site. The proposal incorporates bike storage for 40 cycles adjacent to the existing bowling green and new pavilion building. The proposal is considered to comply with Policy TRAN 1 taking account of the needs of walkers and cyclists. The entrance to the new pavilion will be re-orientated to provide better accessibility from the existing main car park for users, staff and services and would be at grade from the upper ground floor level. The proposal complies with Policy TRAN 2.
6.9.2	A Travel Plan has been submitted with the application, which seeks to promote sustainable travel choices and reduce reliance on private car, associated with staff and visitor trips to the proposed development. The proposal complies with Policy TRAN 4.
6.9.3	Policy TRAN 8 (Car Parking and servicing arrangements) requires developments to provide adequate provision for car parking and appropriate servicing arrangements. The masterplan indicates that the existing car park located to the north of the site will be reconfigured to accommodate around 185 spaces including 13 disabled spaces. In addition, the masterplan indicates that the applicant controls the adjoining car park which includes approximately 256 spaces including 3 disabled spaces.
6.9.4	<p>NICSSA has confirmed that overflow car parking arrangements are available to NICSSA under the licence between NICSSA and Department of Finance (DoF). There are approximately 2,000 car parking spaces outside of the application site and overflow parking area, including the car parking area to the east of the Stormont Parliament building. The 2,000 spaces are separated into five zones in the following areas:</p> <p>Dundonald Building – 618 spaces; Craigantlet Buildings – 143 spaces; Knockview and Hillview Buildings – 389 spaces; Castle Buildings – 373 spaces; and Additional parking north of the Site – 303</p>
6.9.5	The applicant has advised that NICSSA work closely with Stormont Estate Management Unit on the overflow car parking arrangements as well as co-ordinating the hosting of major events on the site to ensure maximum capacity and use of additional car parking spaces. NICSSA continues to work with all governing bodies to ensure clear instructions on parking arrangements are promoted and with major events being ticketed are able through the governing bodies to communicate with each individual or group on parking arrangements and public transport options.
6.9.6	For major events the applicant has advised that NICSSA will provide clear instructions to spectators of the bus routes and stops as well the Dundonald park & ride to encourage greater use of public transport. The applicant has highlighted that for previous major events public transport and coaches have been utilised reducing the need for additional carparking and they have been able to accommodate the private coaches along the Prince of Wales drive within the Stormont Estate to park the buses. All this is undertaken in liaison with Stormont Estate Management Unit. NICSSA also highlight that most major events happen primarily over the

	weekends and in the evenings i.e. off peak times when the car parks at Stormont are generally not in use.
6.9.7	DFI Roads has raised no objection to the level of parking proposed. The proposal complies with Policy TRAN 8.
6.9.8	Policy OS5 (Intensive Sports facilities) requires that the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access and car parking drainage. DFI Roads has raised no objection to road network capacity. The proposal complies with Policy OS5 in so far as it relates to access and parking arrangements.
6.9.10	Objections raise concerns regarding access and parking arrangements. The objections have been considered by DFI Road which offer no objection to the proposal subject to conditions which are set out below.
6.9.11	Servicing of the development will take place from the pavilion via the main access road. A waste storage area is proposed within the pavilion building with direct access to the refuse collection vehicle route. Waste Management Unit consider the waste arrangements acceptable and DFI Roads raise no objection to the servicing arrangements. The servicing arrangements comply with Policy TRAN 8.
6.10	Environmental protection
6.10.1	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 lighting, noise, contaminated land and air quality.
	<u>Contaminated land</u>
6.10.2	In relation to contaminated land, Environmental Health has assessed the Contaminated Land Reports accompanying the application and raises no objection subject to conditions seeking an updated Quantitative Risk Assessment, updated Remediation Strategy and a Verification Report. The proposal is considered to accord with Policy ENV1.
	<u>Air Quality</u>
6.10.3	The site sits adjacent to the Upper Newtownards Road Air Quality Management Area ((Belfast AQMA No. 3). Environmental Health has assessed the Air Quality Impact Assessment accompanying the application and advises that notwithstanding some minor discrepancies, it is their view that the assessment sufficiently demonstrates that vehicle movements from the proposed development will not have an adverse impact on air quality in the vicinity of the site and that existing sensitive receptors along the Upper Newtownards Road and Stoney Road will not be exposed to air quality concentrations exceeding UK Air Quality objectives. Environmental Health recommends a condition to require a further Air Quality Assessment should centralised combustion sources be proposed. Subject to this condition, it is considered that the proposal accords with Policy ENV1.

6.10.4	<p><u>Noise</u></p> <p>In relation to noise, Environmental Health has assessed the Noise Assessment accompanying the application and has considered the objections which raise noise concerns. Environmental Health notes that the proposal is for modification of the existing facilities and will not, according to the information presented within the noise assessment, present a significant change of use to the site. Environmental Health also notes that the predicated noise emissions from the proposed redevelopment have been concluded within the noise assessment as not to have an adverse impact on nearby noise sensitive receptors. Environmental Health do not raise any concerns with the Noise Assessment and the proposal is considered that the proposal accords with Policy ENV1.</p>
6.10.5	<p><u>Floodlighting</u></p> <p>Environmental Health has assessed the latest March 2024 lighting assessment which has determined that the proposed lighting design will have minimal impact on the surrounding streetscape based on the number and specification of lighting proposed in the design. The vertical lux overspill calculations and contour maps submitted are within the guidance parameters set out in ILP guidance notes for category E3 suburban lighting zone. Environmental Health do not raise any concerns with the Lighting Assessment. DAERA NIEA has also assessed the floodlighting and impact on wildlife including Bats and do not raise any concerns with the proposal. It is considered that the proposal accords with Policies ENV1 and NH1 in these regards.</p>
6.11	Drainage, flood risk and climate change
6.11.1	<p><u>Flood risk</u></p> <p>DfI Rivers advises that the Flood Maps (NI) indicates that portions of the site lay in the 1 in 100 year climate change fluvial flood plain and within an area of predicted pluvial flooding. DfI Rivers advise that while not being responsible for the preparation of Flood Risk & Drainage Assessment it accepts its logic and has no reason to disagree with its conclusions.</p>
6.11.2	<p>The Proposed Drainage Strategy accompanying the application proposes attenuation tanks at a number of locations which support the Council's objective to incorporate Sustainable drainage systems (SuDS) in new developments. Accordingly, DfI Rivers offer no objection to the proposal. The proposal is considered to satisfy Policy ENV5.</p>
6.11.3	<p><u>Waste-water infrastructure</u></p> <p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has no objection to the amended scheme. The proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p>
6.11.4	<p><u>Climate change</u></p> <p>Policy ENV2 states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposed pavilion is targeting a BREEAM rating although it has not been confirmed which rating this would be – clarification is being sought from the applicant. In the meantime, a condition is recommended that the building achieves at least BREEAM Excellent rating, which would satisfy Policies ENV2, ENV3 and DES2.</p>

6.11.5	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere. The Planning Statement accompanying the application states that:</p> <p><i>'The overarching benefit of the proposed development from a SuDS perspective, is the vast hydraulic improvement to the drainage infrastructure of the site. These benefits are achieved by the use of SUDs, surface water infiltration, storm flow separation, pluvial floodplain provision & fluvial flood reduction.'</i></p> <p><i>'There is a decrease in impermeable area as a result of the works, the total storm water discharge rate from the site will be limited to greenfield run off which offers a vast decrease in discharge rate than that currently offered by the site and thus decreases the hydraulic loading on the Knock River which decreases downstream flooding.'</i></p>
6.11.6	<p>DFI Rivers and NI Water have assessed the above measures and are content with the proposals. In addition to the above SuDS measures, the Planning Statement also states that <i>'Permeable paving will be proposed where possible to both pedestrian and vehicle areas, impermeable surfaces will be limited to existing retained car parking areas, and paths unaffected by the works, any new pathways to the various external playing fields will be recommended to be constructed from open grid ground reinforcement to encourage integration into the natural environment, maintaining its permeability. Rainwater harvesting will be promoted where possible.'</i></p>
6.11.7	<p>Furthermore, tree planting is also an appropriate SuDS measure as set out under Policy ENV5. The combination of SuDS measures as set out above are considered to satisfy the requirements of Policy ENV5 and conditions are recommended to ensure the implementation of these measures.</p>
6.12	Employability & Skills
6.12.1	<p>The Economic Development Unit advise that it is envisaged that the outcomes resulting from the implementation of the Buy-Social model in performance of the contract associated with this development will be analogous to a s76 Employability and Skills Plan and as a result consider that it would be disproportionate to request additional employability and skills requirements in this phase of the development, particularly as Buy Social implements a specific toolkit for construction and any possible skills shortages will be mitigated through Targeted Recruitment & Training clauses. It is therefore recommended that Section 76 Developer Contribution clauses should not be applied to this development.</p>
6.13	Pre-Community Consultation
6.13.1	<p>For applications that fall within the major category as prescribed in the Development Management Regulations, the Act places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.</p>
6.13.2	<p>Prospective applicants, prior to submitting a major application, must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.</p>

6.13.3	The applicant served a Proposal of Application Notice (PAN) on 21 April 2021 (LA04/2021/0976/PAN). The Council responded, confirming that the PAN and associated approach met the requirements and was acceptable subject to additional consultation with Stormont Presbyterian Church, Ardcarne Community and Stormont Community Engagement Project.
6.13.4	A Pre-Application Community Consultation Report has been produced to comply with the requirements of legislation. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements. The report has confirmed advertising for the public event and that the public engagement (dedicated website, phone lines and phone sessions, distribution of 8,000 pamphlets to residents and businesses within a 1 mile radius of the site) took place.
6.13.5	<p>The report states that queries were raised from the Community during the consultation event including queries regarding whether a swimming pool was planned as part of the development, whether the existing 7 a side pitches were being retained, suggested inclusion of appropriate accommodation for potential breeding birds, programmed start date, impact on local road network during construction, whether a stadium would be developed, whether rates would increase in the area to pay for the development and raising concerns regarding the demolition of Dundonald House. The PACC Report states that the engagement with the community has confirmed the following:</p> <ul style="list-style-type: none"> <i>The general feeling of support from the community for the upgrading of the sporting facilities at the existing site and the benefits it will bring to the local and wider community;</i> <i>The community were largely supportive of the proposal in terms of its layout and scale but had some general queries as to the type of accommodation being offered, fears of a largescale stadium development on site were allayed as this is simply not part of the development. The site will continue to host international cricket games as they have done for many years, the new accommodation will provide a betterment of the existing facilities;</i> <i>That through an iterative process, the community has been able to see and understand the proposed development.</i>
6.13.6	The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of the legislation and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.
6.14	Summary of Recommendation
6.14.1	Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.
6.14.2	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 the issues 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. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing or new trees or planting indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

3. 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.

4. The development shall be carried out in accordance with the Landscape Management and Maintenance Plan (September 2023) unless otherwise agreed in writing by the Council.

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

5. No development shall commence on site unless a detailed methodology for the protection of the listed gates and piers to the rear entrance at Stoney Road during the construction phase 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 the special architectural and historic qualities of the Listed Building.

6. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted to and approved in writing by the Council.

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.

7. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 6.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

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 6. These measures shall be implemented and a final archaeological report shall be submitted and agreed in writing by the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the 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.

9. No works of any nature or development shall be carried out within the existing fenced area around the scheduled monument. No erection of huts or other structures, no storage of building materials, no dumping of spoil or topsoil or rubbish, no bonfires, nor any use, turning or parking of plant or machinery shall take place within the fenced area. The fence shall not be removed until the site works and development have been completed.

Reason: to prevent damage or disturbance of archaeological remains within the application site.

10. In the event that any centralised combustion sources (boilers, CHP, biomass or generators) 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 their installation, an updated Air Quality Impact Assessment shall be submitted to and approved in writing by Council. 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 must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development. No such centralised combustion sources shall be installed unless in accordance with the approved details.

Reason: To ensure that ambient air pollution related to the site is appropriately dealt with, in the interests of human health.

11. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) until an updated Quantitative Risk Assessment has been submitted to and approved in writing by the Council. This updated Quantitative Risk Assessment shall specifically consider the asbestos in shallow soils identified at BH6 within the MCL Consulting Ltd report entitled 'Project Number: P3035, Generic Quantitative Risk Assessment, Stormont Sports Pavilion Redevelopment, Upper Newtownards Road, Belfast, Client: NICSSA, Issued: September 2023'.
- The updated Quantitative Risk Assessment shall follow current Environment Agency and CIRIA guidance and British Standards and include:
- Additional site investigation in line with BS 10175:2011+A2:2017.
 - A satisfactory assessment of the risks (including an updated Conceptual Site Model), conducted in line with current Environment Agency guidance. Risks associated with ground gases shall be assessed under the methodology outlined in BS 8485:2015+A1:2019.
- The development shall not be carried out unless in accordance with the approved details.
- Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.
12. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless an updated Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy shall consider the MCL Consulting Ltd report entitled 'Project Number: P3035, Generic Quantitative Risk Assessment, Stormont Sports Pavilion Redevelopment, Upper Newtownards Road, Belfast, Client: NICSSA, Issued: September 2023' and the updated Quantitative Risk Assessment. The updated Remediation Strategy shall follow current Environment Agency and CIRIA guidance and British Standards and 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 Remediation Strategy.
- Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.
13. Prior to operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.
- Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

14. 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 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 and protection of environmental receptors and to ensure the site is suitable for use.
15. No development activity, including ground preparation or vegetation clearance, shall take place until a protection zone(s), clearly marked with posts joined with hazard warning tape, has been provided around each badger sett entrance associated with the main and annex sett complex at a radius of 25 metres (As shown on Figure II: Map showing sett structures and 25m buffers, Badger Survey and Mitigation Plan, MCL Consulting Ltd, February 2024). No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zone(s) without the consent of the Council unless an appropriate Wildlife Licence has been obtained from NIEA. The protection zone(s) shall be retained and maintained until all construction activity has been completed on site.
- Reason: To protect badgers and their setts on the site.
16. Prior to works commencing on site, all existing trees shown on Drawing No. 41B Landscape Design Plan (published to the NIPP 29/04/2024) as being retained shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. 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 other than in accordance with the approved plans and particulars, without the written approval of the Council.
- Reason: To protect the biodiversity value of the site, including protected species.
17. Throughout the construction phase, a clearly defined buffer of at least 10 metres must be maintained between the location of machinery refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil, etc. and the watercourse adjacent to the eastern edge of the red line boundary.
- Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

18. The drainage of all 3G artificial synthetic pitches must be constructed in accordance with the design measures detailed in the Infill Management & Pitch Maintenance Plan (Hamilton Architects, published 25/03/2024) to retain microplastics / rubber granulate within the pitch area. Site drainage must conform with the proposed measures throughout operation of the 3G pitches, unless otherwise agreed in writing by the Council.
- Reason: To ensure the project will not have an adverse effect on the integrity of any European site.
19. 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.
20. The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.
- Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.
21. The development hereby permitted shall operate in accordance with the approved Travel Plan.
- Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.
22. The development shall not be occupied until all redundant vehicular accesses have been permanently closed off to the satisfaction of DfI Roads.
- Reason: In the interests of road safety and convenience of road users.
23. Within one year of the occupation, evidence that the pavilion building has been constructed to at least 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.
24. The SuDS measures shall be implemented as specified in the application and the building shall not be occupied nor the upgraded/new playing pitches/facilities operational until written verification and evidence of such has been submitted to and approved in writing by the Council.
- Reason: In order that the development provides sustainable drainage.

Development Management Report Committee Application

Summary	
Committee Date: 18 June 2024	
Application ID: LA04/2022/0612/F	
Proposal: 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.	Location: Lands at the junction of Shankill Road, Lanark Way, and bound by Caledon Street, Belfast.
Referral Route: Application for Major development	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Michael Nugent Ltd 2 Tandragee Road Dungannon BT70 3DS	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Executive Summary: <p>The application site is brownfield land with an area measuring 0.85ha within a residential area in the west of the city. The proposal seeks full planning permission for the erection of 53 residential dwelling houses, consisting of 34 no. semi-detached and 4 no. detached houses, and 15 no. apartments (7 no. 2-bed and 8 no. 1-bed). A complete block of 12 units have been allocated for use as social housing.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on heritage assets • Climate change • Flood risk and drainage • Residential quality and impact on amenity • Open space provision • Access and transport • Health impacts • Environmental protection • Landscaping • Waste-water infrastructure • Natural heritage 	

- Employability and Skills
- Section 76 planning agreement
- Pre-application Community Consultation

The site is within the development limit. The site is also within a Housing Action Area in the extant Belfast Urban Area Plan 2001; a Major area of employment/industry (BT 011/35) in the 2004 draft Belfast Metropolitan Area Plan 2015; and as unzoned whiteland in the 2014 draft Belfast Metropolitan Area Plan 2015 albeit with an Area of Parking Restraint encroaching on its northeast side and is opposite the boundary of an Area of Townscape Character (ATC) to the east. The Shankill Road frontage of the site is partially within a Shopping / Commercial Area (AR 03/14); however, the buildings here have been demolished.

The site has been subject of previous planning permissions for residential development, albeit now expired. The proposal includes approx. 23% of units for social housing, of which there is a significant unmet need in the city. NIHE is supportive of the social housing element.

There are no unforeseen unacceptable impacts on amenity of any adjacent residential properties. Environmental Health, DfI Roads, DfI Rivers, NI Water, NIEA, HED, and SES offer no objections to the proposal.

The proposal will help regenerate this part of Belfast and utilise a site that has been vacant for approximately 20 years. NIHE is supportive of the social housing element. On balance, the overall design of the proposal is not considered to be out of keeping with the residential character of the area. DfI Roads is content with the level of car parking provision.

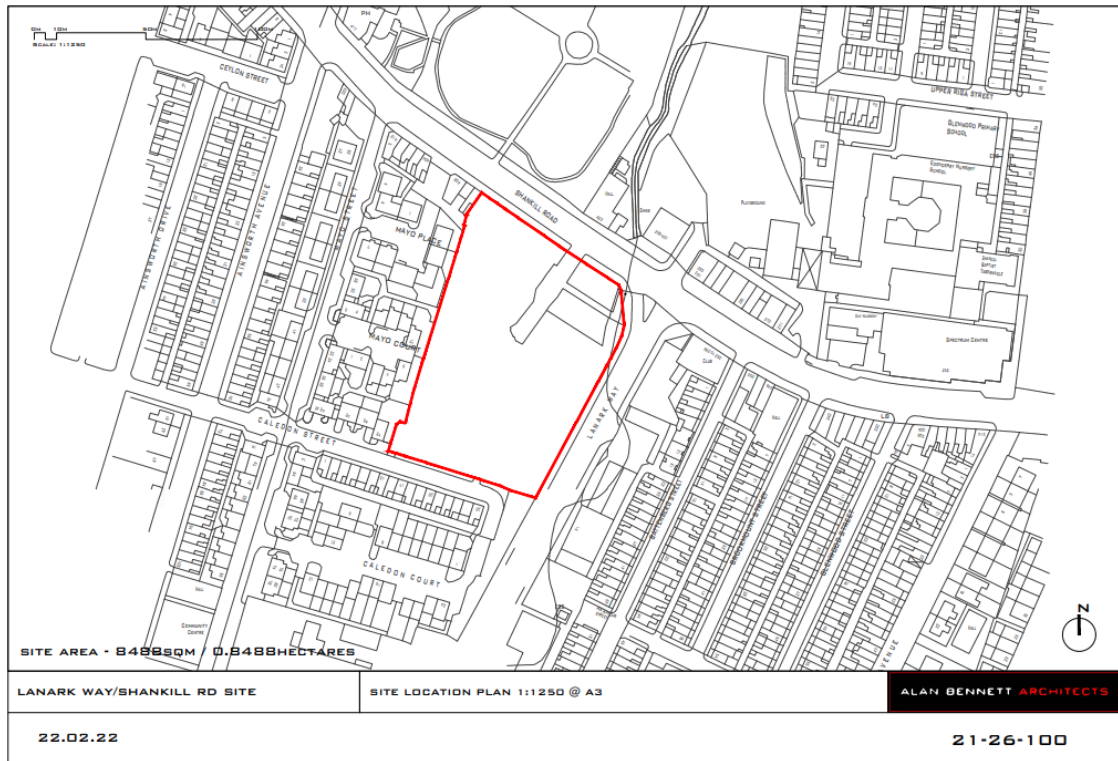
No third-party representations have been received.

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

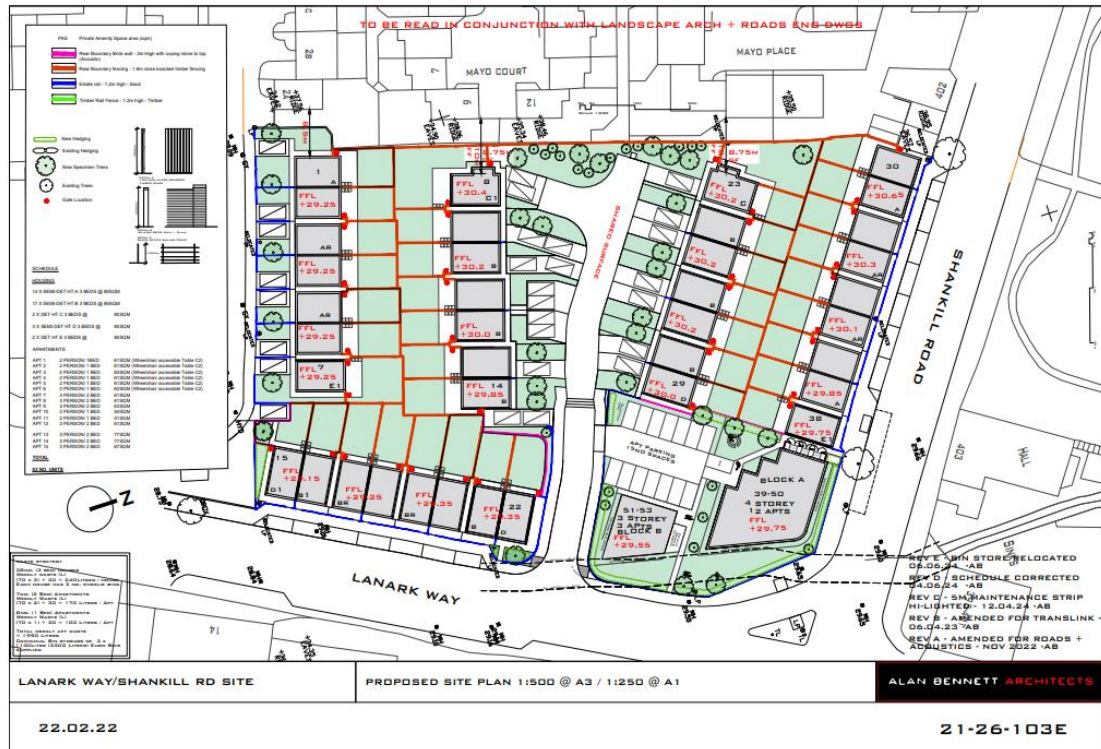
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other matters that arise, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed Site Layout:



Proposed Street Elevations:



LANARK WAY/SHANKILL RD SITE

STREET ELEVATIONAL SECTIONS 1:500 @ A3 / 1:250 @ A1

ALAN BENNETT ARCHITECTS

22.02.22

21-26-130

Proposed Landscaping Plan:







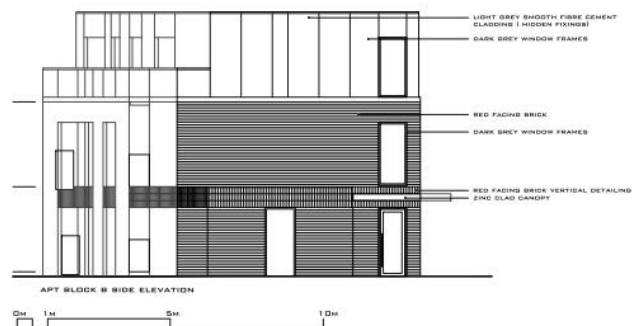
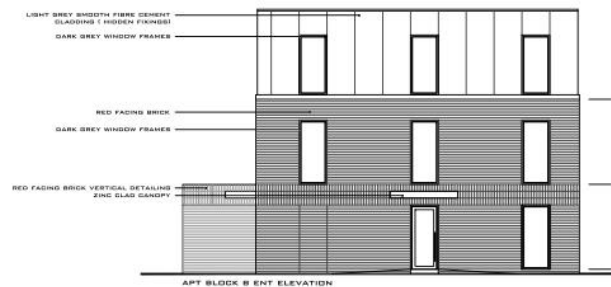
LANARK WAY/SHANKILL RD SITE

APT BLOCK A ELEVATION PAGE 1 - 1:200 @ A3

ALAN BENNETT ARCHITECTS

22.02.22

21-26-121



LANARK WAY/SHANKILL RD SITE

APT ELEVATIONS BLOCK B (3 STOREY BLOCK) 1:100 @ A3

ALAN BENNETT ARCHITECTS

22.02.22

21-26-134



3D VIEW OF APT BLOCK B



LANARK WAY/SHANKILL RD SITE

APT ELEVATIONS BLOCK B (3 STOREY BLOCK) 1:100 @ A3

ALAN BENNETT ARCHITECTS

22.02.22

21-26-133



3D VIEWS OF APT BLOCK B



LANARK WAY/SHANKILL RD SITE

APT ELEVATIONS BLOCK B (3 STOREY BLOCK) 1:100 @ A3

ALAN BENNETT ARCHITECTS

22.02.22

21-26-132

1.0	Characteristics of the Site and Area
1.1	The application site is a square-shaped parcel of brownfield land with an area measuring approx. 0.85ha. This has been cleared of buildings and is now vacant and secured by a 2.5m tall steel palisade fence. The site is bounded by the Shankill Road to the northeast; Lanark Way to the southwest; Caledon Street to the southwest; whilst the rear of existing residential properties at Mayo Place and Mayo Court abut the site on its northwest side. The site is relatively flat.
1.2	The immediate area is mixed between residential and commercial buildings, the former characterised by narrow terraced streets lined with redbrick, two-storey dwellings, on-street parking and small front and rear gardens.
	Description of Proposed Development
1.3	The application seeks full planning permission for the erection of 53 residential units, 15 of which will be apartments. 12no of the apartments are to be in one block and reserved solely as social housing.
2.0	PLANNING HISTORY
2.1	<p>Relevant planning history is summarised below.</p> <ul style="list-style-type: none"> • Z/2012/1286/F - Lands at the junction of Shankill Road/Lanark Way and bound by Caledon Street, Belfast. Proposed social housing development comprising 9 No.2 person 1 bedroom apartments and associated site and access works. Approval. Expired 12/09/2018. • Z/2010/0610/F - Lands at the junction of Shankill Road, Lanark Way and bound by Caledon Street, Belfast. Mixed tenure housing scheme comprising 41 No. dwellings and apartments for social housing and 28 private/affordable apartments with associated site access works. Expired 06/08/2017 • LA04/2021/2195/PAD - Lands at the junction of Shankill Road, Lanark Way and bound by Callendon Street, Belfast. Proposed residential development of 53no. units, comprising of 41no. dwellings (mix of 38no. semi-detached and 3no. detached dwellings), 12no. apartments (10 no. 2 bed apartments and 2no. 1 bed apartments). Private and communal amenity space, bin and bicycle store, landscaping, car parking and all associated site works. Decided.
3.0	PLANNING POLICY
3.1	<p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SD2 – Settlement Areas Policy HOU1 – Accommodating new homes</p>

	<p>Policy HOU2 – Windfall housing</p> <p>Policy HOU4 – Density of residential development</p> <p>Policy HOU5 – Affordable housing</p> <p>Policy HOU6 – Housing Mix</p> <p>Policy HOU7 – Adaptable and accessible accommodation</p> <p>Policy EC3 – Major employment and strategic employment locations</p> <p>Policy EC4 – Loss of zoned employment land</p> <p>Policy DES1 – Principles of urban design</p> <p>Policy DES2 – Masterplanning approach for major development</p> <p>Policy RD1 – New residential development</p> <p>Policy BH5 – Archaeology</p> <p>Policy HC1 – Promoting healthy communities</p> <p>Policy TRAN1 – Active travel – walking and cycling</p> <p>Policy TRAN 2 – Creating an accessible environment</p> <p>Policy TRAN4 – Travel plan</p> <p>Policy TRAN6 – Access to public roads</p> <p>Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality</p> <p>Policy ENV2 – Mitigating environmental change</p> <p>Policy ENV3 – Adapting to environmental change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 - Sustainable drainage systems (SuDS)</p> <p>Policy GB1 – Green and blue infrastructure network</p> <p>Policy OS3 - Ancillary open space</p> <p>Policy NH1 – Protection of natural heritage resources</p>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix</p> <p>Residential Design</p> <p>Placemaking and Urban Design</p> <p>Masterplanning approach for Major developments</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Development Viability</p> <p>Creating Place</p>
3.3	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
3.4	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
3.5	<p>Other Material Considerations</p> <p>Developer Contribution Framework (2020)</p> <p>Belfast Agenda (Community Plan)</p>
4.0	<p>CONSULTATIONS AND REPRESENTATIONS</p>
4.1	<p><u>Statutory Consultees</u></p> <p>DfI Roads – No objection subject to conditions.</p> <p>DfI Rivers – No objection.</p>

<p>4.2</p>	<p>NIEA – No objection subject to conditions. NI Water – No objection subject to conditions. Historic Environment Division – Historic Monuments - No objection subject to conditions.</p> <p><u>Non-Statutory Consultees</u></p> <p>Environmental Health – No objection subject to conditions. NIHE – supports the proposal, accepting the principle of off-site social housing. Shared Environmental Services (SES) – no objection. BCC Parks, Landscape and Development – no objection. BC LDP Urban Design Officer - Content. Planning Service Plans & Policy Unit – refer to main assessment. BCC LDP Housing – refer to main assessment.</p> <p>4.3 Whilst consultees may have in some cases 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.</p> <p>4.4 <u>Representations</u></p> <p>4.5 The application has been advertised in the newspaper and neighbours notified.</p> <p> No third-party representations have been received.</p>
<p>5.0</p> <p>5.1</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Impact on heritage assets • Climate change • Flood risk and drainage • Residential quality and impact on amenity • Open space provision • Access and transport • Health impacts • Environmental protection • Landscaping • Waste-water infrastructure • Natural heritage • Employability and Skills • Section 76 planning agreement • Pre-application Community Consultation

5.2	<p>Development Plan Context</p> <p>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.</p>
5.3	<p>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.</p>
5.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
5.5	<p><u>Operational Policies</u></p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.</p>
5.6	<p><u>Proposals Maps</u></p> <p>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.</p>
5.7	<p>Belfast Urban Area Plan 2001 – the site is a Housing Action Area.</p>
5.8	<p>Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit. Site is zoned as a Major Area of Existing Employment (BT 011/24 - London Road).</p>
5.9	<p>Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit. Site is un-zoned “white land”.</p>
5.10	<p>The employment zoning of the site in the 2004 version of draft BMAP (v2004) was deleted from the 2014 draft version as per recommendations made by Planning Appeals Commission’s independent report on the basis that an objection to the proposed zoning was made on the grounds that planning permission for housing was approved on the site.</p>
5.11	<p><u>Principle of housing in this location</u></p> <p>Given the site is previously developed, unzoned, brownfield land; it is considered a ‘windfall’ site in respect of proposed housing and so Policy HOU2 applies. Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. Policy HOU2 requires windfall housing to be delivered on</p>

	<p>previously developed land, which the application site is. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.</p> <ol style="list-style-type: none"> The site is suitable for housing – the site is located within a predominantly residential area comprising housing and some local commercial uses in close proximity. The location is considered suitable in principle for housing given the character and uses in the area. The location is accessible and convenient to public transport and walking cycle infrastructure – the site is on/has frontage onto an arterial route, the Shankill Road and within walking distance of the Springfield Road, which is also an arterial route. It is accessible to shops, services, amenities and public transport. Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.
5.12	It is notable that the site has been subject of previous planning permissions for residential development, albeit now expired.
5.13	It is considered that the site is a suitable location in principle for housing and that the proposal is compliant with Policies HOU1 and HOU2.
5.14	<p><u>Commercial Node</u></p> <p>The proposal will involve a residential development on an arterial route on land partially zoned as a Commercial Node/Area of Parking Restraint. For clarification, Arterial Routes serve a similar function within draft BMAP to that intended for City Corridors with the LDP.</p>
5.15	Ideally, development within these designated areas should include a commercial element. However, the LDP does not preclude development that is fully non-commercial within Commercial Nodes.
5.16	Also, it is a material consideration that there is a planning history on the site for a housing scheme for residential units (see Planning History above) which did not include a commercial element.
5.17	<p><u>Housing density</u></p> <p>Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.</p>
5.18	The site is located within inner city Belfast where the average density should be 75-150 dwellings per hectare (ha). The site area is 0.85ha and so the proposal equates to a density of 62 dwellings per ha, demonstrating that it would make effective use of land without over-development.
5.19	<p><u>Affordable housing</u></p> <p>Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing. The proposal includes 12 units reserved for social housing. This equates to 23% approx. of the total proposed 53 units.</p>
5.20	The Housing Executive carries out Housing Need Assessments (HNAs) annually across all relevant housing areas. This development is located within the Mid Shankill HRA

5.25	<p>The requirement for a mix of house types will not apply to single apartment developments. As such this is not applicable to Block A and Block B. In such cases, the housing mix will be considered acceptable through greater variety in the size of units. The proposed housing mix is shown in Tables 1 and 2 above. The proposal consists of mix of unit types, ranging from 2 person / 1 bed, to 5 person / 3 bed houses. This is considered to represent a Reasonable housing mix. NIHE is supportive of the proposal. Having regard to these factors, the proposed housing mix is considered acceptable.</p>
5.26	<p>Space Standards</p> <p>The proposed internal sizes of each residential unit is in accordance with the minimum space standard as set out in Appendix C of the Plan Strategy. Apartment numbers 1-6 of Block A are to be wheelchair accessible. These are all in excess of 60sqm, which is the minimum requirement for 2-person/1-bedroom wheelchair accessible apartments.</p>
5.27	<p><u>Adaptable and accessible accommodation</u></p> <p>Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has demonstrated in the Alan Bennett Architects LDP statement how the proposal satisfies these criteria.</p>
5.28	<p>The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 6 wheelchair units which is in excess of the required 10%. It is considered that the proposal complies with the additional nine criteria g. too. The proposed floor plans clearly show the 10% wheelchair acceptable units demonstrating that the criteria above has been met.</p>
5.29	<p><u>Design and placemaking</u></p> <p>The proposal has been assessed against the SPPS, and Policies SP5, DES1, DES2 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent land and uses.</p>
5.30	<p>The layout of the proposed housing scheme is in keeping with the prevailing character of the area, which is defined by two-storey houses on streets in the form of courtyards and cul-de-sacs off a main through road. The proposed layout includes reinstating a street frontage along Caledon Street, Shankill Road and Lanark Way. The rest of the scheme (14 dwellings) will be along a new road within the site, accessed from Lanark Way.</p>
5.31	<p>The proposed apartment scheme will be in two separate blocks: one 4 storey block containing 12 units; and one 3 storey block containing 3 units. These are on the corner of the site, with a frontage on both the Shankill Road and Lanark Way.</p>
5.32	<p>The proposed scale, height and massing, which sees the tallest four storey height proposed at the nodal junction of the Shankill Road, a key arterial route, and Lanark Way and heights dropping along both elevations down to three and then predominantly two storeys, echoing that of surrounding properties, is considered to be contextually appropriate for this site. The Council's Urban Design section is content with the overall design of the scheme and its relationship with the wider area.</p>

5.33	<p><i>Finished Materials</i></p> <p>The dwellings houses will be finished with dark grey smooth concrete roof tiles, red facing brick on the walls mixed with sections of smooth render in a neutral colour. Dark grey window frames and dark grey entrance doors.</p>
5.34	<p>Apartment blocks A and B will be finished in red facing brick to the ground and first floor walls whilst the second floor will be cladded in light grey smooth fibre cement. Dark coloured timber window frames.</p>
5.35	<p>It is recommended that in the event of planning permission being granted, that a planning condition for samples of these materials are provided prior to construction works beginning on site to ensure the materials are of appropriate quality and character for the area.</p>
5.36	<p><u>Impact on heritage assets</u></p> <p>HED (Historic Buildings) has considered the impacts of the proposal on the nearby listed graveyard gateway, watch-house, boundary walls and railings and on the basis of the information provided, advises that it satisfies the requirements of paragraph 6.12 of Strategic Policy Planning Statement for Northern Ireland and Policy BH 1, without conditions. HED (Historic Monuments) is content that the proposal satisfies policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 5.</p>
5.37	<p><u>Climate change</u></p> <p>Policies ENV2, ENV3 and ENV5 state that planning permission will be granted for development that incorporates measures to mitigate / adapt to environmental change and reduce greenhouse gases by promoting sustainable patterns of development.</p>
5.38	<p>The site will incorporate hard SuDS in the format of oversized pipes and manholes which will have a vortex flow control devise to restrict the storm water discharge from the site down to greenfield run-off rates, mitigating the local flooding impacts. Soft SuDS methods will also be included with the use of 3,240m² of green space within the site including gardens and landscaped areas. This equates to almost 40% of the proposed development being green space.</p>
5.39	<p>In addition, the private car parking spaces, allocated to the apartment blocks, will use permeable paving to allow rainwater to soak away more naturally. The site will also benefit from the use of rainwater gardens for the apartment blocks. These rainwater gardens will utilise rainwater run-off from the roofs of the development by diverting it through the garden itself watering all plants and shrubberies along the way. The gardens will be designed to ensure that plants more suited to an aquatic environment will be placed closer to the discharge points of the rainwater from the roofs.</p>
5.40	<p>This also proposal includes a quality sustainable design, incorporating PV Panels, and high-efficiency gas boilers i.e. an electric generating source and a separate heat source. The external fabric of the proposal will have high levels of insulation reducing the need for expensive heating and reducing the cost to the end-user and to the environment. All building materials to be used in this proposal are readily available locally, which reduces the need for importing materials from further afield. Reducing the requirement on fossil fuels for delivery of materials and lessening the carbon footprint of the proposal.</p>

5.41	Building orientation has been designed to optimise solar gain, the fabric of the building will be to a high level to ensure an energy efficient development.
5.42	It is recommended that planning permission, if granted, is conditional that the proposal is constructed to this standard. The proposal is considered compliant with the relevant policies.
5.43	<p><u>Flood Risk and Drainage</u></p> <p>DfI Rivers has assessed the proposal against the latest climate change data, a Drainage Assessment and the proposed use of SuDS and confirmed it is content, subject to a condition. This is compliant with Policy ENV 4.</p>
5.44	<p><u>Residential quality and impact on amenity</u></p> <p>Policies DES1, DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.</p>
5.45	To minimise overlooking and promote privacy, the departmental design guide <i>Creating Places</i> (CP) advocates a separation distance of 20m between new residential development and the rear of existing residential properties. None of the proposed dwelling houses back onto any existing house. Internally, separation distances from back-to-back dwellings are between 19m and 20m in all cases. This will ensure overlooking will not be an issue for prospective residents.
5.46	CP advocates a greater separation distance of up to 30m between apartments where there are living rooms / balconies at upper floors that face directly towards windows of existing dwellings, as this can cause significant loss of amenity to adjoining dwellings. In this case, Blocks A and B face directly towards the front of existing dwellings at 1-13 Lanark Way at a distance in excess of 30m. All other units are orientated to ensure minimal direct overlooking, overshadowing and dominance to any existing neighbouring residential property.
5.47	Internally, there are no windows of habitable rooms in the adjacent opposing gable of Block B where this faces Block A. This will ensure no potential adverse impacts for prospective residents.
5.48	<p><i>Open Space Provision</i></p> <p>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.</p>
5.49	Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.
5.50	<i>Creating Places</i> advocates external private amenity space averaging between 10 and 30 sqm per residential unit for apartment developments, adding that private communal open

	space will be acceptable in the form of landscaped areas, courtyards or roof gardens. The proposal includes both private and communal spaces, with the private open space being limited to the ground floor apartments, excluding Block C.
5.51	Communal open space equates to 564sqm with each apartment within the larger four storey block (Block A) benefitting from private balconies ranging from 2.0sqm to 14sqm, equating to a total provision of around 40sqm of amenity space per apartment. This is in excess of the 10sqm average per apartment unit set out by Policy OS3 of the LDP and the Departmental Creating Places design guide.
5.52	Rear private gardens associated with the semi-detached and detached properties range from 59sqm to 188sqm. This is above the average of 70sqm per unit as advocated by Creating Places.
5.53	The total site area is 0.85ha, and at 564sqm the provision of open space falls short of the 850sqm or 10% as required by Policy OS3 of the LDP. However, this policy may accept provision of less than 10% if the site is close to and would benefit from ease of access to areas of existing public open space. Woodvale Park, which is large public recreation space, is 0.5 miles approx. from the site. The ratio of open space to built form is considered, on balance, acceptable.
5.54	<p><i>Bin Storage</i></p> <p>Each dwelling house has sufficient space for 3x bins to the rear. Apartment Block A has communal bin storage directly adjacent. Apartment Block B shares the communal bin storage with Block A. This is at a distance of 23.5m approx. from the block. The location and quantum of storage provided is acceptable and would not adversely impact on the amenity of prospective and residents.</p>
5.55	<p><u>Access and transport</u></p> <p>The site has good accessibility being within walking distance of two arterial routes (Shankill Road and Springfield Road). The area is well served by existing pedestrian facilities with footways provided on both sides of the carriageways as well as controlled pedestrian crossings located at strategic locations on the surrounding road network. An internal cycle storage area is provided within the two apartment blocks to encourage cycling. DfI Roads is content with the number and provision of cycle stands for 10 bikes. The proposal is considered compliant to Policy TRAN1.</p>
5.56	Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes ease of access to reserved parking for the apartments, with the provision of 1 space per unit. These are in close unhindered proximity to the apartments, ensuring ease of access between the car park and each block.
5.57	<p>Policy TRAN 4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. This includes the following green travel measures:</p> <ul style="list-style-type: none"> • 100% subsidy for one travel card offered per dwelling for a period of 3 years, • 50% subsidy of car club membership per dwelling for a period of 3 years; and • 100% subsidy of Belfast Bike Scheme Membership. <p>This may be delivered as an integrated fund.</p>

5.58	The travel plan measures are considered acceptable having regard to Policy TRAN4. DfI Roads, the statutory regulator for travel, is content subject to conditions.
5.59	Policy TRAN 8 states that development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements. The dwellings along Lanark Way and Shankill Road has access to the new on street layby parking whilst all other units have at least one incurtilage parking space. The proposal is considered to accord with Policy TRAN8.
5.60	DfI Roads offers no objection to the proposal, subject to conditions, which is considered acceptable with regards to highway safety, traffic progression and parking. The proposal is considered acceptable having regard to Policies TRAN1, TRAN4, TRAN6, TRAN 8 and TRAN 9.
5.61	<p><u>Health impacts</u></p> <p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.62	The applicant has outlined in a statement how the proposal provides opportunity for active travel, physical and improved mental wellbeing. The site is within walking distance of the city centre and its amenities. It is within short walking distance of Woodvale Park and a Tesco shopping centre. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. An appropriate level of amenity space is incorporated into the scheme, mixed between private and communal gardens. The proposal would provide quality housing for people in housing stress and housing need.
5.63	The proposal is considered to satisfy the requirements of Policy HC1.
5.64	<p><u>Environmental protection</u></p> <p>Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The Council's Environmental Health (EH) has been consulted and having assessed risks from contaminated land, air quality and noise, has advised that it is content subject to conditions to ensure any risks associated with contamination and noise are adequately mitigated. In respect of air quality, EH advised that the agent has confirmed that there will be no substantial centralised combustion process serving the proposed development and that individual gas boilers will be installed at houses and within the apartment blocks. Based on thermal output specification provided by the agent for the type EH noted that these boilers would not trigger the need for an air quality impact assessment. However, EH caveated if there is any change to the proposed heating system other than that proposed and indicated in information submitted by TSA planning on behalf of the applicant should be submitted to planning service for review and comment.</p>
5.65	<p><u>Proposed Landscaping</u></p> <p>There is no existing soft planting or trees on the site worthy of retention and as such all soft landscaping will be new. This consists of grass, trees and shrubs. Species will be</p>

	<p>mixed to ensure resilience against disease. The planting will be subject of a long-term management and maintenance plan to ensure establishment and longevity. Hard landscaping will consist of hard surfaced areas, boundary walls and steel railings and metal fences. The existing brick boundary wall to the southeast and southwest will be retained and rebuilt in places. The proposed details are acceptable and appropriate conditions are necessary for delivery, management and maintenance.</p>
5.66	<p><u>Waste-water infrastructure</u></p> <p>Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water as the statutory authority was consulted and advised that it has no concerns from a wastewater and supply capacity, subject to conditions.</p>
5.67	<p><u>Natural heritage</u></p> <p>Policy NH1 relates to the protection of natural heritage resources. NIEA Natural Heritage has been consulted and advised it has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.</p>
5.68	<p>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.</p>
5.69	<p>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 hypothetical impacts. As the 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 may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NIEA.</p>
5.70	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. Due to the land buffer between the proposed development and the closest open watercourse to the north (approx. 21m - across the Shankill Road), the effects of dilution/dispersal and considering the scale/nature of the proposed development, there can be no conceivable effect to the qualifying features of any European site from the proposal.</p>
5.71	<p>The proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the Strategic Planning Policy Statement.</p>

5.72	<p><u>Employability and Skills</u></p> <p>The Developer Contribution Framework requires proposals for Major development to make a contribution towards Employability and Skills where necessary. The applicant has submitted an Employability and Skills Profile, and Planning consulted with the Council's Economic Development Unit (EDU) who confirmed that given the scale of the employment to be created and reported skills shortages, Employability and Skills related Developer Contributions Section 76 clauses will not be required for the construction or operational phase.</p>
5.73	<p><u>Section 76 planning agreement</u></p> <p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Affordable housing – to require the delivery of the 12 social housing units; • Green travel measures – travel plan and green travel measures; • Management and maintenance of communal open space and landscaping.
5.74	<p><u>Pre-application Community Consultation</u></p> <p>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.</p>
5.75	<p>The applicant sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Issued a press notice to highlight information about the proposals and provide notification of an online public information event; • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; and • Hosted an online public exhibition event with members of the project team to assist in any questions and to allow for further feedback.
5.76	<p>The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed, and considered.</p>
5.77	<p>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.</p>
5.78	<p>It should be noted that the public event was online as per a relaxation of pre-application community consultation requirements during Coronavirus emergency period as provided for in The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment No.2) Regulations (Northern Ireland) 2021.</p>

6.0	Recommendation
6.1	<p>The proposal would provide housing units including a significant element of social housing, for which there is a significant unmet need in the city and would assist the further regeneration of an area that is socially and economically deprived. The design of the proposed housing is considered on balance acceptable. Sufficient parking would be provided and the proposal would not be detrimental to highway safety. The proposal, if approved, would not give rise to harmful impacts on existing neighbouring properties. It is recommended that planning permission is granted.</p>
6.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement and deal with any other matters that arise, provided that they are not substantive.</p>
7.0	<p>DRAFT CONDITIONS:</p> <p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p><i>Materials</i></p> <p>No external brickwork or render 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.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick materials.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>No external roofing shall be constructed or applied unless in accordance with a written specification and a physical sample, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p><i>Drainage and Flooding</i></p> <p>No development shall proceed beyond sub-floor construction until a suitable dedicated surface water solution has been agreed upon. The applicant may requisition NI Water in accordance with Article 154 of the Water and Sewerage Services (Northern Ireland) Order 2006, for this purpose.</p> <p>Reason: To ensure a practical solution to the disposal of surface water from this site.</p> <p>Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with 4.8 and Appendix E of SPG, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event,</p>

including an allowance for climate change (10%) and urban creep (10%).
Reason: In order to safeguard against surface water flood risk.

PSD, Access and Parking

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 Private Streets Determination Drawing No. C-01, Revision F bearing the Department for Infrastructure Determination date stamp 26th October 2023.

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.

Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, 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.

Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, 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.

The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination Drawing No. C-01, Revision F, published on the Planning Portal 4th May 2023, 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.

The vehicular accesses, including visibility splays, shall be provided in accordance with the approved plan, 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.

No part of the lay-by fronting the proposed houses 30-38 shall be constructed until permission has been granted to relocate the bus stop/shelter on Shankill Road.

Reason: To ensure the orderly development of the site and the necessary road works.

The Residential Travel Plan, published on the Planning Portal 26th November 2022, shall be implemented on completion of the development.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

Covered and secure cycle parking shall be provided in accordance with Private Streets Determination Drawing No. C-01, Revision F, published on the Planning Portal 4th May 2023.

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

Human health

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 RSK Ireland Ltd report entitled 'Michael Nugent Ltd, Remediation Strategy, Lands at Lanark Way, Belfast, 603564-R2(00), October 2022' 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 homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:

a) A minimum 800mm capping layer has been emplaced in all landscaped areas formed from material that is demonstrably suitable for use (residential with homegrown produce).

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

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. 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 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.

Prior to installation of window units within each phase or each block of the hereby permitted development, the applicant shall submit to the planning authority, for review and approval in writing, a final window schedule detailing the glazing configuration and sound reduction performance of proposed windows to habitable rooms of the hereby permitted development. The sound reduction specification for the chosen windows shall be in accordance with the requirements identified in annotated colour coded figure K of the Lester Acoustics report dated 25th November, referenced MRL/1502/L03.

Reason: Protection of health and amenity against adverse noise impact.

Prior to installation of any alternative means of ventilation to be incorporated within each phase or block of the hereby permitted development, the applicant shall submit to the planning authority, for review and approval in writing, confirmation of the specification of the alternative means of ventilation to serve habitable rooms. The sound reduction specification for the alternative means of ventilation shall be in accordance with the requirements identified in figure K of the Lester Acoustics report dated 25th November, referenced MRL/1502/L03.

Reason: Protection of health and amenity against adverse noise impact.

Prior to occupation of each phase or block of the hereby permitted development, the window schedule and approved alternative means of ventilation shall be installed, as approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided. The approved windows and alternative means of ventilation shall be retained thereafter.

Reason: Protection of health and amenity against adverse noise impact.

In the event that dormer style windows are proposed anywhere at the hereby permitted development, an enhanced specification of ceiling construction shall be installed in accordance with recommendation identified on page 1 of the Lester Acoustics report dated 11th March 2022, report reference: MRL/1502/L01.

Reason: Protection of health and amenity against adverse noise impact.

Prior to occupation of each phase or block of the hereby permitted development, the acoustic barrier (2m high wall with coping stone) shall be constructed in the areas of the site as identified in the Alan Bennett Architect's drawing titled: 'Proposed Site Plan' dated X.

Reason: Protection of health and amenity against adverse noise impact.

Heritage

No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the 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.

No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition number X.

Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.

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 Y above. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the 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.

Landscaping

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.

The residential units hereby approved shall not be occupied until their respective boundary treatments have been implemented in accordance with the approved plans. The boundary treatments shall be retained in accordance with the approved details.

Reason: In the interests of amenity.

Works shall be managed and maintained thereafter in accordance with the landscape management and maintenance plan.

Reason: To ensure establishment and longevity of the soft landscaping plan.

The development hereby permitted shall not be occupied until details of the hard surfaces within the site, including driveways, parking and turning areas, footways and patios, have been submitted to and approved in writing by the Council. All new hard surfacing areas shall be permeable or drained to a permeable area. The development shall not be occupied unless the approved works have been carried out and retained as such thereafter.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage.

The development hereby approved shall not be occupied until the external amenity areas 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.

The development hereby approved shall not be occupied until the open spaces have been provided in accordance with the approved plans. The open spaces shall be retained as such at all times.

Reason: To ensure that appropriate provision is made for open space.

The development hereby approved shall not be occupied unless a management plan for managing and maintaining the open space has been submitted to and approved in writing by the Council. The open space and play equipment shall be managed and maintained in accordance with the approved management plan at all times.

Reason: To ensure that the open space is properly managed and maintained.

Climate Change

The development hereby approved shall not be occupied unless the climate change measures have been implemented in accordance with the submitted details. 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.

Waste Management

Prior to the occupation of any apartment hereby permitted, the bin store area shall be constructed in accordance with the approved drawings and retained thereafter. Access to the bin storage area shall be available to residents of the apartments hereby permitted at all times.

Reason: In the interests of residential and visual amenity.

Removal of Permitted Development Rights

Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no extension, garage, shed, outbuilding, wall, fence or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area.

ANNEX	
Date Valid	15 April 2022
Date First Advertised	27 April 2022
Date Last Advertised	27 April 2022
Details of Neighbour Notification (all addresses) Neighbours Issued: 15 May 2022 31 Caledon Street,Belfast,Antrim,BT13 3AX 396 Shankill Road,Belfast,Antrim,BT13 3AD 8 Lanark Way,Belfast,Antrim,BT13 3BH 6 Caledon Street,Belfast,Antrim,BT13 3AX 33 Caledon Street,Belfast,Antrim,BT13 3AX 12 Mayo Court,Belfast,Antrim,BT13 3BE 13 Caledon Street,Belfast,Antrim,BT13 3AX 374b ,Shankill Road,Belfast,Antrim,BT13 3AD 12 Lanark Way,Belfast,Antrim,BT13 3BH 4 Lanark Way,Belfast,Antrim,BT13 3BH 10 Caledon Street,Belfast,Antrim,BT13 3AX 19 Caledon Street,Belfast,Antrim,BT13 3AX 387-389 ,Shankill Road,Belfast,Antrim,BT13 3AF 395-401 ,Shankill Road,Belfast,Antrim,BT13 3AF 7 Mayo Court,Belfast,Antrim,BT13 3BE 403 Shankill Road,Belfast,Antrim,BT13 3AF 400 Shankill Road,Belfast,Antrim,BT13 3AD 14 Lanark Way,Belfast,Antrim,BT13 3BH 384 Shankill Road,Belfast,Antrim,BT13 3AD 2 Caledon Street,Belfast,Antrim,BT13 3AX 10 Mayo Court,Belfast,Antrim,BT13 3BE 14 Caledon Street,Belfast,Antrim,BT13 3AX	

21 Caledon Street,Belfast,Antrim,BT13 3AX
 8 Caledon Street,Belfast,Antrim,BT13 3AX
 394 Shankill Road,Belfast,Antrim,BT13 3AD
 4 Caledon Street,Belfast,Antrim,BT13 3AX
 5 Mayo Place,Belfast,Antrim,BT13 3EG
 388-390 ,Shankill Road,Belfast,Antrim,BT13 3AD
 378 Shankill Road,Belfast,Antrim,BT13 3AD
 380 Shankill Road,Belfast,Antrim,BT13 3AD
 2a ,Caledon Street,Belfast,Antrim,BT13 3AX
 382 Shankill Road,Belfast,Antrim,BT13 3AD
 9 Caledon Street,Belfast,Antrim,BT13 3AX
 3 Mayo Place,Belfast,Antrim,BT13 3EG
 12 Caledon Street,Belfast,Antrim,BT13 3AX
 364 Shankill Road,Belfast,Antrim,BT13 3AD
 402a ,Shankill Road,Belfast,Antrim,BT13 3AD
 4 Mayo Place,Belfast,Antrim,BT13 3EG
 1 To 4 ,Lanark Way,Belfast,Antrim,BT13 3BH
 Shankill Road,Belfast,Antrim,
 2 Mayo Place,Belfast,Antrim,BT13 3EG
 10 Lanark Way,Belfast,Antrim,BT13 3BH
 27 Caledon Street,Belfast,Antrim,BT13 3AX
 25 Caledon Street,Belfast,Antrim,BT13 3AX
 398 Shankill Road,Belfast,Antrim,BT13 3AD
 374a ,Shankill Road,Belfast,Antrim,BT13 3AD
 29 Caledon Street,Belfast,Antrim,BT13 3AX
 383-385 ,Shankill Road,Belfast,Antrim,BT13 3AF
 1 Lanark Way,Belfast,Antrim,BT13 3BH
 20 Caledon Street,Belfast,Antrim,BT13 3AX
 1b ,Caledon Street,Belfast,Antrim,BT13 3AX
 9 Mayo Court,Belfast,Antrim,BT13 3BE
 392 Shankill Road,Belfast,Antrim,BT13 3AD
 374 Shankill Road,Belfast,Antrim,BT13 3AD

23 Caledon Street,Belfast,Antrim,BT13 3AX
15 Caledon Street,Belfast,Antrim,BT13 3AX
380 Shankill Road,Belfast,Antrim,BT13 3AD
352-358 ,Shankill Road,Belfast,Antrim,BT13 3AD
Lanark Way,Belfast,Antrim,BT13 3BH
17 Caledon Street,Belfast,Antrim,BT13 3AX
391-393 ,Shankill Road,Belfast,Antrim,BT13 3AF
11 Caledon Street,Belfast,Antrim,BT13 3AX
6 Lanark Way,Belfast,Antrim,BT13 3BH
18 Caledon Street,Belfast,Antrim,BT13 3AX
376 Shankill Road,Belfast,Antrim,BT13 3AD

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Development Management Officer Report Committee Application

Addendum	
Application Ref: LA04/2023/4153/F	Committee Meeting Date: 18th June 2024
Proposal: Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property.	Location: 44 Ponsonby Avenue, Belfast, BT15 2LS
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 Conor Maskey) and paragraph 3.8.7 (discretion of the Director)	
Recommendation:	Approval
Applicant Name and Address: Samuel McCammon 184 Newry Road Banbridge BT32 3NB	Agent Name and Address: Samuel McCammon 184 Newry Road Banbridge BT32 3NB
<p>Executive Summary: This application seeks full planning permission for Change of use from dwelling to 6 Bed House in Multiple Occupation (HMO). The site is No. 27 Ponsonby Avenue.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Alexandra Park ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection • Other matters <p>18 objections have been received with the issues raised addressed within the main report.</p> <p>The application has been called in for the following reasons:</p> <ol style="list-style-type: none"> 1) The application may negatively affect parking and traffic in the street (and surrounding area) and; 2) The application may negatively impact amenity (regarding additional waste disposal units required at the properties) <p>The scheme is compliant with Policy HOU10 in that the 10% threshold for HMO's on Ponsonby Avenue has not yet been reached. Officers consider that the scheme will not be harmful in terms of traffic, parking, impact on amenity of the surrounding area or the Alexandra Park Area of Townscape Character.</p> <p>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.</p>	

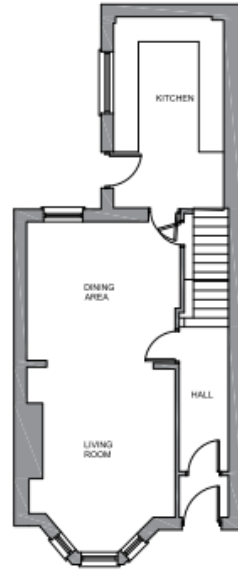
Officer Report

1.0

Drawings

1.1

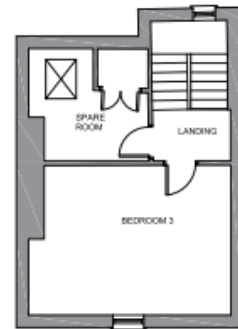
Existing Floor Plans



Existing Ground Floor

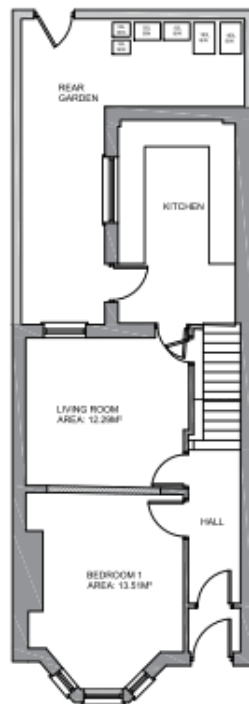
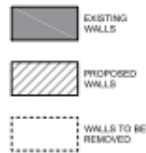


Existing First Floor



Existing Second Floor

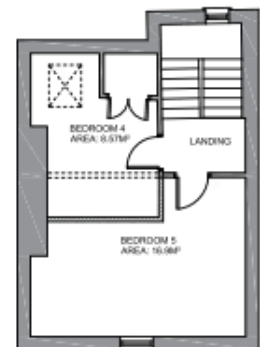
Proposed Floor Plans



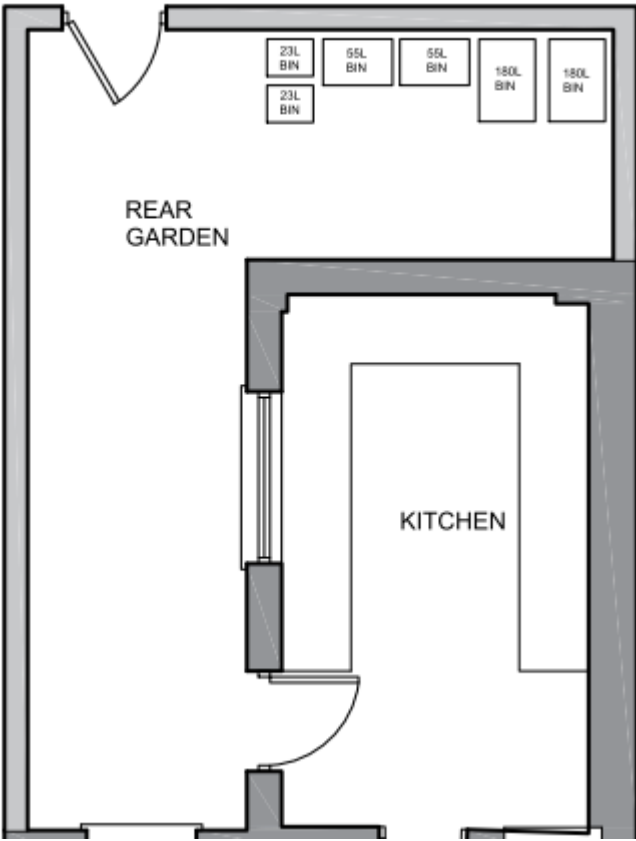
Proposed Ground Floor



Proposed First Floor



Proposed Second Floor

	<p>Bin storage and amenity</p>  <p>Please note that no external alterations are proposed and therefore elevations have not been provided.</p>
2.0	Characteristics of the Site and Area
2.1	The application site is located at 44 Ponsonby Avenue in the Newington area of North Belfast.
2.2	The building is a 2.5 storey terraced dwelling finished in red brick with a rendered bay window to the front. There is a small, enclosed amenity space to the front with pedestrian access. There is also a small amenity space to the rear which backs onto an alleyway.
2.3	The site does not fall within any of the existing HMO Policy Areas or Development Nodes; therefore the 10% threshold applies.
2.4	The site is in Draft Belfast Metropolitan Area Plan 2015 - Designation BT 030 Area of Townscape Character: Alexandra Park, Belfast.
3.0	Description of Proposal
3.1	The application is seeking full planning permission for change of use from a dwelling to 5 Bed House in Multiple Occupation. No works to the exterior or elevation of the property.

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 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 N/A
5.3	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received 18 objections, issues raised are summarised as follows:</p> <ol style="list-style-type: none"> 1. Parking, traffic, road safety and enforcement 2. Waste and refuse collection 3. Anti-social behaviour/noise 4. Negatively impact on the character of the area 5. Anti-social behaviour <p>Issues 1-5 are covered in the main body of the report. Additional points are considered as follows:</p> <p>6. Precedent for further HMOs in the area - Each application is decided on its own merit. Officers consider that this scheme is compliant with policy considerations.</p> <p>7. Impact on the provision of family homes in the area - This HMO is for 5 bedrooms, the licensing process will determine how many persons the home can accommodate. HMO's can meet high demand for housing and the application site is located close to services and public transport. The policy considerations are dealt with in the main body of the report.</p> <p>8. The dwelling does not have the appropriate fire safety measures This would be an issue for building control and licensing to deal with if the application is approved.</p> <p>9. Loss of a sense of community, high turnover of tenants Planning policy seeks to provide balanced communities through the provision of a mix of housing along streets.</p>

	<p>10. The dwelling is not spacious enough to accommodate an HMO All 5 bedrooms and communal area comply with space standards as set out in pg. 319 of the Belfast LDP 2035.</p> <p>11. The consultation response from BCC Housing Team on LA04/2023/3319/F does not include No. 31 Ponsonby Avenue This issue has been resolved with the housing team. The initial response alluded to No. 37 Ponsonby Avenue, which was a typographical error and should have said No. 31.</p> <p>12. Noise from construction if approved There are no external alterations proposed as part of this scheme.</p> <p>13. Property is not located within an existing tourism cluster This policy (HOU 13) applies to short-term lets and not HMOs.</p> <p>14. Issues with sewerage There are no extra bathrooms proposed to what is existing. The dwelling will be connected to the main sewerage network as all properties on the street are.</p> <p>15. Over-occupation/anti-social behaviour Officers consider that the scheme complies with space standards and provides a suitable number of bedrooms. 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.</p> <p>The NIHMO Unit 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.</p> <p>Some objections allude to noise emanating from the existing property. This would be outside the remit of planning as the dwelling has not received planning permission for an HMO. Any perceived noise coming from existing residents.</p>
6.0	PLANNING ASSESSMENT
6.1	<p>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.</p> <p>6.1.1 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.</p> <p>6.1.2 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</p>

	statutory local development plan ("Departmental Development Plan") until the Local Policies Plan is adopted.
6.2	<p>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).</p>
6.3	<p>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.</p>
6.4	<p>The site is designated within the limits of Belfast under both Draft and adopted Belfast Metropolitan Area Plan 2015 - Designation BT 001 Development Limit: Belfast City. The site is white land under Belfast Urban Area Plan 2015.</p> <p>Operational Policies</p> <ul style="list-style-type: none"> • HOU10 – Housing Management Areas • BH3 – Areas of Townscape Character • RD1 – New Residential Developments • TRAN8 – Car Parking and Servicing Arrangements
6.5	<p>Key Issues</p> <ul style="list-style-type: none"> • The principle of an HMO at this location • Impact on the character and appearance of the Alexandra Park ATC • Impact on residential amenity • Traffic, Parking and Access • Waste and refuse collection
6.6	<p>The principle of an HMO at this location</p> <p>44 Ponsonby Avenue is not within a Housing Management Area (HMA) or HMO Development node, therefore Policy HOU 10 applies.</p> <p>Policy HOU10 states:</p> <p><i>'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.'</i></p> <p>According to the LPS Pointer Address database there are 48 domestic properties on Ponsonby Avenue. Following the methodology outlined above, the HMO Licence Register and Planning records show there are 2 HMOs on the street (Nos. 31 and 57). Taking account of the number of dwelling units within Ponsonby Avenue, two further HMOs would</p>

	<p>be permitted before the 10% threshold would be exceeded. Therefore, the principle of an HMO at this location is acceptable.</p>
6.7	<p>Impact on the character and appearance of the Alexandra Park ATC</p> <p>When considering the prevailing area, the proposed development in terms of scale, layout, design and materials must be in keeping with the site and its surrounding area. The character and appearance of the Alexandra Park ATC in this case would be preserved as the application is for change of use only and no external alterations to the property are proposed.</p> <p>The proposal is compatible with adjacent land uses. It would not harm the amenity of adjacent and nearby properties, including unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight. The policy context is set out in Policies HOU 10, BH3, RD1 & TRAN8 below which further address amenity.</p>
6.8	<p>Impact on residential amenity</p> <p>The proposal complies with the HMO space standards for a 5-bed HMO as set out within Belfast Local Development Plan: 2035, Appendix C, table C3. . The kitchen and living room greatly exceed the space standards for a combined kitchen / living room. The proposal would provide a quality and sustainable residential environment.</p> <p>It is considered that there will be no adverse impact on the amenity of adjacent properties and the wider street. The HMO will further require to be licensed with BCC which mitigates amenity concerns by enforcing an anti-social behaviour plan and ensuring the HMO operator runs the property effectively. The property will be served by appropriate refuse storage which will be collected as normal.</p> <p>The property is a 2.5 storey dwelling and is an appropriate size to accommodate an HMO, comfortably providing accommodation for 5 people whilst still meeting the space standards.</p>
6.9	<p>Policy RD1</p> <p>Policy RD1 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:</p> <ul style="list-style-type: none"> a) <i>Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential areas – it is considered that the proposed use does not conflict with adjacent land uses.</i> The HMO licensing scheme also seeks to ensure that landlords are compliant with regulations, such as the number of occupants and sufficient bin storage. b) <i>Does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance – it is considered 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 the current situation. Noise or other disturbance will be addressed by the anti-social behaviour plan which is a licensing requirement.</i> c) <i>Makes provision for, or is, accessible and convenient to public transport and walking and cycling infrastructure – the proposal is located 1 minute from the Antrim Road which has several bus stops and has good access to services and amenities. There is sufficient space for cycle parking to the front and rear.</i>

	<p>d) <i>Provides appropriate open space</i> – the proposal maintains the current level of open space, and in addition, the area has good access to open space such as the Waterworks and Alexandra Park.</p> <p>e) <i>Keeps hard surfacing to a minimum</i> – no additional hard standing is proposed as part of this application.</p> <p>f) <i>Creates a quality and sustainable residential environment in accordance with the space standards set out in Appendix C</i> – as described, the proposal generally meets the requirements set out in the space standards and provides an appropriate amount of living space for the occupants of the 5 bedrooms.</p> <p>g) <i>Does not contain any units which are wholly in the rear of the property without direct, safe and secure access from the public street</i> – all units have safe and secure access from the front door of the dwelling.</p> <p>h) <i>Ensures that living rooms, kitchens and bedrooms have access to natural light</i> - all habitable rooms in the dwelling have access to natural light.</p> <p>7.0 Policy RD3</p> <p>Policy RD3 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:</p> <p>a) Any units are self-contained - Officers consider that this criterion is met.</p> <p>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. The property will provide appropriate refuse bins for general waste, recycling and food waste.</p> <p>c) The original property is greater than 150 square metres gross internal floorspace in the case of sub-division of an existing dwelling – No subdivision is occurring.</p> <p>d) Conversions above commercial premises do not prejudice the commercial functions of the business - This criterion is not relevant to this application.</p> <p>7.1 Traffic, Parking and Access</p> <p>Officers acknowledge the objections to parking. Whilst the various policy requirements seek to address need and protect residential amenity, the provision of car parking is not a requirement of this policy. Policy TRAN8 ‘Car parking and servicing arrangements’ states: ‘<i>Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements</i>’. However, existing Regional Planning Policy and supplementary planning guidance, including the published ‘Parking Standards’, do not incorporate car parking as a requirement for HMO development. Furthermore, the site is in a sustainable location with metro services running alongside the site. In this context adequate provision is provided to meet TRAN8.</p> <p>Notwithstanding the above, the applicant conducted a parking survey to assess parking demand in the area, which DfL Roads were consulted on and have no objection to. Officers consider that the survey is acceptable in that it displays a sufficient level of parking in the vicinity of the site. The parking survey concludes that the scheme will not be detrimental to</p>
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7.2	<p>on-street parking in the prevailing area. DfI Roads were consulted with the parking survey and responded to state that they are content with its findings. Objectors raised concerns regarding parking enforcement. The PSNI and DFI would be responsible for enforcing the Highways Act and parking regulations.</p> <p>Waste and Refuse Collection</p> <p>Objectors have alluded to previous issues with bin lorries getting down Ponsonby Avenue.</p> <p>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.</p> <p>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 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).</p> <p>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.</p> <ol style="list-style-type: none"> 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 <p>Officers consider that this policy is complied with. The yard to the rear will continue to host the bins as before. The disposal of rubbish is the responsibility of tenants and the landlord.</p> <p>The requirement for black bins is only marginally above 2 which may be deemed acceptable, however there is sufficient space should 3 be required. The rear amenity space of the property is 19.38 sqm. The provision of 3 sets of bins would leave approximately 16.9sq m 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 <i>"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"</i>.</p>
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.

<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 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. <p>DRAFT INFORMATIVES:</p> <ol style="list-style-type: none"> 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. 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. 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	17/10/2023
Date First Advertised	27/10/2023
Date Last Advertised	27/10/2023
Details of Neighbour Notification (all addresses) 36 Ponsonby Avenue 40 Ponsonby Avenue 42 Ponsonby Avenue 46 Ponsonby Avenue 47 Ponsonby Avenue 49 Ponsonby Avenue 51 Ponsonby Avenue 53 Ponsonby Avenue 55 Ponsonby Avenue	

57 Ponsonby Avenue
43 Newington Avenue
45 Newington Avenue
47 Newington Avenue
58 Newington Avenue
60 Newington Avenue
62 Newington Avenue
64 Newington Avenue
66 Newington Avenue
68 Newington Avenue
70 Newington Avenue
72 Newington Avenue

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Development Management Officer Report	
Application ID: LA04/2023/4616/F	Committee Date: 18 th June 2024
Proposal: Installation of glazed box to enclose existing external seating area	Location: NICOS, 54 Lisburn Road, Malone Lower, Belfast, BT9 6AF
Applicant Name and Address: Nicos Lisburn Road Ltd 54 Lisburn Road Belfast BT9 6AF	Agent Name and Address: Diana Thompson 4 College House Citylink Business Park Belfast BT6 9FP
Referral Route: Section 3.8.5 (f) of the Scheme of Delegation – objection received from a statutory consultee and the recommendation is to approve.	
Recommendation: Approval subject to conditions.	

Executive Summary:

The application seeks full planning permission for the installation of a glazed extension to the front of an existing terrace property, to enclose an external restaurant seating area.

The key issues to be considered are:

- The principle of development
- The impact on the character and appearance of the draft Area of Townscape Character
- The impact on the setting of nearby listed buildings
- Impact on amenity and adjacent uses
- Highway safety

The site is within the draft Lower Lisburn Road Area of Townscape (ATC) in draft BMAP. There are Listed terraces nearby on the same side of the road and on the opposite side of the road both to the south-west.

DfC HED raises concerns about the impact of the proposal on both nearby Listed terraces. Internal conservation advice is concerned about the location and design of the extension and that it would be harmful to the draft ATC. DFI Roads raises no objections.

In view of the location of the extension which terminates the end of the terrace next to the junction with Camden Street, the semi-commercial character of the terrace, changing context of this part of Lisburn Road with planning permission having been granted for the iReach healthcare buildings next to the site, together with the importance of the proposal in supporting the existing restaurant business, it is recommended that a temporary 3 year permission is granted. This will allow opportunity for the impact of the proposal to be reviewed.

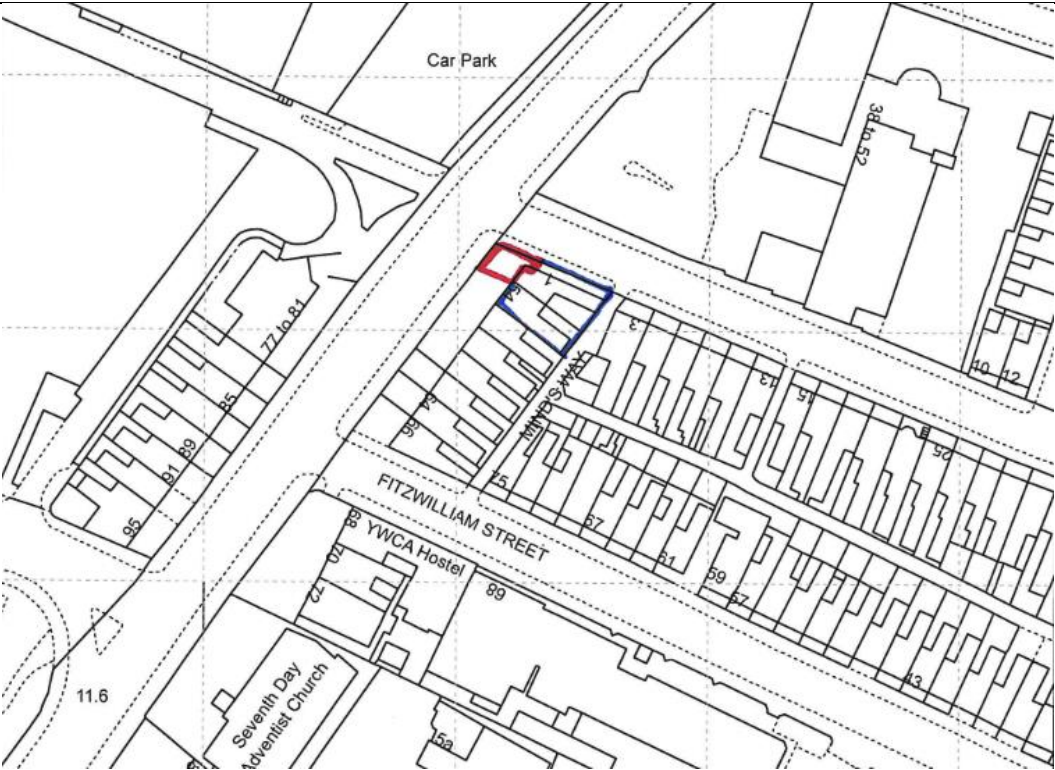
Recommendation

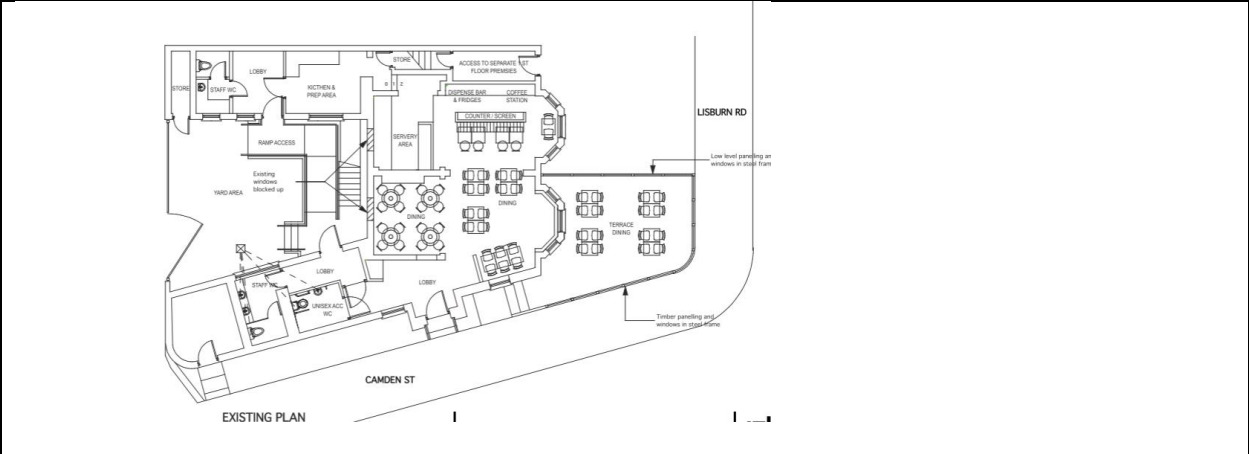
Having regard to the development plan and other material considerations, the proposal is considered acceptable on a temporary 3 year period in order that the impact of the proposal can be fully assessed. It is recommended that planning permission is granted on a temporary basis, subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters which may arise.

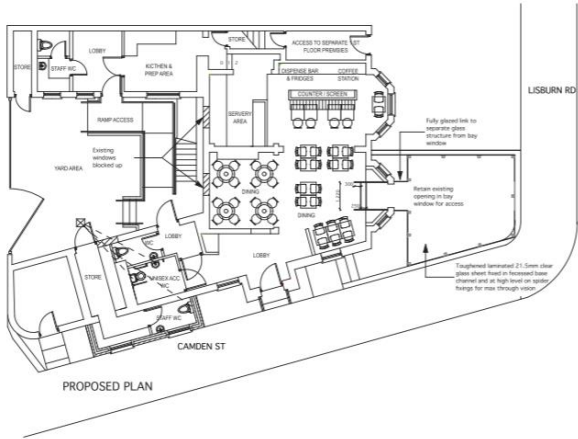
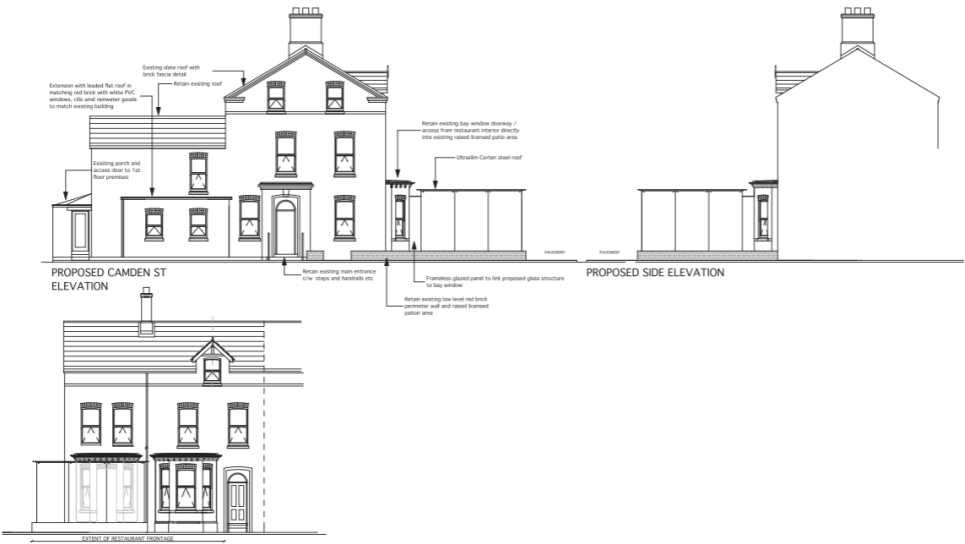
Case Officer Report

Site Location Plan:





Proposed Elevations & Plans



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks full planning permission for the erection of a glazed extension to the front of an existing terrace property, to enclose an external seating area.
2.0	Characteristics of Site and Area
2.1	The application site is located at 54 Lisburn Road, Belfast. The building forms the corner site on an end terrace at the junction of Lisburn Road and Camden Street. It is finished in red brick, with white UPVC windows. The ground floor of the property is currently occupied by Nico's Restaurant. The current frontage onto the Lisburn Road is an enclosed unauthorised roofed seating area made up of glazing panels and windows set atop a low red brick wall. The main access to the restaurant is via a door located on Camden Street which is to the side of the premises. The restaurant façade onto Lisburn Road occupies 2 bay windows of the terrace.
2.2	The site is located outside the bounds of the City Centre boundary, within the designated Queens Office Area and within the Lower Lisburn Road Area of Townscape Character and Area of Parking Restraint, as designated within the draft Belfast Local Development Plan 2015.
2.3	The adjoining buildings are a mix of commercial businesses in the form of beauty salon, dentist and office accommodation with residential properties to the rear (east) of the premises. Belfast City Hospital faces the site to the west and Radius Housing blocks sit opposite on the other side of Camden Street.
2.4	There are a number Listed Buildings in the locality to the south of the proposal site on both sides of the road. One the same side of the road are Nos. 68-72 Lisburn Road. These buildings are currently in use as a doctors surgery and offices. No's 68 & 70 are Grade B1 (HB26/28/042/ A-B) and No. 72 is Gade B (HB26/28/042/ C). There is also a listed terrace across the street from the proposal site, Nos. 77-95 Lisburn Road, formerly known as Wilmont Terrace. These buildings are currently used as offices by Belfast City Hospital. This terrace is in its entirety Grade B1 listed (HB26/28/030 A-J).
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Application Number: Z/2009/0856/F Proposal: Change of use from offices to coffee shop/bistro at ground floor level Decision: Permission Granted Decision Date: 21 September 2009
3.2	Application Number: Z/2014/0105/F Proposal: Alteration of front bay window to create disabled access. Decision: Permission Granted Decision Date: 15 April 2014

3.3	<p>Application Number: LA04/2015/0414/A Proposal: Shop signs Decision: Consent Granted Decision Date: 16 September 2015</p>
3.4	<p>Application Number: LA04/2018/2836/A Proposal: 2 no. banner advertisements fixed to side elevation and advertisements affixed to front fencing. (Retrospective) Decision: Consent Refused Decision Date: 15 April 2019</p>
3.5	<p>Application Number: LA04/2021/2117/F Proposal: Proposed roofed terrace area to front of building and single storey side extension. A temporary one-year permission was granted until February 2023. Decision: Permission Granted Decision Date: 21 February 2022</p>
4.0	Policy Framework
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <ul style="list-style-type: none"> • Policy DES1 – Principles of Urban Design • Policy BH1 – Listed Buildings • Policy BH3 – Areas of Townscape Character • Policy TRAN6 – Access to Public Roads • Policy ENV1 – Environmental Quality
4.2	Sensitive Uses Supplementary Planning Guidance
4.3	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.4	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.5	<p>Other Policies Belfast Agenda</p>
5.0	Statutory Consultations
5.1	<p>DfC Historic Environment Division – objection.</p> <p>HED considers that the proposal would have an adverse impact on the setting of the listed terrace across the street from the proposal site. Under the previous temporary approval they were content with a front extension, having regard to the Covid pandemic and the need for social distancing. However, they are now of the opinion that permanent construction would set a harmful precedent to the setting of the listed building. HED agrees with the BCC conservation advice that the proposal contradicts</p>

5.2	<p>the rhythm of the terrace and obstructs views Southwest along the Lisburn Road towards the listed Wilmont Terrace.</p> <p>DfI Roads – No Objection</p>
6.0 6.1	<p>Non-Statutory Consultations</p> <p>Conservation Advice Belfast City Council – objection.</p> <p>Internal conservation advice states that a glazed enclosure is contextually inappropriate and would create an alien form plot structure. They consider that the proposal would visually obscure one of the key features of the ATC, that being the terraces that front and enclose its street space. They also state that the proposal would be disruptive of serial ground level views and rhythm of the canted bay windows. They state that a permanent structure would be visually disruptive and would disrupt permeability between public space and the building.</p> <p>Conservation advice comments that additional seating could be accommodated through an extension in the rear yard area, or by using removable umbrellas, although acknowledge this would not be viable during periods of inclement weather.</p>
7.0	<p>Representations</p> <p>None received</p>
8.0	<p>Development Plan Context</p>
8.1	<p>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.</p>
8.2	<p>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.</p>
8.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
8.4	<p>Operational Policies</p> <p>The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 4.1.</p>

8.5	<p>Proposals Maps</p> <p>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.</p>
9.0	<p>ASSESSMENT</p>
9.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance of draft Area of Townscape Character • Impact on the setting of nearby listed buildings • Impact on amenity and adjacent uses • Highway safety <p>Principle of development</p>
9.2	<p>The application is seeking planning permission for the installation of an enclosed/covered seating area to the front of the property. This structure proposed under this application is an amendment to the previous temporary approved development, granted a one-year permission in February 2022 to February 2023. A covered glazed extension was constructed but not in accordance with the temporary approval. It remains in situ pending the outcome of this application.</p>
9.3	<p>The proposal covers a floorspace area of approximately 24sqm, a reduction of 4sqm from the previous structure which covered an approximate ground floor area of 28sqm. The proposal measures approximately 5.7m from the bay window of the existing property towards the road and approximately 5.5m in width at the front of the extension with a finished height of approximately 3m set atop a low set brick wall of approximately 0.4m in height. Toughened glass sheet enclosure of frameless glazed panels with a slimline Corten steel roof is proposed.</p>
9.4	<p>Planning approval granted under Z/2009/0856/F allowed for the change of use from offices to coffee shop/bistro at ground floor level. The use of the premises as a restaurant is therefore established. It is acknowledged that the outdoor seating to the front of the property has been well established as Google maps shows the raised area in existence since April 2010 with seating in place March 2011 and is therefore immune from enforcement.</p>
9.5	<p>Under LA04/2021/217/F, planning permission was granted for a single storey side extension and retrospective permission for the outdoor covered seating area. The single-storey side extension has not yet been implemented on site. The retrospective planning approval for the covered seating area was granted for a temporary period of 1 year, however, the outdoor covered seating area to the front was already in place but was not the same as what was on the approved plans.</p>

	<p>The temporary condition read:</p> <p>‘The roofed enclosure hereby permitted over the outdoor seating area to the front of the building as shown on drawing no’s 04 Rev 1 and 05 Rev 1 shall be removed and the land restored to its former condition on or before the 18th February 2023.</p> <p>Reason: The development has only been granted temporary permission because the proposal further detracts from the character and setting of the area.’</p>
9.6	<p>The reasoning given for the temporary permission was that the covered seating area to the front of the building was contrary to policy, however, in light of the COVID-19 pandemic and the need for social distancing, the Council was prepared to grant a temporary approval for this structure.</p>
9.7	<p>The temporary structure was required to be removed by February 2023 but remains on site pending consideration of the current application, which seeks permission for an alternatively designed roofed restaurant seating area.</p>
	<p>The impact on the character and appearance of draft Area of Townscape Character</p>
9.8	<p>The site is within the draft Lower Lisburn Road Area of Townscape Character (designation BT 042) in the draft Belfast Metropolitan Area Plan 2015.</p> <p>Policy DES1 – Principles of Urban Design states that:</p> <p><i>‘Planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking by:</i></p> <ul style="list-style-type: none"> <i>• Responding positively to local context and character through architecture and urban form that addresses matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape, materials and any impact on built and natural heritage; and</i> <i>• Positively reinforcing a sense of place by demonstrating that locally distinctive features have been identified, incorporated and enhanced where appropriate’</i>
9.9	<p>Policy BH3 – Areas of Townscape Character states that planning permission will be granted within an ATC where:</p> <ul style="list-style-type: none"> • ‘The area’s overall character is maintained or enhanced and built form is respected by way of height, scale, form, materials and detailing; • There is 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; • Locally distinctive features are retained or reinstated where possible; and • Sympathetic materials are used that respects surrounding buildings.’

9.10	The proposed extension would be located in a prominent position at the front of the terrace to the south side of Lisburn Road. Some of the terrace properties in this rank are in commercial use and the proposed front extension would be consistent with the terrace's largely commercial character. Nevertheless, the front extension would be prominent and harmful to a degree to the character and appearance of the terrace and wider area, although it is not considered that there would be significant loss of views within, into and out of the draft ATC.
9.11	The extent of impact would be partly mitigated by the materials and design, which are considered to be more lightweight and permeable in nature compared to the previous temporary permission. The proposed glass structure would be set out from and below the canted bay window roof as opposed to the previous approval and as such the architectural quality of the bay window in relation to the wider terrace would not be negatively affected as it would still be visible. As a result, distinctive features of the terrace have been considered and incorporated.
9.12	<p>Regard is had to the location of the premises at the termination of the end of the terrace and next to the junction of Camden Road. Regard is also had to the recent planning permission for the iReach health care buildings next to the site and either side of Lisburn Road (LA04/2023/3778/F), which would be of significant scale. If built out, this would further change the character and appearance of this part of Lisburn Road to the extent that may accommodate the proposed extensions in a less impactful manner.</p> <p><i>Other material considerations:</i></p>
9.13	The applicant has submitted a Planning Statement in support of the application. Included in this is a supporting statement from the accountants for the business and a letter of support from a local MLA. The statement sets out the basis of the previous approval, the revised proposal under consideration in this application with relevant policy consideration. The statement from the accounts of the business state that the area of floorspace in question in this application, accounts for 40% of the overall business turnover and as such to withhold permission would have an adverse impact on the sustainability of the business.
9.14	A further response from the agent in reply to internal conservation advice has also been received. This statement sets out reasoning why the suggestions from the internal conservation advice to extend the rear yard area for additional seating or to use removable parasols at the front terrace would not be viable options going forward.
9.15	<p>Having regard to these factors, it is considered to grant a temporary three-year permission to ascertain the full extent of the impact of the proposal. This would also allow opportunity for the neighbouring iReach development to be constructed and the proposal viewed in that context.</p> <p>Impact on the setting of nearby Listed Buildings</p>
9.16	Policy BH1 – Listed Buildings, states that planning permission will be granted for new development affecting the setting of listed buildings where the following criteria are met:

	<p>'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;</p> <p>b. The development does not result in the significant loss of key views of the listed building;</p> <p>c. The nature of the use proposed respects the character of the setting of the building;</p> <p>d. The development does not have a detrimental impact on the setting of the listed building;'</p>
9.17	<p>There are two Listed terraces close to the site: one on the same side of the street and one across the road from the site. The proposal would be viewed from the listed buildings across the road and vice versa. These two sites are not linked or attached in any way. The listed buildings on the same side of the road as the proposal site are separated by Fitzwilliam Street and a terrace of seven buildings which adjoin the proposal site. The listed building opposite at No.77 Lisburn Road has an unsympathetic glass block extension to the side, which makes the proposed extension less out of character than it might have been.</p>
9.18	<p>HED considers that the proposal would have an adverse impact on the setting of both Listed terraces. Under the previous temporary approval HED was content with a front extension, having regard to the Covid pandemic and the need for social distancing. However, they are now of the opinion that permanent construction would set a harmful precedent to the setting of the listed buildings. HED agrees with the BCC conservation advice that the proposal contradicts the rhythm of the terrace and obstructs views south-west along the Lisburn Road towards the listed Wilmont Terrace.</p>
9.19	<p>However, officers consider that the glazed and lightweight design of the proposed extension would help mitigate the impact on the setting of the two separate listed terraces. Regard is also had to the changing context of this part of Lisburn Road with the iReach development granted permission adjacent the site, as discussed above.</p>
9.20	<p>Whilst not fully compliant with Policy BH1, for the reasons stated previously, it is considered appropriate to grant a temporary permission to ascertain the full extent of the impact on the setting of the Listed Buildings.</p> <p>Impact on amenity and adjacent uses</p>
9.21	<p>The proposal represents a slight decrease in seating numbers to the seating area from what was previously granted temporary approval. Environmental Health was content with the proposal under the previous application (LA04/2021/2117/F). As this proposal would be a reduction in seating numbers, it is deemed that there would be no intensification in the use of the site and as such there are no unforeseen unacceptable impacts on amenity of any adjacent residential properties or indeed adjacent uses.</p>
9.22	<p>The use of this outdoor seating area has been ongoing for a number of years and no representations have been brought forward on the proposal in opposition. The adjacent uses of the other properties on the terrace which include a beauty salon and dentist, are deemed compatible with this proposal.</p>

<p>9.24</p> <p>9.25</p>	<p>Road safety</p> <p>The proposal is located at a corner junction of two streets. The structure extends out from the front of the property facing Lisburn Road and extends out in front of the side elevation of the property facing Camden Street. Although not specifically an access proposal, Policy TRAN6 is relevant in that the proposal could interfere with visibility at an existing road junction.</p> <p>Access to the site is pedestrian only and the proposal abuts the public footpath. DfI Roads was consulted and offers no objection to the proposal from a road safety perspective. Access to the development would be considered safe and the proposal would not prejudice road safety or significantly inconvenience road users at this location.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable on a temporary 3 year period in order that the impact of the proposal can be fully assessed. It is recommended that planning permission is granted on a temporary basis, subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters which may arise.</p>
<p>11.0</p>	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> 1. The front glazed box extension hereby approved shall be removed and the land and building restored to its previous condition within three years of the date of this planning permission. <p>Reason: A temporary three year permission has been granted in order that the Council can assess the full impact of the extension on the draft Area of Townscape Character and setting of Listed Buildings and having regard to the changing context of this part of Lisburn Road with the largescale iReach healthcare buildings granted permission adjacent the site.</p>

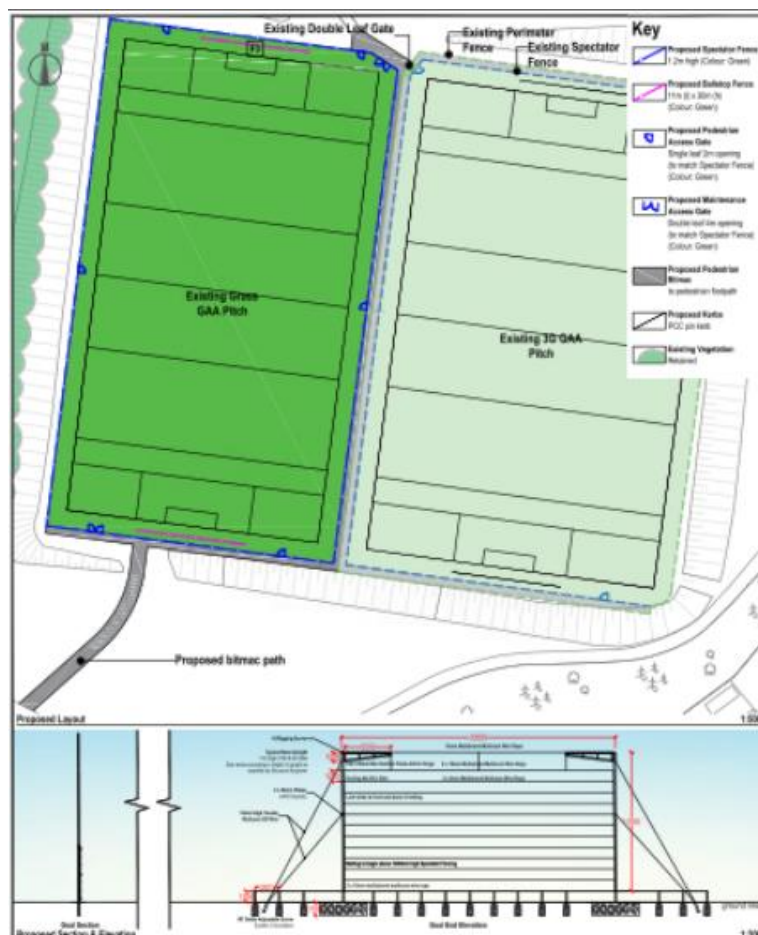
ANNEX	
Date Valid	20/12/2023
Date First Advertised	05/01/2024
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses) 1 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT 1A CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT 1B CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT FLAT 1 3 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT FLAT 2 3 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT FLAT 3 3 CAMDEN STREET MALONE LOWER BELFAST ANTRIM BT9 6AT 56 LISBURN ROAD MALONE LOWER BELFAST ANTRIM BT9 6AF 1 STEWART HOUSE 54 LISBURN ROAD MALONE LOWER BELFAST ANTRIM 1ST & 2ND FLOOR OFFICES STEWART HOUSE 54 LISBURN ROAD MALONE LOWER BELFAST 3 STEWART HOUSE 54 LISBURN ROAD MALONE LOWER BELFAST ANTRIM	

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Development Management Report Committee Report

Summary	
Application ID: LA04/2024/0128/F	Date of Committee: 18 th June 2024
Proposal: Proposed 11m (Height) x 30m (length) ball stop fencing, including perimeter and spectator fencing, with a pathway surrounding the existing pitch, and associated site works.	Location: Existing GAA pitch at Falls Park (Approx. 80 metres north of No. 13 Norfolk Park), Falls Road, Belfast
Referral Route: The application site is on land owned by Belfast City Council.	
Recommendation: Approval	
Applicant Name and Address: Terence Murphy Belfast City Council 4-10 Linenhall Street Belfast	Agent Name and Address: Terence Murphy Belfast City Council 4-10 Linenhall Street Belfast
<p>Executive Summary:</p> <p>The application seeks planning permission for a proposed 11m high ball stop fencing, spectator fencing and pathway to the existing grass pitch.</p> <p>The site is situated on lands reserved for landscape, amenity or recreation use within BUAP. The site is designated within dBMAP as an area of existing open space.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • Principle of development at this location; • Impact on residential amenity; and <p>There have been no objections from consultees. Environmental Health are content in principle with just a re-consultation on fence details outstanding.</p> <p>There have been no objections received from neighbours.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, (pending outstanding consultation responses) it is considered that the proposal should be approved.</p> <p>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 from the outstanding consultation response from Environmental Health.</p>	

Site Location Plan and Site Layout



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks planning permission for a 11m (Height) x 30m (length) ball stop fencing, including perimeter and spectator fencing, with a pathway surrounding the existing pitch, and associated site works.
2.0	Description of Site
2.1	The site is located within the lands within Falls Park. Belfast cemetery is located to the north of the proposal and to the west and east is existing open space/playing fields. Approximately 80m south of the site is residential properties at Norfolk Gardens.
2.2	The site is situated on lands reserved for landscape, amenity or recreation use within BUAP. The site is designated within dBMAP as an area of existing open space.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2013/1293/F - Proposed changing pavilion and 3g pitch, with associated perimeter fencing, floodlighting and additional car parking facilities on pitch adjacent to proposal. Approved
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and x2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy 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 DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the 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 the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Policy OS1 – Protection of Open Space
5.0	Statutory Consultees Responses None
6.0	Non Statutory Consultees Responses Environmental Health- Content in principle but we are awaiting re-consultation.

7.0	Representations
7.1	The application was advertised on the 21st February 2024 and neighbour notified on the 26 th February 2024.
7.2	No objections were received.
9.0	Assessment
9.1	It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
9.2	Principle of development The principle of open space/recreational development has already been established and deemed acceptable at this location. The proposal is for an upgrade of associated infrastructure to the existing grass pitch with the installation of ball stop fencing, spectator fencing and pathways. Thus, there is no objection in principle to this proposal subject to the material considerations set out below.
9.3	Impact on residential amenity The proposed ball stop fencing and netting is not located close to any neighbouring dwellings for any loss of light or overshadowing to occur. Environmental Health was consulted on potential noise from the spectator and ballstop fencing. They had informally responded that they are content in principle and requested a re-consultation of which we are yet to receive.
9.4	Character and Appearance of the Area: The proposal is incidental to an existing use within an area of open space and will have no adverse effect on the sporting potential of the facility. It will assist with the overall functioning and recreational use of the sports grounds. The proposal complies with Policy OS1. The proposed ball stop net (11m in height) and the 1.2m spectator fencing is considered appropriate for the use of the playing pitch it will border. The proposal is considered to be in compliance with the SPPS, in that it will not adversely impact on the local character and appearance of the area.
9.5	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation:
10.1	Approval. 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 from the outstanding consultation response from Environmental Health.
11.0	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. Informatives 1. This decision relates to the following approved drawing numbers: 01 and 02.

ANNEX	
Date Valid	24 th January 2024
Date First Advertised	1 st March 2024
Date Last Advertised	1 st th March 2024
Date of Last Neighbour Notification	26 th February 2023
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title 01 – Site location Plan 02 – Existing and Proposed site layout	

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Development Management Officer Report Committee Application

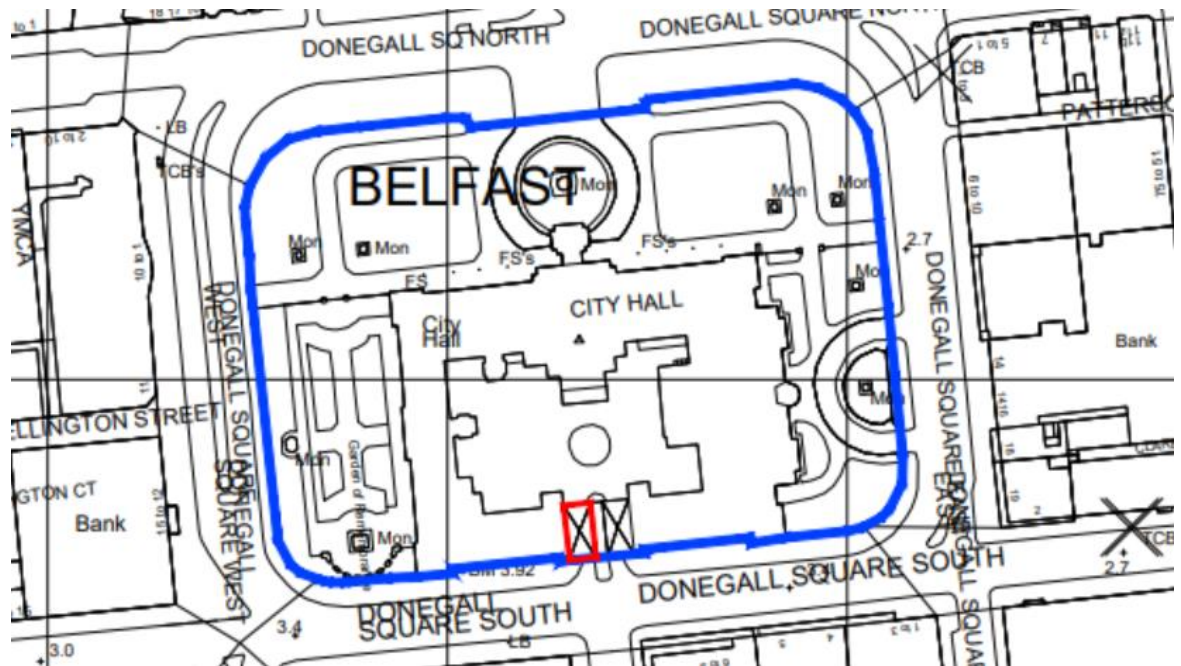
Summary	
Committee Meeting Date: 27 June 2024	
Application ID: LA04/2024/0778/LBC	Target Date: 27/08/2024
Proposal: Removal of existing wall mounted cycle racks and replacing with semi vertical cycle racks (free from wall mounting).	Location: 2 Belfast City Hall, City Hall Donegall Square North, Belfast, BT1 5GS
Referral Route: The application site is on land owned by Belfast City Council.	
Recommendation: Approval	
Applicant Name and Address: Sharon Wilson Belfast City Council Duncrue Complex Duncrue Belfast BT3 9BP	Agent Name and Address: Sharon Wilson Belfast City Council Duncrue Complex Duncrue Belfast BT3 9BP
<p>Executive Summary: The application seeks Listed Building Consent for the removal of existing wall mounted cycle racks and replacing with semi vertical cycle racks (free from wall mounting) within the grounds of City Hall.</p> <p>Belfast City Hall is a Grade A listed building of special architectural or historic interest.</p> <p>Area Plan</p> <p>The site is located within the City Centre in BUAP, within the City Centre Area of Townscape Character in both versions of dBMAP. The surrounding area is commercial in nature with a mix of city centre uses, the building is surrounded by a number of listed buildings.</p> <p>The proposal is considered to comply with the SPPS, Policies BH1 and BH2 of the Belfast Local Development Plan Strategy 2035 and Section 91(2) of the Planning Act (Northern Ireland) 2011. There will be minimal impact on the existing structure.</p> <p>DfC HED were consulted and are content.</p> <p>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.</p> <p>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.</p>	

Case Officer Report

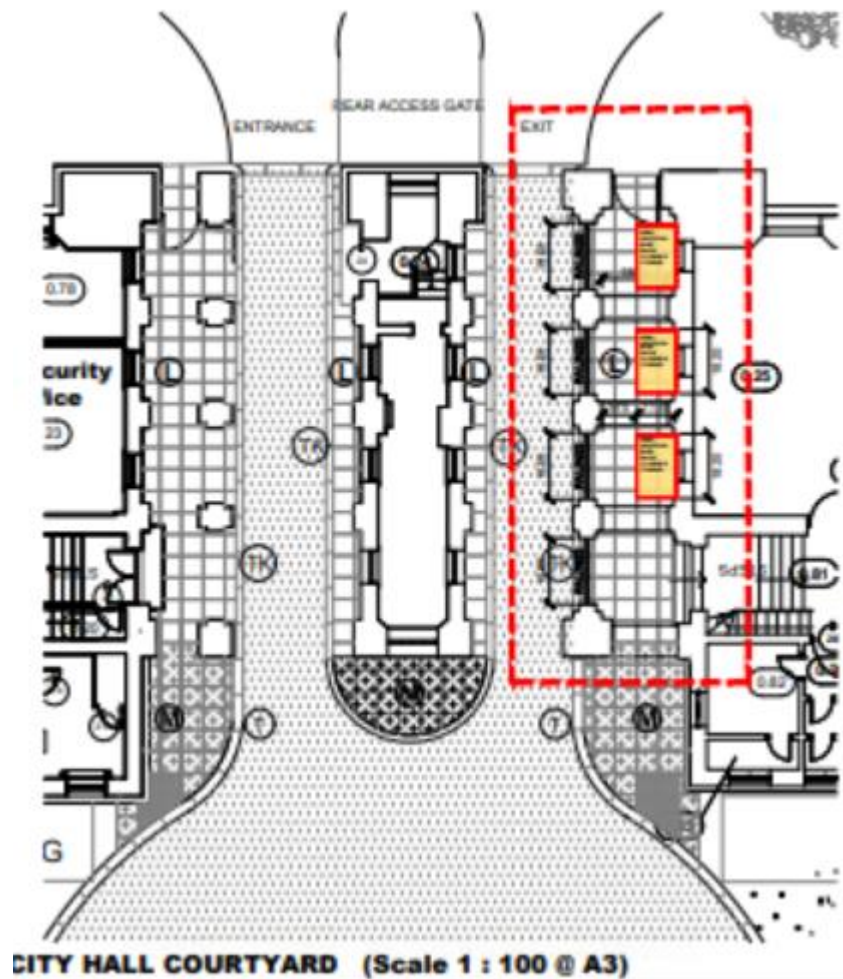
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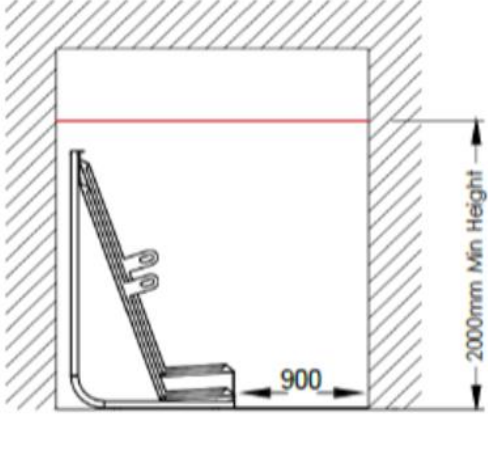
Drawings

1.1



1.2



1.3	 <p>TOP</p>
1.4	 <p>SIDE</p>
2.0	Characteristics of the Site and Area
2.1	<p>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.</p> <p>The surrounding area is predominantly commercial to the north of the site and business use to the south of City Hall.</p> <p>The site is located within the City Centre in BUAP and within the City Centre Conservation Area in both versions of dBMAP.</p>
3.0	Description of Proposal
3.1	Removal of existing wall mounted cycle racks and replacing with semi vertical cycle racks (free from wall mounting).
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	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History None relevant to proposal
5.0	Consultations and Representations
5.1	Statutory Consultations DfC Historic Environment Division (HED) – No objection
5.2	Representations The application was advertised on the 24 th of May 2024. No representations have been received.
6.0	PLANNING ASSESSMENT
	Development Plan Context
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban

	<p>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.</p>
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>BH1 – Listed Building BH2 – Conservation Area</p>
6.7	<p>Key Issues</p> <p>The key issues are:</p>
6.8	<p>Impact on the architectural and historic qualities of the Listed Building</p> <p>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:</p> <p>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;</p> <p>g. The design respects the essential character of the existing building and/or setting;</p> <p>h. The proposal makes use of quality materials and appropriate detailing sympathetic with the existing building and/or setting; and</p> <p>i. In the case of extensions, they shall be subservient to the existing building with regard to height, scale, massing, form and alignment;</p> <p>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.</p> <p>The proposal is deemed to comply with the SPPS and Policy BH1 of the Plan Strategy. 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.</p>
6.9	<p>New buildings in a Conservation Area</p> <p>Policy BH3 of the Plan Strategy provides policy for new development within a Conservation Area. The proposal complies with the following criteria:</p>

	<ul style="list-style-type: none"> a. The character and appearance of the area is preserved or enhanced; b. The development respects the built form of the area by way of height, scale, form, legibility, materials and detailing; c. Key views within, into or out of the area are not negatively impacted; d. Trees, archaeological or other landscape features contributing to the character or appearance of the area are protected and / or integrated in an appropriate manner; and e. Regard is given to relevant supplementary planning guidance.
7.0	Summary and 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 the conditions and deal with any other matters which may arise including representations which may occur during the statutory advertisement period and up until the point of the issuing of the decision.
DRAFT CONDITIONS: <ol style="list-style-type: none"> 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. All new external works shall match the existing metalwork in respect of matching black paint finish. Reason: In the interests of the special architectural and historic qualities of the Listed Building. DRAFT INFORMATIVES: <ol style="list-style-type: none"> This decision relates to the following approved drawing numbers: 01a, 02 and 03 	

ANNEX	
Date Valid	14/05/2024
Date First Advertised	24/05/2024
Date Last Advertised	

Development Management Officer Report

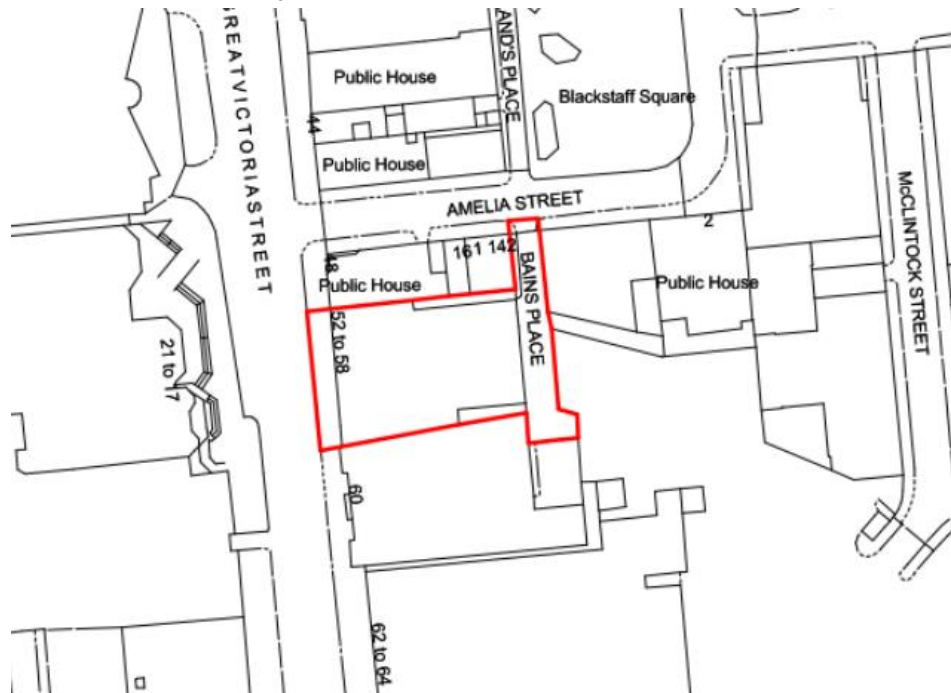
Summary	
Application ID: LA04/2023/3821/F	
Proposal: Proposed change of use from offices to aparthotel (136 rooms) with the creation of additional floors to the upper section of building along with elevational alterations and associated development.	Location: Dorchester House, 52-58 Great Victoria Street, Belfast, BT2 7BB
Recommendation: Approval	Referral route: Major application
Applicant Name and Address: Andras House Ltd 60 Great Victoria Street Belfast BT2 7BB	Agent Name and Address: Clyde Shanks Ltd 2nd Floor 7 Exchange Place Belfast BT1 2NA
<p>Executive Summary:</p> <p>The application seeks full planning permission for a proposed change of use from offices to aparthotel (136 rooms) with the creation of additional floors to the upper section of building along with elevational alterations and associated development.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> • The principle of an apart-hotel at this location; • Scale, Massing and Design; • Impact on Built Heritage; • Traffic and Road Safety; • Human health/Environmental Considerations; • Flooding and Drainage; • Economic Considerations; • Environment & Community; <p>Recommendation</p> <p>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.</p> <p>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.</p>	

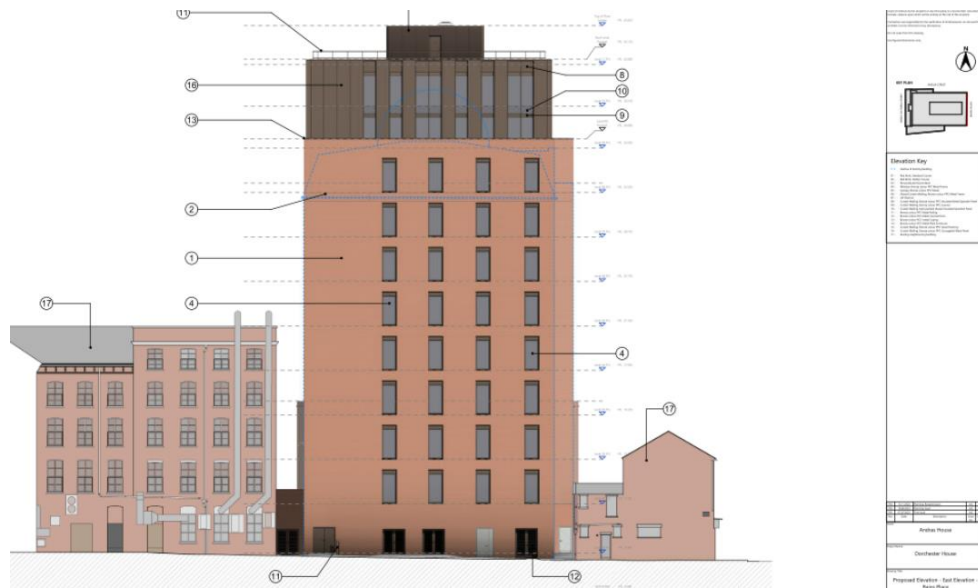
Officer Report

1.0

Drawings


Site Location Plan / Site Layout / Elevations





CGI Views



	
	Characteristics of the Site and Area
2.0	Description of Proposed Development
2.1	<p>The description of the proposal is as follows:</p> <p><i>'Proposed change of use from offices to aparthotel (136 rooms) with the creation of additional floors (11 storey) to the upper section of building along with elevational alterations and associated development.'</i></p>
3.0	Description of Site and Area
3.1	<p>Dorchester House is an existing vacant office building in Belfast City Centre. The building consists of a 3 storey podium/base, 5 storey mid-section, and 1.5/2 storey top which is composed of a combination of barrel vaulted and mansard roofs. The building is primarily clad in red brick, a material typical of Belfast.</p>
3.2	<p>The site falls just outside the Linen quarter conservation area. There are a number of listed buildings in the vicinity of Dorchester House, including The Crown Bar, McLean Bookmakers, and Robinsons Bar.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>

4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS) Supplementary Planning Guidance (SPG) Developer Contributions Framework (adopted 2020) Parking Standards (former Department of Environment)</p>
4.4	<p>Planning History None relevant.</p>
5.0	Consultations and Representations
	<p><u>Consultations</u> Conservation – Advice Provided DfI Rivers – No objections DFI Roads – No objections with conditions Environmental Health – No objections with conditions Historic Environment Division – No objection NIW – No objections NIEA – No objections Urban Design – Content</p> <p>Representations No objections have been received.</p>
6.0	PLANNING ASSESSMENT
	<p><u>Development Plan Context</u></p>
6.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The 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 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its

	<p>advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p><u>The principle of an aparthotel at this location</u></p>
6.6	The SPPS sets out five core planning principles for the planning system, including improving health and wellbeing, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
6.7	The site is located within the City Centre where an aparthotel is acceptable in principle.
6.8	<p>Policy TLC1 (PS): relates to “Supporting tourism leisure and cultural development”. This policy sets out that “The council will support tourism leisure, and culture development that contributes to:</p> <p>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.”</p>
6.9	Policy HOU 13 (PS): Short-term let accommodation states that planning permission will be granted for short-term let accommodation where set criteria are met. It is considered that criteria (a) to (e) are met, whilst (f) is not applicable.
6.10	The policy states that a condition will be applied to limit occupation to short-term lets only. As such it is recommended by officers to ensure that the aparthotel cannot be used as long-term residential accommodation as the proposal has not been assessed against the relevant policies for residential accommodation and may be inappropriate for such use.
6.11	The condition would ensure that the maximum stay by the same occupant shall be no more than 90 days in any 12 month period, in accordance with written records which shall be made available to the Council at all reasonable times.
	<u>Scale, Massing and Design</u>
6.12	The proposal will increase the height of the existing building by approximately 5 metres which includes the two new upper floors and rooftop elements. The addition of the upper floors will increase the massing of the existing building, however this is not considered inappropriate when assessing the surrounding context.
6.13	Buildings in the immediate vicinity contain a range of materials which comprise red and buff brick, render, curtain walling and stone. However, the use of red brick does become more prevalent across buildings further south along GVS towards Bruce Street.
6.14	The proposed materials palette consists predominantly of standard course red brick across both the lower three-storey podium and the six storey mid-section. Horizontal sections of soldier course red brick are also proposed at locations across the building, such as immediately below the second floor reconstituted stone parapet and above the seventh floor, features which provide additional visual interest. Elsewhere curtain walling is utilised in vertical arrangements up both the podium and mid-section and across the full extent of the upper two floors.
6.15	The BCC Senior Urban Design Officer was consulted on the application and has no concerns with the proposal. Therefore, the proposal is compliant with Policy DES1(Principles of Urban Design) and Policy DES3 (Tall Buildings).

	<p><u>Built Heritage</u></p>
6.16	There are a number of listed buildings in the vicinity of Dorchester House, including The Crown Bar, McLean Bookmakers, and Robinsons Bar.
6.17	HED (Historic Buildings) were consulted on the application and are content. The proposal is therefore considered compliant with Strategic Planning Policy Statement for Northern Ireland (SPPS) para 6.12 and Policy BH1 (PS): Listed Buildings.
	<p><u>Conservation</u></p>
6.18	Given that the site falls just outside the Linen Quarter conservation area, the conservation officer (CO) was consulted on the basis of development impacting the setting of the conservation area.
6.19	Within the PAD (LA04/2023/2409/PAD) it was concluded that the 'existing building was of lesser architectural and historic interest but is an architecturally unified statement in a postmodernism effect idiom. The proposed alterations would be detrimental to this architectural unity. However, balancing this against the fact that the building is of limited architectural / historic interest (significance), then alterations would be acceptable in terms of the wider setting of the Conservation Area.'
6.20	During the consultation within this application the CO concluded that 'the glazed, attic floors are detrimental to creation of a coherent, architecturally unified statement and a missed opportunity to create a more traditional roofscape enhancing the setting of the Conservation Area to a building fronting a visually prominent path that provides a sense of arrival into it.' However, it was stated that the proposed scheme 'has a more appropriate solid to void relationship.'
6.21	Given that the existing building has little architectural / historic interest, on balance it is considered that the proposed changes are considered appropriate and would not impact negatively on the character and appearance with regards to views into, out of, within or across the Linen Conservation Area. Therefore, on balance, the proposal is considered compliant with Policy BH2 (Conservation Areas).
	<p><u>Traffic, Movement and Parking</u></p>
6.22	DFI Roads have been consulted on the proposal and offer no objection to the development, subject to conditions.
6.24	A Travel Plan, prepared in accordance with LDP policy TRAN4, has been submitted which is aimed at encouraging staff to use public transport. A Travel Plan Coordinator will also be appointed to promote active travel rather than the use of private cars and patrons will be encouraged to travel by sustainable modes of transport rather than the private car. In compliance with TRAN1, the proposed development has been designed taking into account the needs of pedestrians and cyclists ensuring that it creates a safe and convenient environment. Provision has also been made for supporting infrastructure including cycle parking and linkages to existing or proposed networks and public transport.
6.25	The proposed development complies with the new LDP (PS), in particular policies SP7, TRAN1, TRAN4, TRAN8, TRAN9, TRAN10, DES1, HC1 and supports the Council's objective which is to materially shift the balance of travel choices away from cars and towards sustainable transport, walking and cycling.

	<p><u>Human Health/Environmental Considerations</u></p>
6.26	<p>Policy ENV1 (PS) – Environmental Quality states that ‘<i>Planning Permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. Development must not result in an unacceptable adverse impact on the environment, including the following considerations: Ground contamination, air quality, water quality, noise and light pollution</i>’. The considerations stated are addressed below:</p>
	<p><u>Contaminated Land</u></p>
6.27	<p>The application is supported by a Preliminary Risk Assessment and has determined that there are no potential contaminant linkages.</p>
	<p><u>Noise</u></p>
6.28	<p>Environmental Health has reviewed the Noise Impact Assessment and advised that it meets the relevant requirements with the recommendation of conditions.</p>
	<p><u>Air Quality</u></p>
6.29	<p>Environmental Health has reviewed the submitted Air Quality information and have concluded that they are content.</p>
	<p><u>Odour</u></p>
6.30	<p>Environmental Health has reviewed the Odour Impact Assessment and advised that it meets the relevant requirements. Conditions have been provided.</p>
	<p><u>Site Drainage / Flood Assessment</u></p>
6.31	<p>DfI Rivers Flood Maps (NI) indicates that the site lies within the 1 in 100 year climate change fluvial flood plain. Policy ENV4 states that applications in flood risk areas must be accompanied by a Flood Risk Assessment. DfI Rivers has reviewed the submitted Flood Risk & Drainage Assessment and are content that all sources of flood risk to and from the proposed development have been identified; and there are adequate measures to manage and mitigate any increase in flood risk arising from the development”. They further conclude that they acknowledge this application has been deemed an exception by the Planning Authority on 7th December 2023.</p>
6.32	<p>A wastewater impact assessment was carried out and NIW have no objection.</p>
	<p><u>Economic Considerations</u></p>
6.34	<p>Policy EC1 – ‘Delivering Inclusive Economic Growth’ states that development of business sectors with strong growth potential in Belfast will be supported subject to normal planning considerations, the sectors include Hospitality and tourism.</p>
6.35	<p>It is considered that the proposal will result in the creation of jobs within the tourism and hospitality sector, therefore will be supported subject to normal planning considerations.</p>
	<p><u>Environment & Community</u></p>
6.36	<p>A Climate Change statement has been provided which demonstrates how the proposal is in accordance with policies SP2, SP6, ENV2, ENV3 and ENV5 of the LDP PS.</p>
6.37	<p>In relation to ENV2: Mitigating Environmental Change, the proposal has demonstrated that demolition will be kept to a minimum. Whilst the interiors have been stripped out, the vast majority of the substructure, superstructure and cladding will be retained as part of the proposal. A site waste management plan has been included in the construction</p>

<p>6.38</p> <p>6.39</p> <p>6.40</p>	<p>management plan which indicates that the BRE smart waste system will be used to prevent waste, to reuse where possible, to recycle and send waste to landfill as a last resort.</p> <p>In relation to Policy ENV3: Adapting to Climate Change, the proposal will make use of high-performance glazing and thermal envelope to reduce the heating and cooling loads on the building.</p> <p>Policy ENV5 (PS): Sustainable drainage systems (SuDS) states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site. This scheme will include a blue roof and an associated ground floor attenuation tank which will relieve rainwater overflow during normal and storm events. The proposal retains the existing trees along Great Victoria Street.</p> <p><u>Conclusion</u></p> <p>The proposal will have a positive impact on the character and appearance of the area. The proposal is considered to be in accordance with the development plan, taking account of all other material consideration including the relevant planning policies and planning history.</p>
<p>7.0</p>	<p>Recommendation</p>
<p>7.1</p>	<p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p>
<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. Notwithstanding the Planning (Use Classes) Order (Northern Ireland) 2015 and Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting those orders with or without modification), the bed spaces shall not be used other than as hotel accommodation or serviced apartments. The maximum stay by the same occupant shall be no more than 90 days in any 12 month period, in accordance with written records which shall be made available to the Council at all reasonable times. <p>Reason: Residential use of the building would require further consideration by the Council having regard to the Local Development Plan and relevant material considerations.</p> <ol style="list-style-type: none"> 3. The development hereby permitted shall not become operational until sheltered cycle parking facilities have been provided in accordance with Drawing No.17A uploaded to the Planning Portal 23rd November 2023. <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <ol style="list-style-type: none"> 4. The development hereby permitted shall operate in accordance with the Travel Plan uploaded to the Planning Portal 8th September 2023. 	

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

5. The development hereby permitted shall operate in accordance with the Service Management Plan uploaded to the Planning Portal 8th September 2023.

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

6. Prior to occupation of the development, glazing which meets the sound reduction specification deemed necessary across all facades and presented within table 1 of the submitted Layde Consulting report, dated: 8th May 2024 and referenced P6805, 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 and protection of surrounding amenity.

7. Prior to commencement of the hereby approved 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 the proposed air intake vents have a sound reduction equivalent to or greater than the sound reduction specification for the glazing at each façade as specified in table 1 of the Layde Consulting report dated 8th May 2024, referenced P680-5. The final details shall also confirm that air intake ducts serving all habitable rooms (bedrooms and living rooms) will be capable of being fitted with a fit for purpose activated carbon filter as recommended in the Layde Consulting report dated 8th May 2024, referenced P680-5. 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 the mechanical operation (from fans /duct noise) of the ventilation system will not lead to a cumulative exceedance of the internal target levels for habitable rooms in line with BS 8233:2014 Guidance on sound insulation and noise for buildings.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

8. Prior to the occupation of the development the ventilation strategy to serve habitable rooms shall be installed as approved and be maintained in accordance with manufacturer's instructions and be retained at all times.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

9. Prior to operation of the ground floor commercial kitchen associated with the hereby-approved development, a kitchen extraction and odour abatement system shall be installed to suppress and disperse odours created from operations on the premises which achieves a 'high' level of odour control. The system shall incorporate one of the two odour mitigation options presented in section 13.1 of the Layde Consulting Report dated the August 2023, report reference P680/2 in accordance with the current EMAQ+ 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (updated in May 2022). The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above the main roof height as confirmed in the Layde Consulting report of the 12th February 2024, report reference P680-3.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

10. The kitchen extraction and odour abatement system installed to achieve a high level of odour control at the hereby permitted development must be retained and maintained thereafter.

Reason: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

11. 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: To safeguard the amenity of occupants of the building hereby approved and protection of surrounding amenity.

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. 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	06/09/2023
Date First Advertised	15/09/2023
Date Last Advertised	N/A
Details of Neighbour Notification: 9 Neighbouring properties on 08.09.2023	
Date of EIA Determination: NA ES Requested: NA	

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