

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



**Belfast
City Council**

7th February, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 14th February, 2023 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. Abandonments

- (a) Abandonment of Footpath adjacent to 29 University Road (Pages 1 - 4)

3. Request for Pre-emptive Planning Committee Site Visits

4. Planning Decisions Issued (Pages 5 - 14)

5. Appeals (Pages 15 - 18)

6. Restricted Items

- (a) Update on LDP Draft Plan Strategy (Report to follow)

7. **Planning Applications**

(a) **LA04/2021/1672/O**

Outline planning permission (with all matters reserved) for mixed use development on Sites A, B, C, D. Comprising up to 7,710 sqm GEA mixed use to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units on Site A, up to 6,980 sqm GEA of Hotel (C2) floorspace on Site B, the erection of a multi-storey car park comprising of up to 231 spaces (4,130 sqm GEA) and up to 7,130 sqm GEA of employment or community (A1 or A2 or B1 or B2) floorspace on Site C and up to 1,110 sqm GEA mixed use to include residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise (A1 or A2 or B1 or B2 or D1) floorspace on Site D.

Outline planning permission (with no matters reserved) for the erection of 94 residential dwellings (social housing). Comprising of 44 residential units on Site A and 50 residential units on Site D/NIE. Access to be provided from Raphael Street and Stewart Street respectively. Along with the provision of landscaping, parking, public open space, pumping station and associated works. 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. (Report to follow)

(b) **LA04/2019/2653/F**

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 and updated technical information). Chancery House, 88 Victoria Street, Belfast. (Report to follow)

(c) **LA04/2022/1503/F**

Proposed erection of a freestanding 6.8-metre high screen erected on steel structural supports (9 metres in total height) with associated site works. Lands within Musgrave Police Station 60 Victoria Street, Belfast. (Report to follow)

(d) **LA04/2022/1284/F**

Erection of Purpose-Built Managed Student Accommodation (PBMSA) development comprising 862 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths. Lands bounded by Library Street (to south); Stephen Street (to west); Little Donegall Street (to north); and Union Street (to east), Belfast (Pages 19 - 56)

(e) **LA04/2021/0319/F**

Proposed use of hard standing area as overflow car park with a free draining surface and soft landscaping scheme, to serve existing approved uses on-site. 115 Blacks Road Belfast BT10 0NF - Lands to north of square golf training area east of the 3G Dome south of 45 and 46 Garnock Hill. (Pages 57 - 64)

- (f) **LA04/2022/1479/F**
Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping, Former NI Water Ltd Sewage Treatment Works, Blackstaff Road. (Pages 65 - 92)
- (g) **LA04/2022/0129/F**
Proposed social housing led mixed tenure residential development comprising 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary treatments, parking, access (provision of a right turn lane) and ancillary site works. Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerard's Manor Ballymurphy Belfast Co. Antrim (Report to follow)
- (h) **LA04/2020/2105/F**
Residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works, 1-5 Gaffikin Street, Belfast. (Report to follow)
- (i) **LA04/2022/2018/F and LA04/2022/2019/LBC**
Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations, 2 Royal Avenue Belfast. (Pages 93 - 106)

8. **Delegation of Local Applications with NI Water Objections** (Pages 107 - 112)

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Eastern Division

Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
BELFAST
BT2 8BP

Annexe 7, Block 2
Castle Buildings
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BELFAST
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Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being dealt with by: Victor Clegg

Email: Victor.clegg@infrastructure-ni.gov.uk

Direct Line: 02890 526193

Our Ref: MD2/Z/03/1100

Date: 24 January 2023

Dear Sir/ Madam

ROADS (NI) ORDER 1993

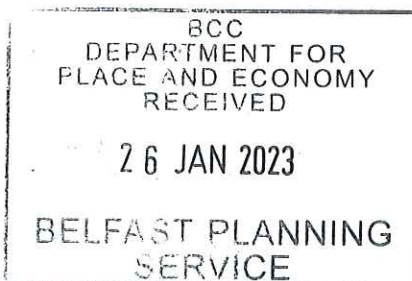
ABANDONMENT OF FOOTPATH ADJACENT TO 29 UNIVERSITY ROAD, BELFAST.

Further to previous correspondence in respect of the above-mentioned proposed abandonment, I enclose for your information a copy of the draft order and related map together with a copy of the statutory notice which is to be published in the Belfast Gazette on 27th January 2023 and the Belfast Telegraph, News Letter and Irish News on 25th January and 1st February 2023.

When the Department for Infrastructure makes the order, I will forward a copy when it comes into operation.

Yours faithfully


Victor Clegg
Land Acquisition



ENC

Abandonment – University Road, Belfast

The Department for Infrastructure (DfI), being of the opinion that the road is not necessary for road traffic, gives notice of its intention to make an Order under Article 68 of the Roads (Northern Ireland) Order 1993, the effect of which would be to abandon an area of 26.5 square metres of footway in front of No. 29 University Road, Belfast. The area of footway proposed to be abandoned is delineated on a map which, together with a copy of a draft order, may be inspected free of charge during office hours within the period 25th January 2023 to 3rd March 2023 at DfI Roads Eastern Division, Annexe 7, Block 2, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast, BT4 3SQ.

Inspection of the draft Order and map is by appointment only which can be arranged either by email using lands.eastern@infrastructure-ni.gov.uk or by telephone during office hours (Monday to Friday 9.00 a.m. to 5.00 p.m.) on 0300 200 7899.

Details may also be viewed online at www.infrastructure-ni.gov.uk/consultations

Any person may, within the period above, object to the proposal by writing to the Department at the address above or by emailing lands.eastern@infrastructure-ni.gov.uk stating the grounds of the objection.

Information you provide in your response to this consultation, excluding personal information, may be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations (EIR). If you want the information that you provide to be treated as confidential, please tell us why, but be aware that, under FOIA/EIR, we cannot guarantee confidentiality.

For information regarding the Department Privacy Notice following the introduction of GDPR please go the following link <https://www.infrastructure-ni.gov.uk/dfi-privacy> or phone the Data Protection Office on 028 90540540. For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk



2023 No.

ROADS

**The University Road, Belfast (Footway) (Abandonment) Order
(Northern Ireland) 2023**

BCC
DEPARTMENT FOR
PLACE AND ECONOMY
RECEIVED

26 JAN 2023

BELFAST PLANNING
AUTHORITY

Made - - - -

2023

Coming into operation

2023

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993^(b) and now vested in it^(c).

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary for road traffic.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

(Here will follow, where appropriate, recitals of the fact of any objection received or inquiry held and the outcome thereof).

Citation and commencement

1. This Order may be cited as the University Road, Belfast (Footway) (Abandonment) Order (Northern Ireland) 2023 and shall come into operation on 2023.

Application

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))

(b) S.I. 1993/3160 (N.I. 15)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/22/388586 referred to in "The University Road, Belfast (Abandonment) Order (Northern Ireland) 2023" made by the Department for Infrastructure on 2023 and coming into operation on 2023.

© Based upon the Ordnance Survey map with Permission of the Director and Chief Executive.

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SCALE 1:1250



Area to be abandoned

BCC
DEPARTMENT FOR
PLACE
BCC ECONOMY
PARRECEPTIVE
ECONOMY

26 JAN 2023

BELFAST PLANNING
SERVICE

REV	DESCRIPTION	DRAWN / CHECKED BY	DATE

COOKSTOWN
3a Killycolp Road
Cookstown, BT89 9AD
Northern Ireland
+44 (0)28 8676 5228
info@wearearcan.com

BELFAST
172 Tates Avenue
Belfast, BT12 6ND
Northern Ireland
+44 (0)28 9590 1400
info@wearearcan.com

JOB TITLE		JOB	
25-29 UNIVERSITY ROAD		3708	
DRAWING TITLE		DRAWING	
PROPOSED ABANDONMENT PLAN		PL-100	
SCALE	DRAWN BY	CHECKED BY	DATE
1:1250 @ A4	KT	JA	24/09/2020



Agenda Item 4

PLANNING APPLICATIONS ISSUED BETWEEN 10 January 2023 and 31 January 2023 Total 95

Application No	Category	Location	Proposal
LA04/2020/0595/F	LOC	510m north/north west of no.33 Upper Hightown Road Ballysillan Upper Belfast BT14 8RR	Proposed installation of a wind turbine on a 60m high tabular tower and 100m high blade tip, switch room cabinet, sub-station cabinet, extension of an existing laneway to form site access and all other associated ancillary works.
LA04/2020/2210/F	LOC	35 Cromwell Road Belfast BT7 1JW.	Sub division of apartment 3 to create an additional apartment (4no. in total) (amended plans and description)
LA04/2021/0760/F	LOC	Lands at 11 Dargan Road Belfast BT3 9JU.	Change of use from Ashers Bake Shop to drive thru restaurant and reconfiguration of car park to accommodate drive thru lane/provide additional car park spaces with associated site works.
LA04/2021/1534/F	LOC	184 Stranmillis Road Belfast BT9 5DT	first floor rear extension and 2nd floor rear extension to facilitate roofspace extension (amended description)
LA04/2021/2237/PAD	LOC	NI Water Ltd Westland House 40 Old Westland Road Belfast BT14 6TE	Redevelopment of existing storage sheds, temporary office structures and yard area to provide new replacement Analytical Services Laboratories.
LA04/2021/2481/F	LOC	Lands at rear of Head Office of Ulster Supported Employment Ltd 182-188 Cambrai Street Belfast BT13 3JH	Shed for dry bale storage of recycled material (associated with adjacent recycling works, previous approved under LA04/2018/1769)
LA04/2022/0035/DC	LOC	8 Blackstaff Way Kennedy Way industrial Estate Belfast BT11 9DT	Discharge of condition no. 5 - Z/2014/1373/F and Discharge of condition no. 4 - LA04/2020/1478/F
LA04/2022/0395/LDE	LOC	4 Salisbury Street Belfast BT7 1AH.	Retention of existing short term holiday let accommodation property.
LA04/2022/0510/F	MAJ	Parklands Knocknagoney Dale Knocknagoney Belfast	Construction of 90no. apartments (change of house type from that approved LA04/2019/0025/F) with associated car parking and landscaping.
LA04/2022/0684/PAD	LOC	72-78A Connsbrook Avenue Belfast.	Demolition of existing buildings on site and erection of 11 No. apartments and ancillary/associated works.

LA04/2022/0847/F	LOC	Edgewater House Edgewater Road Belfast BT3 9JQ	Change of use from office accommodation to medical treatment facility
LA04/2022/0928/LDP	LOC	577 Lisburn Road Belfast BT9 7GS	Addition of 9-12 seats and a 3-4 tables (internal) to existing Juice Bar
LA04/2022/1176/LDE	LOC	Apt 6 Cromwell Court 110 Cromwell Road Belfast BT7 1NE.	The property has been used for short term holiday let accommodation for more than 5 years.
LA04/2022/1177/LDE	LOC	Apt 12 Cromwell Court 110 Cromwell Road Belfast BT7 1NE.	The property has been used for short term holiday let accommodation for more than 5 years.
LA04/2022/1386/RM	LOC	Site 1 Adjacent and South of 43 Colinglen Road Dunmurry Belfast BT17 0LW.	Proposed Single storey dwelling and single storey garage (Reserved Matters).
LA04/2022/1420/F	LOC	Lands to the south of T13 building Hamilton Road Titanic Quarter Belfast.	Construction of a new NIE primary substation including 2no. 33kV/11kV transformers, associated switch gear, 11kV switch room, control building, underground cables and associated site works inclusive of a boundary wall, site access and site drainage.
LA04/2022/1600/F	LOC	Units 3 & 4 Bedford House 16-22 Bedford Street Belfast BT2 7FD.	Change of use from Class A1 to hot food bar (sui generis) offering both sit-in and takeaway services and the relocation of external door.
LA04/2022/1618/A	LOC	Charles Hurst Nissan Belfast - Hurst Auto Complex 62 Boucher Road Belfast BT12 6LR.	Display of 5 internally illuminated fascia signs, display of 7 non illuminated fascia signs, display of 1 internally illuminated pylon sign.
LA04/2022/1622/A	LOC	64 Woodvale Road Belfast BT13	Retrospective shop signage to front elevation. (AMENDED)
LA04/2022/1625/F	LOC	20 Prince Edward Gardens Belfast BT9 5GD	Two storey extension to side, single storey extension to rear.

LA04/2022/1641/F	LOC	52-58 Shankill Road and vacant site to West of 52-58 Shankill Road Belfast BT13 2BB	Amendments to Planning Approval LA04/2020/2198/F (Demolition of all buildings on site and construction of new retail unit, petrol filling station, bulk fuels, parking and site works. Existing site entrance to remain unaltered) Changes to building footprint, site layout and Left hand side kerbline to existing exit to be adjusted.
LA04/2022/1724/F	LOC	8 Deramore Drive Belfast BT9 5JQ.	Demolition of existing single storey kitchen extension and garage to rear of property and construction of new single storey kitchen orangery extension.
LA04/2022/1768/LBC	LOC	Ormeau Main Gates Ormeau Road Belfast BT7 3GG.	Restoration of Ormeau Park Main Entrance Gates and Screens, and connecting Railings and Walls.
LA04/2022/1783/LBC	LOC	King Edward Building Royal Victoria Hospital Belfast HSCNI Trust 274 Grosvenor Road Belfast BT12 6BA.	Internal alteration of existing rooms to the rear of the building to convert for office use. Removal of door to allow installation of internal window into corridor. Enclosing of doors into rooms beside. Demolition of internal wall.
LA04/2022/1801/F	LOC	O'Neills Unit 45/46 Kennedy Shopping Centre 564-568 Falls Road Belfast BT11 9AE.	Proposed extension to shop unit at ground floor with internal alterations. Ancillary site works including realigned low wall and raised planting bank (Amended Description)
LA04/2022/1817/LDE	LOC	24 Chadwick Street Belfast BT9 7FD.	House in multiple occupancy (HMO).
LA04/2022/1876/F	LOC	2 Viewfort Park Belfast BT17 9JY.	2 storey extension rear of building to provide additional 4th bedroom upstairs and increased living area below.
LA04/2022/1893/F	LOC	47 Broadway Belfast BT12 6AS	Conversion of existing residential property into a house of multiple occupation to include a proposed dormer to rear.
LA04/2022/1953/LBC	LOC	Units 3 and 4 Cleaver House 56 Donegall Place Belfast BT1 5BB.	Construction of internal mezzanine floor and associated site works.
LA04/2022/1969/F	LOC	24 Irwin Crescent Belfast BT4 3AQ	Single storey side extension. Alterations to boundary with new fencing and relocation of side gate.

LA04/2022/1972/DC	LOC	Lands bounded by Little Victoria Street Bruce Street and Holmes Street Belfast	Discharge of Condition no.3 - LA04/2021/2242/F
LA04/2022/2007/F	LOC	4a Glengoland Parade Belfast BT17 0JF.	Single story rear extension.
LA04/2022/2056/F	LOC	6 Finch Grove Belfast BT9 6QH.	Single storey extension to rear of property, level access ramp to front and some internal alterations. Amendment to previous approval - extension length increased by 926mm due to location of NI Water sewer running underneath (LA04/2021/2217/F).
LA04/2022/2061/DC	LOC	57-59 &61-63 Dublin Road Belfast BT2 7HE.	Discharge of condition 13 LA04/2020/0761/F.
LA04/2022/2086/F	LOC	28 Denorrton Park Belfast BT4 1SF.	Single storey rear extension.
LA04/2020/0235/F	LOC	2 Dargan Crescent Duncrue Road Belfast BT3 9HJ	Retrospective Erection of new tyre depot with associated parking, site works and new entrance onto Duncrue Road.
LA04/2021/2571/F	LOC	On the Public Footpath Approximately 10m West to the Entrance of Arches Care Home at 144 Upper Newtownards Road Belfast County Down BT4 3EQ. NGR: 149335E 529282N.	Installation of a 17.5m Pole with 6no Antennas, 2no Ground Based Cabinets, 1no Electrical Meter Cabinet and Ancillary Equipment.
LA04/2021/2832/F	LOC	337-339 Woodstock Road Belfast BT6 8NB.	Change of use from offices to 4No. residential units including small ground floor rear extension and erection of boundary treatment to front elevation to create garden space.
LA04/2022/0130/F	LOC	Land to rear of 46 Sicily Park Belfast BT10 0AA.	Change of use and alterations from domestic garage to a self contained residential unit, associated access and landscaping.

LA04/2022/0367/RM	LOC	Lands adjoining & north of 55 & 57 Ballylesson Road & south of 9 Ballynahatty Road Belfast.	New dwelling & garage in an existing cluster (in lieu of extant outline approval LA04/2019/0355/O).
LA04/2022/0376/F	LOC	61B Boucher Crescent Belfast BT12 6HU.	Application under section 54 of the planning (Northern Ireland) Act 2011 for variation of condition 13 of planning approval Z/1998/0377 regarding bulky goods floorspace restriction to allow the floorspace within unit 61B to be used for the sale of convenience goods.
LA04/2022/0505/F	LOC	39 Glen Crescent Belfast BT11 8FB.	Domestic garage/store in side garden of dwelling.
LA04/2022/0664/LDP	LOC	Lands at Cabin Hill Campbell College Upper Newtownards Road Belfast BT4	Confirmation of proposed completion of Unit 9 will be lawful.
LA04/2022/0686/F	LOC	Ground floor 50 University Street Belfast BT7 1HB.	Amended Plans Change of use of two ground floor rooms from massage treatment rooms to cafe.
LA04/2022/0719/F	LOC	363-365 Newtownards Road Belfast.	Change of use from vacant shop to public house to facilitate extension of Prince Albert Bar and outdoor seating. Alterations to front facade to include inset balcony. (Amended description)
LA04/2022/0886/F	LOC	6 Mornington Belfast BT7 3JS	Replacement of single storey dwelling with new two storey dwelling with internal garage
LA04/2022/1029/F	LOC	56-58 Townsend Street Belfast BT13 2ES	Transcendental meditation (TM) centre on ground floor with 4no. residential units above on 1st and 2nd floors, external amenity space, bin storage and bicycle shelter.
LA04/2022/1291/F	LOC	17A Donegall Park Ave Belfast BT15 4ET.	Single storey detached garage (retrospective).
LA04/2022/1314/PAD	LOC	9 Cadogan Park Belfast BT9 6HG.	The application is for a new domestic dwelling on the site. The site currently has a granted and in date planning application for a large dwelling and it is the applicants intention to apply for permission for a smaller dwelling design to meet their specific needs in terms of accessibility.

LA04/2022/1364/F	LOC	188 Ravenhill Avenue Belfast BT6 8LJ	Proposed change of use from dwelling to house in multiple occupancy (HMO 4 Bedroom).
LA04/2022/1382/F	LOC	428 Springfield Road Belfast BT12 7DU.	Change of use from offices to Transitional Learning Facility.
LA04/2022/1446/DC	LOC	Nrs. 148-158 (Evens) Kingsway Dunmurry and Nrs. 3-11 (odds) Dunmurry Lane Belfast.	Discharge of condition 3 (Sample Materials) LA04/2017/1784/F.
LA04/2022/1447/F	LOC	31 Finaghy Road North Belfast BT10 0JA.	Retrospective amendment to previously approved dwelling and garage to include increasing garage ridge height and fenestration changes to garage. (retrospective)
LA04/2022/1475/F	LOC	Land to the rear of 230 Lower Braniel Road Belfast BT5 7NJ	Variation of condition 4 and 5 of approval LA04/2019/1728/F requesting that windows to bed 4 and 2 to be changed from obscure glass. Side window to master bed to front to be omitted.
LA04/2022/1481/LDE	LOC	Apartment 2 Cromwell Court 110 Cromwell Road Belfast BT7 1NE.	The property has been used for short term holiday let accommodation for more than 5 years.
LA04/2022/1511/F	MAJ	The Residence (Former Ballynafeigh Police Station) 332 Ormeau Road Belfast BT7 2GE.	Section 54 Application to vary Condition 17 of the previously approved application LA04/2018/1415/F which reads, "The proposed public realm works, as shown on approved plan No. 22, date stamped 27/11/18, shall be carried out prior to the occupation / operation of any part of the development hereby approved." It is proposed to introduce a new landscaping & public realm drawing, accurately reflecting those works carried out on site and in agreement with DfI Roads. Varied wording is proposed to read as, "The proposed public realm works, as shown on approved plan No. 6303 L-205 date received 3rd August 2022, shall be carried out in accordance with the approved plan.
LA04/2022/1536/F	LOC	9 Frank Street Belfast BT5 4NW.	Change of use from existing dwelling to house in multiple occupation (HMO) with single storey rear extension.

LA04/2022/1588/A	LOC	Next 40-46 Donegall Place Belfast BT1 5BB.	Replacement signage of existing to reflect new branding including ground floor fascia, first floor individually illuminated letters projecting sign, rear replacement fascia and banner.
LA04/2022/1609/F	LOC	18 Hillside Park Belfast BT9 5EL.	Demolition of existing garage and erection of single storey extension.
LA04/2022/1664/F	LOC	Land adjacent to The Orthopaedics Unit (Withers Wards) Musgrave Park Hospital Stockmans Lane Belfast BT9 7JB.	A new garden room, garden pods and glasshouse and garden office and associated hard and soft landscaping, amenity areas, pergola and water feature.
LA04/2022/1720/A	LOC	BT Riverside Tower 5 Lanyon Place Belfast BT1 3BT.	Internally suspended illuminated sign. Suspended face illuminated BT Group logo.
LA04/2022/1725/DCA	LOC	8 Deramore Drive Belfast BT9 5JQ.	Demolition of existing single storey red brick kitchen extension with flat roof, partial demolition of rear roof and demolition of existing garage.
LA04/2022/1750/A	LOC	Gable Wall of No. 145 York Road Belfast BT15 3GZ.	Wall Mounted 48 sheet advertisement display.
LA04/2022/1780/F	LOC	239 Springfield Road Belfast BT12 7DD.	Change of use from dwelling house to HMO.
LA04/2022/1784/LBC	LOC	Entrance piers to Woodvale Park 25m west of No.41 Woodvale Road Belfast.	Repair of existing stone entrance pier and gate to Woodvale Park.
LA04/2022/1829/F	LOC	5 St. James's Street Belfast BT14 6BD	Change of use from residential to short term stay accommodation (Retrospective).
LA04/2022/1896/A	LOC	52-58 Shankill Road and adjacent site to West of 52-58 Shankill Road Belfast BT13 2BB	Shop signage to building, banner signage to boundaries, fuel canopy signage and separate free standing totem sign.

LA04/2022/1897/F	LOC	138 Hazelwood Avenue Dunmurry BT17 0SZ	Single storey side extension
LA04/2022/1910/A	LOC	Lands bounded by Little Victoria Street Bruce Street and Holmes Street Belfast.	High and low level illuminated signage displaying name of operator relating to the under construction purpose built student accommodation building (PBSA).
LA04/2022/1918/LBC	LOC	43-47 University Road Belfast BT7 1ND.	Internal and External Alterations and Refurbishment works
LA04/2022/1936/F	LOC	1 Orby Mews Belfast BT5 6AN	Proposed roofspace conversion with rear dormer to provide additional bedroom.
LA04/2022/1979/F	LOC	16 Wynchurch Park Belfast BT6 0JN	Demolition of existing garage and erection of a single storey extension to the side and rear of dwelling and a separate single storey rear extension with raised patio.
LA04/2022/1993/F	LOC	57 Castlehill Road Belfast BT4 3GP	Renewal of permission LA04/2017/2060/F for a single storey side and rear extension. Roof light to rear.
LA04/2022/1996/F	LOC	Unit B2 19 Heron Road Sydenham Intake Sydenham Business Park Belfast BT3 9LE.	Change of use to B1 offices.
LA04/2022/2000/LDP	LOC	Unit 3 Hollywood Exchange 306 Airport Road West Belfast BT3 9EJ.	Vacant Restaurant Unit (Constructed Under Z/2008/0683/F) to Proposed Retail Unit (Class A1)
LA04/2022/2186/F	LOC	Unit 19 & 20 Boucher Retail Park 21-59 BOUCHER CRESCENT BALLYMURPHY BELFAST ANTRIM BT12 6HU	Facade refurbishment with new main entrance & glazing, new fascias & cladding panels and existing wall panels painted.
LA04/2022/2262/PAN	LOC	47 BOUCHER ROAD BALLYMURPHY BELFAST ANTRIM BT12 6HR	Proposed Retail Warehouse Unit with Associated Car Parking and Site Works

LA04/2022/2136/CLEUD	LOC	Flat 3, 34 RUGBY AVENUE MALONE LOWER BELFAST ANTRIM BT7 1RG	House of Multiple Occupancy (HMO)
LA04/2022/2151/CLEUD	LOC	56 DONNYBROOK STREET MALONE LOWER BELFAST ANTRIM BT9 7DD	House of multiple occupation (HMO)
LA04/2022/2154/F	LOC	33 KNOCKBRED A GARDENS GALWALLY BELFAST DOWN BT6 0HH	Demolition of existing rear return and proposed double storey side and rear extension
LA04/2022/2157/CLEUD	LOC	Flat 4, 34 RUGBY AVENUE MALONE LOWER BELFAST ANTRIM BT7 1RG	House of Multiple Occupancy (HMO)
LA04/2022/2166/CLEUD	LOC	Flat 1 100 STRANMILLIS ROAD MALONE LOWER BELFAST ANTRIM BT9 5AE	House in Multiple Occupancy (HMO)
LA04/2022/2167/CLEUD	LOC	Flat 2 100 STRANMILLIS ROAD MALONE LOWER BELFAST ANTRIM BT9 5AE	House of multiple occupancy (HMO)
LA04/2022/2170/CLEUD	LOC	Flat 3 100 STRANMILLIS ROAD MALONE LOWER BELFAST ANTRIM BT9 5AE	House of Multiple Occupancy (HMO)
LA04/2023/2325/PAN	LOC	LESLIE RETAIL PARK BOUCHER ROAD MALONE LOWER BELFAST ANTRIM BT12 6HH	Section 54 application to vary Condition 04 of Planning Permission Z/96/0985 to allow for the sale of convenience goods, non bulky comparison goods and bulky comparison goods.
LA04/2022/2180/CLEUD	LOC	90 Edinburgh Street Belfast BT9 7DS	House in multiple occupancy
LA04/2022/2185/WPT	LOC	85 Old Holywood Road Belfast BT4 2HP	Works to TPO protected trees
LA04/2022/2203/CLOPUD	LOC	38-48 CLIFTON STREET TOWN PARKS BELFAST ANTRIM BT13 1AA	Internal subdivision of existing retail premises (Class A1) to create an off-sales (Class A1)

LA04/2022/2213/CLEUD	LOC	47 Lower Windsor Avenue Belfast BT9 7DW	House of multiple occupancy (HMO)
LA04/2023/2396/PAN	MAJ	Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queen's Road.	Erection of Hotel/Aparthotel comprising Circa 135 hotel beds and 93 apart-hotel beds, restaurant / cafe/bar uses, gym, landscaped public realm, car parking and associated site and road works.
LA04/2023/2284/PAN	LOC	Land North of former Corpus Christi College, Accessed off Michael Davitts GAC grounds, via St Mary's Gardens	Proposed Michael Davitt Heritage & Community Centre, Reception, Toilets and associated Car Parking with Exhibition Signage to existing Trim Trail.
LA04/2023/2354/PAN	LOC	Police Service of Northern Ireland (PSNI) Headquarters 65 Knock Road, Belfast, BT5 6LD	Demolition of existing buildings for the construction of a new Police Museum and all associated site and access works.
LA04/2023/2431/WPT	LOC	97 MALONE ROAD MALONE LOWER BELFAST ANTRIM BT9 6SP	Complete prune with crown reductions of 30%, 2x Tilia x europea at the front of the property, to allow more light & minimise the potential risk of failure.
LA04/2023/2448/WPT	LOC	116A MALONE ROAD MALONE LOWER BELFAST ANTRIM BT9 5HQ	1. Removal of a Beech Tree 2. Reconstruction of such part of boundary wall 3. Reduction of height of Oak Tree
LA04/2023/2457/WPT	LOC	51 MYRTLEFIELD PARK MALONE LOWER BELFAST ANTRIM BT9 6NF	Works to 1 tree

PLANNING COMMITTEE – 14 FEBRUARY 2023

APPEALS NOTIFIED (CONTINUED)

ITEM NO 3 PAC REF: 2022/L0007

PLANNING REF: LA04/2021/2502/LDP

APPLICANT: Oakland Homes (Antrim Road) Ltd

LOCATION: 151-167 Antrim Road and 12 Hallidays Road, Belfast, BT15
2GW

PROPOSAL: Demolition of existing public house, betting office and snooker hall, completion of construction of betting office, public house, ATM and 26 No apartments as per planning approval Z/2013/1402/F

PROCEDURE:

ITEM NO 4 PAC REF: 2022/A0142

PLANNING REF: LA04/2022/0453/F

APPLICANT: Gerard Catney and Ms Katharine Cordner

LOCATION: Apartment 52 (5th Floor) Citygate, 2 Sussex Place, Belfast, BT2 8LN

PROPOSAL: Change of use from residential apartment to short term holiday let accommodation

PROCEDURE:

ITEM NO 5 PAC REF: 2022/A0144

PLANNING REF: LA04/2022/0030/O

APPLICANT: Mrs Donna O'Neill

LOCATION: 9 Summerhill Gardens, Belfast, BT17 0RB

PROPOSAL: Proposed dwelling in side garden

PROCEDURE:

PLANNING COMMITTEE – 14 FEBRUARY 2023**APPEALS NOTIFIED (CONTINUED)**

ITEM NO 6 PAC REF: 2022/A0157

PLANNING REF: LA04/2021/2519/F

APPLICANT: Fratelli Ormeau Road Limited

LOCATION: Lands at Nos 348-350 Ormeau Road, Belfast, BT7 2FZ

PROPOSAL: Variation of Condition 11 of planning application
LA04/2018/0059/F (variation of restricted opening hours from
11 pm to 01.00 am)

PROCEDURE:

ITEM NO 7 PAC REF: 2022/A0158

PLANNING REF: LA04/2022/0451/F

APPLICANT: Gerard Catney

LOCATION: Apartment 33 (third floor) Citygate, 2 Sussex Place, Belfast, BT2 8LN

PROPOSAL: Change of use from residential apartment to short term holiday let accommodation

PROCEDURE:

ITEM NO 8 PAC REF: 2022/A0155

PLANNING REF: LA04/2021/2842/A

APPLICANT: Mr Jason Carlisle

LOCATION: 1 Bradbury Place, Belfast, BT7 1RQ

PROPOSAL: Digital Advertising Screen

PROCEDURE:

APPEAL DECISIONS NOTIFIED

14 FEBRUARY 2023

ITEM NO	1	PAC REF:	2021/E0049
PLANNING REF:	LA04/2019/0985/CA		
RESULT OF APPEAL:	ALLOWED		
APPLICANT:	Mr Harry Gannon		
LOCATION:	76 Bloomfield Avenue, Belfast		
PROPOSAL:	Unauthorised change of use from residential to a house in multiple occupation		

ITEM NO	2	PAC REF:	2022/A0077
PLANNING REF:	LA04/2020/1084/F		
RESULT OF APPEAL:	FINDING – NO VALID APPEAL		
APPLICANT:	McKay Dundonald Ltd		
LOCATION:	Lands to the rear of 16-48 Gilnahirk Road, Belfast		
PROPOSAL:	Erection of 2 No semi-detached dwellings and one detached dwelling with improved access arrangements, incurtilage car parking, private amenity space and ancillary development		

Development Management Report Addendum Report	
Committee Meeting Date: 14 th February 2023	Item Number:
Application ID: LA04/2022/1284/F	
Proposal: Erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 795 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths.	Location: Lands bounded by Library Street (to south); Stephen Street (to west); Little Donegall Street (to north); and Union Street (to east) Belfast BT1 2JE.
Referral Route: Major Planning Application	
Recommendation: Approval	Approve - Subject to Condition and a Section 76 Agreement
Applicant Name and Address: Mandeville Developments NI Ltd	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2
<u>ADDENDUM REPORT</u> This application was previously considered by the Planning Committee on 17 January 2023. At the January Planning Committee, it was resolved to defer the application to enable consideration of a late report from the Council's City Regeneration and Development Unit, which includes reference to the Inner Northwest Masterplan. Members should read this Addendum Report in conjunction with the original full detailed planning report attached below (Appendix 1) A Committee Site Visit took place on 2 nd December 2022. Since the initial report was completed, 1 letter of objection has been received, and consultation responses have been received from BCC Urban Design Officer, Shared Environmental Services, DFI Roads and BCC City and Regeneration Team. Further technical information was also received from the Planning Agent in response to DFI Rivers' queries in relation to storm water and allowance for urban expansion and climate change in drainage modelling. An additional 83 residents were also notified (errors in accuracy of postal addresses originally pulling through from previous planning portal). The issues raised in the objection letter will be addressed followed by a summary of the consultation responses.	

1. Third Party Objection

- The objection letter raises the following points of concern:
- **Need for further student accommodation in an area where student accommodation is plentiful.**
- A Need for student accommodation was part of the initial assessment of the proposed development and officers are satisfied that a need for the PBMSA has been adequately demonstrated. The issue of Need is discussed further below in light of recent input from BCC Local Development Plan Team (Appendix 2). The site also lies within a Houses in Multiple Occupation (HMO) Development Node (Number 4/17 'Scotch Quarter' (as designated in the adopted Houses in Multiple Occupation (HMO's) Subject Plan for Belfast City Council Area 2015, and PBMSA is considered a form of HMO development. Policy HMO 3 of the HMO Subject Plan states that HMO development will be granted along HMO node frontages. All four sides of the proposed building lie within HMO frontages.
- **No real benefits to the local community, and noise pollution experienced from neighbouring Alma Place PBMSA (Library Street).**
- Community benefits are not a planning policy requirement for PBMSA applications. However, officers are of the opinion that the proposal, with appropriate management procedures in place and secured via a Section 76 planning agreement, will not result in any significant detriment to local residents by way of noise or general disturbance. In addition, Environmental Health has no objection in terms of noise/ disturbance.
- **Reduction of light into adjacent 'Factory Building' (apartments) and resulting loss of sunlight.**
- The section of the proposed building facing the apartment block on Little Donegall Street was reduced from 9 and a half storeys (sloping roof) in the initial proposal to 8 storeys but with the upper two storeys set back. The ridge height is reduced from approximately 31m to 28m, with a setback height of approximately 22m. Officers are of the opinion that this reduction in height means that the development will not have an unacceptable impact on the amenity of the existing apartments opposite the site.

2. Urban Design Officer (UD) Response

- UD comment regarding Façade Articulation - *Compared to earlier iterations, consideration has been given to breaking down what were viewed as long and largely uniform elevations, which is welcomed. This has been achieved through the application of two contrasting façade treatments around all four elevations, alongside a series of vertical and horizontal shifts in form.....Vertical shadow gaps of a bay's width have also been utilised to create discernible visual breaks between both treatments.*
- *Those more central framed brickwork sections allow for the establishment of shoulder heights that speak to the lower heights of adjacent buildings.....*
- *The dynamic sloped roof profiles at the taller corner locations, provide another contrasting element within the overall composition that adds to visual interest and nods to the varied and dense industrial roofscapes that were once a common characteristic of this historic area.*
- UD comments on ground floor activity - *The proposed GF plan includes a range of active frontages along the full extent of Union Street and Little Donegall Street, which are welcomed.*
- *A range of internal break out, study spaces and kitchen area extend along the length of Little Donegall Street, allowing for multiple views into and out of the building.....active uses along Little Donegall Street incorporate a dual aspect layout which allows for activity to be extended onto the sizeable internal courtyard/event space.*

3. Shared Environmental Services Response

- *Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises*

the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects.

- *In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to the following mitigation measures being conditioned:*

Notwithstanding the submitted details, no development should take place on-site until the method of sewage/storm disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge for private treatment plants associated with the development have been granted under the terms of the Water (NI) Order 1999 by NIEA WMU.

Reason: To ensure a practical solution to sewage disposal is possible at the site that will protect features of indirectly connected European Sites in Belfast Lough from adverse effects.

4. Technical response from agent to DFI Rivers queries:

- *It is confirmed that storm water will be controlled by a Hydro-brake flow control device. Additional Hydrobrake design drawing and hydraulic characteristics provided to confirm the flow control details. Also confirmed that a storm water requisition application and deposit has been paid to NI Water for final confirmation of the proposed storm water connection and a response is currently awaited.*
- *Additional Causeway FLOW results for the 1 in 100 year storm event including 20% provided. Proposed attenuation tank has a volume of 91m³. Results indicate very limited localised flooding of 0.1m³ which can be accommodated within the site, in the central hardstanding area, without risk of flooding to the proposed or adjacent buildings.*
- *DFI Rivers Agency has been consulted for comment. These technical clarifications should address DFI Rivers queries. If any substantial matters arise in the final DFI Rivers response, these would be reported back to committee for members consideration.*

5. BCC City & Regen response

- *Whilst PBMSA supports regeneration, other housing tenures are required to create a balanced housing provision.*
- *The principle of PBMSA is considered acceptable at this location. The site is unzoned within a HMO development node. Policy HMO 3 of the Subject Plan states that HMO development will be granted along HMO node frontages.*
- *CRD would encourage a greater allocation of cycling provision to support the aspirations of BCCRIS.*
- *DFI Roads have no objection to the proposed cycle parking provision. 128 cycle spaces are provided.*
- *CRD would request clarity on what improvements are proposed to the pavements around the proposed building.*
- *Public realm improvements on the footpaths abutting the site will be secured via condition. The application site boundary incorporates the public footpath around the site.*
- *CRD would request clarity on how the proposed development connects to the city.*
- *The proposal has been assessed against the Inner NW Masterplan. The proposal provides connections from courtyard to street. There is no policy requirement to provide a public space and it would be inappropriate to provide public access into a private communal courtyard.*
- *The building ground floor layout should be reviewed to reduce the scale of dead frontage focused on one street.*

- The building occupies an entire city block. It is considered acceptable that three of the four frontages are active. In assessing the application officers sought to minimise the extent of 'dead frontage' at ground floor level.

- **A link to the Inner North West Masterplan is provided below:**
[Belfast Inner North West Masterplan \(belfastcity.gov.uk\)](http://belfastcity.gov.uk)

6. DFI Roads Response

- *Confirmation that reply of 02/12/2022 considered the technical note which was uploaded onto the old EPIC system and I note this document was also uploaded onto the new Public Portal on 26/11/2022. It is correct that my reply of 02/12/2022 did read "Dfi Roads acknowledges the document 'Technical Note - Response to DFI Roads'."*
- *The applicant has not adequately considered PPS3 - the provision of reserved disabled parking.*
- *The lack of disabled parking provision is not a road safety issue but it does impact on the amenity aspect of the development, in that disabled persons are potentially excluded from residing in this development. Planning Service should consider this amenity issue.*
- The officer opinion to approve remains unchanged. The issue regarding disabled parking was assessed in the original report. Two disabled car parking spaces have been identified by the agent in an adjoining car park. It should also be noted that blue badge holders can avail of existing on street parking on the streets surrounding the site without restriction. In the event that Planning Permission is granted DFI Roads has requested that the following conditions are attached:
 1. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans.
REASON: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.
 2. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure.
REASON: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.
 3. The development shall operate in accordance with the Service Management Plan.
REASON: In the interests of road safety and the convenience of road users.
 4. The development shall operate in accordance with the Travel Plan.
REASON: To encourage alternative modes of transport to the private car.

7. Agent's response on queries relating to Waste Management

- *Anticipated that all waste management functions (including on-site collection and utilisation of waste collection vehicles) will be undertaken by development management company and final plans agreed with the council.*
- *Members of the development management company waste management team will be solely responsible for the sorting and proper use of assigned bins within the internal bin stores.*
- *Bin stores only accessible to members of management team with access controlled.*

- *The waste management team will be on-site on bin collection days to ensure all bins are presented and removed from the street-side collection locations within 3m of the collection vehicle (as per SMP).*
- *Bin store size and locations have been designed to maximise space for the required number of bins and minimize impact on the general operation of the development.*
- *The Café/ retail internal layout will include provision of a standalone bin store which will only be accessible to employees of the unit. The size of the bin store will be sufficiently to accommodate the end user.*
- *A final waste management plan will be secured via planning condition.*

8. Further supporting information from agent

- *The site lies within HMO Development Node 4/17 'Scotch Quarter' of the HMO Subject Plan for Belfast (map no. 8 - Belfast City Centre). The Plan anticipates that (Policy HMO7) a significantly higher proportion of student accommodation will be provided by PBMSA. As set out in our Student Needs Assessment that has certainly been the case since 2015. Designation HMO4 of the plan provides justification for the choice of the various nodes as areas for HMO development.*
- *This proposal has the potential to increase the residential population of Belfast City Centre and will also result in the regeneration of this unsightly car park in an area that has been subject to much recent change. The site benefits from excellent connectivity to the surrounding area given it is bound on all sides by the existing city street network. It is within easy walking of the new Ulster University campus and the city centre as a whole.*
- *In relation to design, you are aware of the detailed discussions through the PAD and application process, the changes to the design that have come about as a result of those discussions and that the Urban Design officer and HED now have no objections to the development. Through these discussions an area of public realm has been created at the junction of Union Street and Little Donegall Street. This space will complement the pedestrianisation works that have been undertaken to the northern end of Union Street in recent month. The design at this location also successfully achieves a balance between public space and built form to address the relationship to Frames.*
- *You will be aware from our Design and Access Statement that the Inner North West masterplan has been an important consideration through the development of the design. Our 'Planning Chronology' document of November 2022 further considered the proposed development in the context of the Inner North West masterplan*
- *The officer report notes that we have a secure cycle storage area within the ground floor of the building. Access to this will be limited to residents only.*
- *The red line of the application incorporates the existing pavements around the building as it is intended to re-instate the pavements once construction works are complete. This has been done in line with the council's Developer Contributions Framework guide. You will see from the landscape plans that the central courtyard is a multi-surface space. The space is not limited to the courtyard as it connects the internal space through access ways to Library Street and the dedicated public space at Union Street (as referenced above).*
- *A Waste Management Plan was submitted with the planning application and we note the draft condition requiring a final plan to be agreed with council prior to occupation of the building.*

Summary

The late objection received has been fully taken into account. Amenity issues were previously assessed in the main report.

In conclusion, the recommendation remains as set out in the case officer's report and this addendum. The proposal is recommended for Approval subject to conditions and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions.

It is requested that authority be delegated to the Director of Planning & Building Control to finalise the wording of conditions and enter into the Section 76 planning agreement and deal with any other issues that may arise from outstanding consultations, unless they are substantive in which case the application will be reported back to the Planning Committee.

Appendix 1 Planning Report

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 th January 2023	Item Number:
Application ID: LA04/2022/1284/F	Target Date:
Proposal: Erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 795 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths.	Location: Lands bounded by Library Street (to south); Stephen Street (to west); Little Donegall Street (to north); and Union Street (to east), Belfast BT1 2JE.
Referral Route: Major Development	
Recommendation:	Approval subject to conditions and a Section 76 planning agreement
Applicant Name and Address: Mandeville Developments NI Ltd	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2
<p>Executive Summary: This application seeks full planning permission for the erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 795 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths.</p> <p>Planning committee agreed to hold a preliminary site visit. The site visit took place on Friday 2nd December 2022.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Principle of Student Accommodation - Principle of proposed 'out of term' accommodation - Principle of ground floor café and retail units 	

- Impact on Built Heritage
- Scale, Massing and Design
- Open Space Provision
- Trees and Landscaping
- Traffic and Parking
- Impact on Amenity
- Contamination
- Impact on Air Quality
- Noise
- Odour
- Drainage and Flooding
- Waste Management
- Other Environmental Matters
- Impact on Protected Sites
- Pre-application Community Consultation
- Developer Contributions

The principle of Managed Student Accommodation is considered acceptable on the site and complies with the relevant policy and guidance on PBMSA. The scheme will reintroduce built-form and urban grain within an historic part of the city with a strong industrial heritage, whilst being sympathetic to the built heritage, existing context and residential amenity.

The proposed scale and massing are now considered acceptable, given significant design changes and a reduction in scale, particularly on Stephen Street. The design, detailing and materiality including tonal red bricked finish reflects the industrial character of this part of the city centre. Subtle detailing, including vertical breaks and shifts has helped break up what could be an imposing block and is considered to be a significant improvement to the previously approved apartment building's design and envelope (Z/2008/0655/F)

The site is ideally located to serve both Queens University and the newly constructed University of Ulster complex.

Although DFI Roads have raised an issue with the absence of disabled parking, this zero-parking scheme is consistent with previously approved city centre PBMSA schemes which also provided no in-curtilage parking subject to a robust Travel Plan. Two disabled parking spaces have been identified within an adjacent public car park.

A number of issues remain outstanding including responses from Shared Environmental Services, however the applicant, Mandeville Developments NI Ltd, has confirmed that it has secured a funding offer to proceed with the construction of the building and a main contractor is in place. Mandeville must complete and handover the project by late July 2026 to meet funding terms and operator requirements. The construction programme will run 2 years 9 months on site from a projected start on site Oct 2023 to a July/August 2026 completion.

The developer has confirmed that funding will not be released until the period for a potential Judicial Review (JR) challenge is expired. The programme then allows for a 16 week mobilisation period from May to August for Planning Commencement Conditions, Funding, Legals, Professional Appointments, Health and Safety, Building Regulations, Final Design and Contractual works. The Contractor would start initial site mobilisation late Aug/ early Sept 2023 for a full start on site Oct 2023.

The 2026 delivery programme does not allow for slippage. Losing a month at this point would seriously impact funding to the point of likely withdrawal due to the timescale restrictions around a

2026 handover. It has therefore become critical that the application advances to committee at this stage.

Mandeville Developments NI Ltd have confirmed that they remain committed to delivering the scheme to meet the clear and quantifiable need for Student Accommodation in the city.

DFI Roads – Objection

DAERA – Approval subject to conditions

Rivers Agency – Further info requested

Belfast City Airport – No objection

Shared Environmental Services – Await response

Non-Statutory consultations

Environmental Health – Approval subject to conditions

Senior Urban Design Officer (SUDO) - Awaiting final response (however the SUDO was involved in design discussions and his comments have helped influence the amended design)

BCC Tree Officer – No objection

BCC City and Neighbourhoods Team – No objection

Environmental Health BCC – Approval subject to conditions

One third party objection received – set out and considered in the main report.

Recommendation

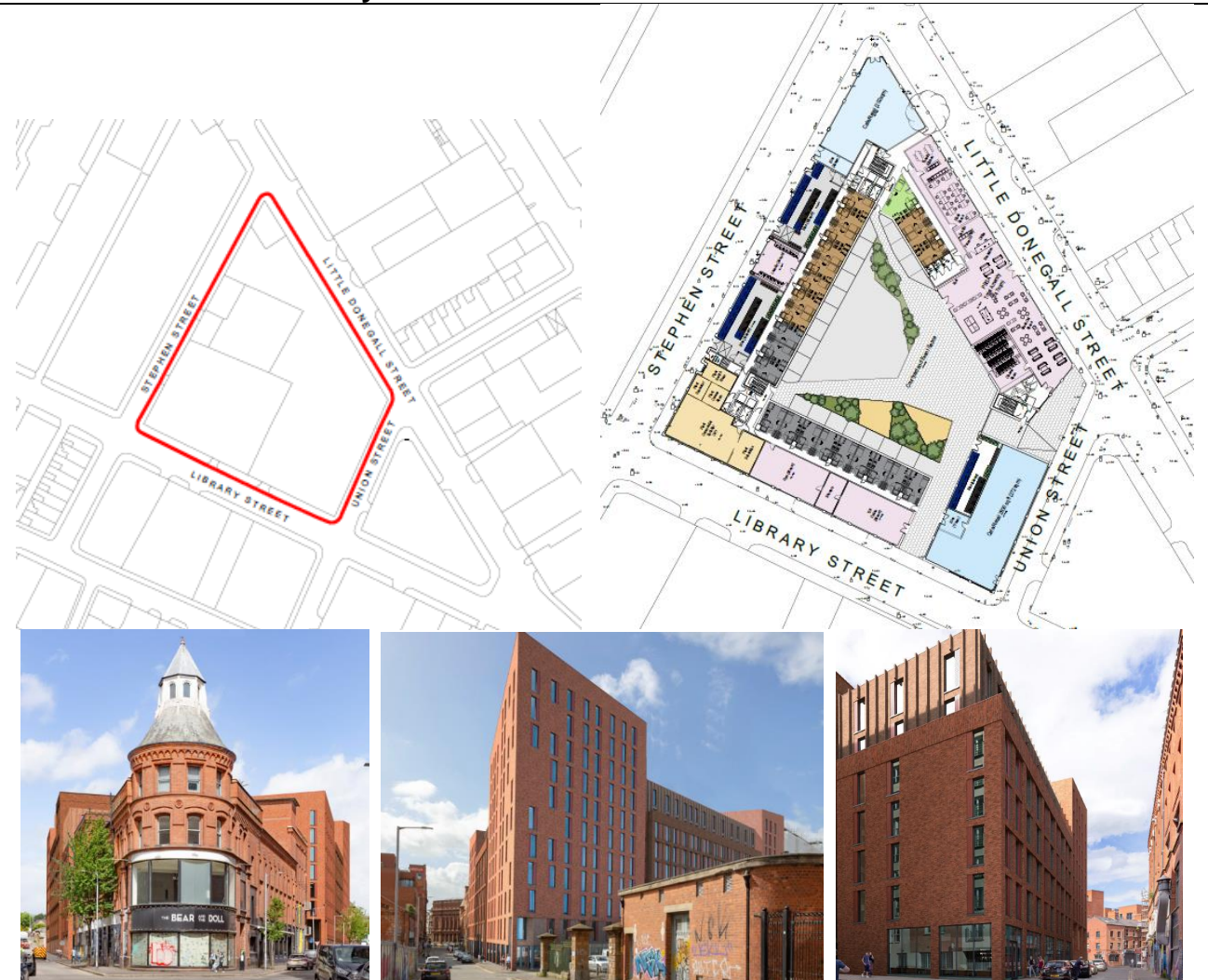
Having regard to the development plan, relevant policy context and other material considerations the proposed development is considered acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement to secure appropriate management of the student accommodation.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and enter into the Section 76 planning agreement and deal with any other issues that may arise from outstanding consultations, unless they are substantive in which case the application will be reported back to the Planning Committee.

Signature(s):

Case Officer Report

Site Location Plan and layout



1.0	Description of Proposed Development
1.1	The application seeks full planning permission for Purpose Built Managed Student Accommodation (PBMSA) development comprising 795 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths.
1.2	Permission is also sought for the development to be used as short-stay accommodation outside the traditional term times for Further or Higher Education Institution Staff or for individuals attending events hosted by a further or higher education institution.
1.3	The development includes: <ul style="list-style-type: none"> - Apartment clusters comprising: 4-6no.single bedrooms each with double bed, study space and ensuite bathroom

	<ul style="list-style-type: none"> - Shared kitchen, living and dining spaces - Individual studios - 2no. commercial/retail units at ground floor level - Student amenity facilities comprising: Theatre, kitchen, Cinema room, Common social areas, Gym and Laundry - Ancillary facilities comprising: Secure cycle storage, Showers, Bin storage, plant space
2.0	Description of Site
2.1	The application site has an area of approximately 0.4Ha and gently slopes from Carrick Hill to the west towards Royal Avenue to the east. The difference in level between Stephen Street and Union Street is approximately 1m. Where the change in topography is most notable closest to Stephen Street, the fall across the site is more gradual.
2.2	The site is mainly comprised of a surface level car park located on the northern periphery of the city centre enclosed by roads on all four sides, with apartments and a new student accommodation block to the south, the Frames Snooker Hall to the east, a surface level car park to the west and a mix of uses, including an apartment block to the north along Little Donegall Street.
2.3	The surrounding area is mixed use in character and consists of residential and student apartment blocks and 2 storey terraced dwellings, retail units and warehousing along with a number of surface level car parks.
2.4	<p>The following zonings apply to the site:</p> <ul style="list-style-type: none"> - Belfast Urban Area Plan – unzoned whiteland - Draft Belfast Metropolitan Area Plan (2004) – part development opportunity site - Draft Belfast Metropolitan Area Plan (2015) – unzoned whiteland
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History on the application site
3.1	LA04/2008/0655/F - Mixed use development comprising of 253 no. apartments, retail units and associated basement car parking. Land bounded by Library Street, Stephen Street, Little Donegall Street, Union Street, Belfast. Permission Granted 25 th June 2009.
3.2	LA04/2015/0577/O - Application for a mixed use regeneration project comprising community, residential, commercial, local retail, leisure and managed student accommodation uses and areas of public realm. Lands located within the DSD Northside Development Area principally those located within the Clifton Street Gateway and Press / Library Quarter. Clifton Street Gateway includes lands bounded by Clifton Street Regent Street the Westlink and Trinity Street. Press / Library Quarter includes lands bounded by Donegall Street North Street Royal Avenue and Carrick Hill. Refused (ES) 18 th January 2016
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014)</p> <p>Belfast Local Development Plan Draft Plan Strategy 2035 (Draft LDP)</p> <p>Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area'</p>
4.2	<p>Regional Development Strategy 2035 (RDS)</p> <p>Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)</p> <p>Planning Policy Statement 3 - Access, Movement and Parking</p> <p>Policy Statement 6 - Planning, Archaeology and the Built Heritage</p> <p>Planning Policy Statement 7 – Quality Residential Environments</p>

	<p>Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation</p> <p>Planning Policy Statement 12 – Housing in Settlements</p> <p>Planning Policy Statement 13 – Transportation and Landuse</p> <p>Planning Policy Statement 15 – Planning and Flood Risk</p> <p>HMO Subject Plan 2015</p> <p>Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note</p> <p>Belfast: A Framework for student housing and purpose-built student accommodation</p> <p>Creating Places</p>
5.0	<p>Statutory Consultees</p> <p>DFI Roads – Objection</p> <p>DAERA – Approval subject to conditions</p> <p>Rivers Agency – No objections</p> <p>Belfast City Airport – No objection</p> <p>Shared Environmental Services – No objection</p>
6.0	<p>Non-Statutory Consultees</p> <p>Environmental Health BCC – Approval subject to conditions</p> <p>BCC Urban Design Officer – Await response</p> <p>BCC Tree Officer - No objection</p> <p>BCC City and Neighbourhoods Team – No objection</p> <p>BCC Economic Development Team – Await response</p>
7.0	<p>Representations</p> <ul style="list-style-type: none"> - One third party representation received <p>Concerns raised about the following:</p> <ul style="list-style-type: none"> - Scale, massing and façade design has an adverse impact and on character of neighbouring historic buildings including. - As will be discussed in detail below, the scale, massing and design has been amended substantially since the date of the objection (11/07/22) and is now considered to be sympathetic to the existing built context and historical assets. - Oversaturation of student accommodation in the immediate area. - The proposal has been assessed against relevant policy and guidance, which includes a requirement to demonstrate need. It has been found acceptable on the basis of the information provided by the applicant/ agent.
8.0	<p>Other Material Considerations</p> <p>The Belfast Agenda</p> <p>Inner North-West Master Plan</p>
9.0 9.1	<p>Assessment</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Principle of Student Accommodation - Principle of proposed 'out of term' accommodation - Principle of ground floor café and retail units - Impact on Built Heritage - Scale, Massing and Design - Open Space Provision - Trees and Landscaping - Traffic and Parking - Impact on Amenity - Contamination - Impact on Air Quality - Noise

	<ul style="list-style-type: none"> - Odour - Drainage and Flooding - Waste Management - Other Environmental Matters - Impact on Protected Sites - Pre-application Community Consultation - Developer Contributions
9.2	<p>Principle of Development</p> <p>Section 45 (1) of the Planning Act (NI) 2011 requires the Council to have regard to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p>
9.3	<p>Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan. However, given the stage at which the Draft Belfast Metropolitan Area Plan (Draft BMAP) had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p>
9.4	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
9.5	<p><i>Belfast Urban Area Plan (BUAP)</i></p> <p>The site is located on unzoned whiteland within the development limits of Belfast. Policy CC7 of the BUAP promotes the re-introduction of residential uses into the city centre.</p>
9.6	<p>The BUAP also sets out that high buildings must be sympathetic in scale to the traditional height of buildings in the City Centre. Policy CC12 requires that buildings should relate sympathetically to their immediate surroundings. In this case the application site is surrounded by existing and proposed buildings ranging in height up to 11 storeys.</p>
9.7	<p><i>Draft BMAP (v2004 and v2014) designations</i></p> <p>In both versions of the draft Belfast Metropolitan Area Plan (v2014) the site is located on unzoned whiteland. In the Draft BMAP part of the site is identified as a development opportunity site (CC0039).</p>
9.8	<p><i>Draft Belfast Local Development Plan Strategy (Draft LDP)</i></p> <p>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 Sound and adopted. Paragraph 1.10 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 SPSS.</p>

9.9	Principle of Student Accommodation
9.10	Policy HMO 7 Large Scale Purpose Built Student Accommodation is the current planning policy which explicitly relates to the provision of PBMSA, stating: Planning permission will only be granted for large scale purpose built student accommodation where all of the following criteria are met:
9.11	<ul style="list-style-type: none"> • <i>Development of any complex consists of a minimum of 50 units or a minimum of 200 occupants.</i> <p>The proposal is for 795 beds. Therefore this criteria is met.</p>
9.12	<ul style="list-style-type: none"> • <i>All units are self-contained (i.e. having a bathroom, w.c. and kitchen available for use by the occupiers).</i> <p>Not all units are self-contained with many rooms having no kitchen. However this is off set with the provision of communal kitchen and common room areas, located evenly around each floor and within a short distance of any of the smaller single bed units.</p>
9.13	<ul style="list-style-type: none"> • <i>The location is not within a primarily residential area uses.</i> <p>The site is located within the city centre off a main arterial route. The site is located a short distance east of the wider Carrick Hill area, and adjacent to existing apartment blocks on Library Street and Little Donegall Street. Whilst the site is not within a primarily residential area, when assessing the use as PBMSA located in proximity to a residential area, it is necessary to ensure there is no undue impact on amenity for existing residents. Environmental Health have no objections in terms of any potential impact on the nearest residential properties.</p>
9.14	<ul style="list-style-type: none"> • <i>Provision is made for management of all accommodation. This may require an Article 40 agreement with Belfast City Council (Section 76 under the Planning Act (Northern Ireland 2015)).</i> <p>An Outline Student Management Plan has been submitted in support of the application. There are numerous procedures set out to ensure:</p> <ul style="list-style-type: none"> - Reception Services - Online Tenancy Agreement and Handbook to provide guidance - Secured controlled access (fobs/ cards) - CCTV - On-site maintenance, repairs, inspections - Management of anti-social behaviour - Health and Safety Procedures - Complaints procedure - Liaison with PSNI
9.15	The Management of the scheme will be secured via a Section 76 Agreement. An Agreement has been submitted for approval prior the granting of planning permission. Management arrangements will be written into this agreement.
9.16	<ul style="list-style-type: none"> • <i>Landscaping and amenity space is provided in accordance with a landscaping plan indicating all landscaping proposals for the scheme and, where relevant making provision for future maintenance.</i> <p>An externally enclosed courtyard is proposed, with an area of approximately 1,300 sqm. The proposed internal courtyard is seeking to plant 5 x semi-mature birch trees - betula jacquemontii within the share space.</p>
9.17	The Landscape Management and Maintenance plan is deemed appropriate in terms of how landscaping within the site shall be future managed, cared for and provided

	adequate requirements to ensure the landscaping features can form key parts of the proposal.
9.18	Internal amenity spaces have been provided in the form of a 'sky lounge' on the 11 th floor (circa 100 sqm), and 'social' amenity areas on the ground floor and mezzanine floor, totalling approximately 750sqm.
9.19	<p>The proposal has also been assessed against the Council's document 'Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note'.</p> <p>Whilst guidance and not planning policy it is a material consideration. The policy sets out six criteria which all applications for PBMSA proposals should adhere to:</p> <p><i>A. The development should be at a location which is easily accessible to university/college campuses by sustainable transport modes;</i></p> <p><i>B. Policy designations specific to the City Centre;</i></p> <p><i>C. Layout, design and facilities provided within the development are of high standards;</i></p> <p><i>D. The development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area;</i></p> <p><i>E. The development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impacts from occupants; and</i></p> <p><i>F. The development meets and identified need for the type of accommodation proposed.</i></p> <p><u>Criteria (a)</u></p> <p>The site is located within 100 metres of the new University of Ulster Campus on York Street, 500 metres of Belfast Metropolitan College and within 2km of Queens University. The application site is also located within close proximity of Cathedral Quarter and Cityside Retail and Leisure Park, providing access to a range of services and facilities. Bus stops are located approximately 100 metres distant from the application site, providing Translink Metro services to the greater Belfast Area.</p>
9.20	
9.21	<p>The site is located within 800 metres distant from the Europa Bus and Rail Centre, providing rail and bus services across Northern Ireland and cross border to the South and a Belfast Bike docking station is located at Cathedral Gardens / York Street. The complex is ideally located within the city centre and complies with criterion (a).</p> <p><u>Criterion (b)</u></p>
9.22	<p>Requires the need to assess the proposal in relation to policy designations specific to the city centre. The site is located on undesignated land outside any conservation area of area of townscape character.</p> <p><u>Criterion (c)</u></p>
9.23	<p>As discussed in greater detail below, the proposal is in keeping with the existing built form in the area in terms of design and finishes, taking a cue in terms of heights and overall massing from the more established buildings in the area and the newly constructed and approved student blocks. In terms of the specified space standards the smallest units (bronze) have a floor area of 14sqm with the larger rooms (gold) having an area of 18sqm, both above the 9 square metres standard for 1-2 person rooms. A small number of larger units, shown in a pink wash and wheelchair accessible, have an area of approximately 20sqm.</p> <p><u>Criterion (d)</u></p>
9.24	<p>The impact on amenity will be discussed in detail below under 'Impact on amenity'.</p> <p><u>Criterion (e)</u></p>

9.25	<p>Requires that the development has appropriate management in place to create a positive and safe living environment for students whilst minimising any potential negative impact from occupants. A management plan, prepared by Fresh Property Group, has been submitted in support of the planning application. This plan sets out a number of procedures to manage student behaviour and protect residential amenity. These include:</p> <ul style="list-style-type: none"> - Reception Services - An on-site management team to be put in place - Management of anti-social behaviour - Secured controlled access (fobs/ cards) - On-site maintenance - Complaints procedure
9.26	<p>Management of the PBMSA will be secured through a S76 planning agreement.</p>
9.27	<p><u>Criterion (f)</u></p> <p>There are 44,020 higher education full-time students in Northern Ireland (2020/21). Belfast is the 21st largest full-time student population in the UK (excluding Greater London). It is home to the four higher education institutions Queen's University Belfast (QUB); Ulster university (UU); Stranmillis University College; St. Mary's University College, as well as Belfast Met.</p>
9.28	<p>QUB</p> <p>Queen's University Belfast is the largest institution in Northern Ireland with 21,565 full-time students. This is more than a 35% increase in students since the 2007/08 intake, which was 15,880. UK full-time student enrolment in Queen's makes up 79% of the total enrolment in 2020/2021. 15,615 of a total 21,565 students in 2020/2021 were from Northern Ireland. The number of undergraduate full-time students at Queen's University Belfast has increased by over 20% and postgraduate full-time students has doubled in the last 10 years.</p>
9.29	<p>Full time international (including EU) students has been steadily growing throughout the years. The full-time international student enrolment has increased by 76% from 2016/2017 to 2020/2021.</p>
9.30	<p>In September 2021 Queen's University Belfast experienced a shortage of accommodation for its students and offered potential tenants at its own accommodation financial rewards for making alternative arrangements. This highlights a continuing and ongoing need for PBMSA in the city notwithstanding the currently available and under construction accommodation in Belfast.</p>
9.31	<p>The QUB accommodation website states the following, <i>"Elms BT1, Elms BT2, Elms BT9 and Queen's Houses offer you the all-important space to live and enjoy student life to the full.</i></p>
9.32	<p><i>Queen's currently has over 3,400 places in our student accommodation, which means you can take advantage of the most affordable, purpose-built student accommodation in the city."</i></p>
9.33	<p>As such, QUB only provides enough bed spaces for 3,400 of its more than 20,000 students. This suggests a significant need for additional bed spaces. This is supported by the following also taken from the QUB website that suggests there is even a shortfall of bed spaces for first years that would traditionally have stayed at QUB managed facilities.</p>
	<p>Ulster University</p>

9.34	Ulster University has four campuses across Northern Ireland; Derry/Londonderry, Coleraine, Jordanstown and the new Belfast campus with a total of 20,670 full-time students enrolled in 2020/21.
9.35	The creation of the new Belfast campus is expected to bring a benefit to the Northern Ireland economy of £1.4bn, according to an independent study by the OECD.
9.36	Investment in elite sport in Jordanstown will continue after 2022 and students will be able to avail of world leading practical facilities on campus as well and benefitting from the full range of teaching and social spaces in the nearby new Belfast campus.
9.37	In September 2021, Ulster University began a phased handover and onboarding to the new Belfast campus from Jordanstown. Once entirely complete, the new campus will host over 16,000 students and staff. With the addition of approximately 20,000 QUB students this equates to almost 40,000 students studying in Belfast.
9.38	The University's Belfast campus is currently only partially open and is scheduled to fully open in September 2022. Once fully operational this will have a significant impact on Belfast city centre and the preference for students to live close to the university.
9.39	In the Statement of Need submitted in support of the application it is stated that 'circa 7,000 PBSA bed spaces have been granted planning permission and approximately 4,500 beds are currently available. This is approximately 10% of the total student population in Belfast. When considered alongside the existing housing and university halls of residence we contend that there remains a significant need for PBSA to meet the shortfall'.
9.40	<p>Principle of proposed 'out of term' accommodation</p> <p>The proposal also includes the use of the development to be used as short-stay accommodation outside the traditional term times for Further or Higher Education Institution Staff or for individuals attending events hosted by a further or higher education institution.</p>
9.41	<p>This proposed use will contribute towards the viability of the scheme and will be subservient to the main function to provide accommodation for students. It is proposed to restrict this use to those associated with Further and Higher Education Institutions through the Section 76 Agreement. In light of the above, the proposed ancillary use as out of term accommodation is considered acceptable.</p> <p>Principle of Retail/ Café Units</p>
9.42	The proposal includes two separate café/ retail units at ground floor, one located at the junction of Little Donegal Street and Stephen Street, with a floor area of 202 sqm. The other is located at the junction of Union Street and Library Street and has a floor area of 272 sqm.
9.43	<p>The proposal has been assessed against the SPPS and Draft BMAP. The proposed retail/ café units will introduce a more vibrant ground floor use which creates a more active street frontage onto the streets around the site which have recently become characterised by ground floor vacancy. Although located outside the primary retail core the unit sizes are modest in scale (202sqm and 272sqm) and is on a site where there were a number of retail units in the previous building, now demolished. Given the floor area the retail offer will not threaten the primacy of the retail core.</p> <p>Impact on Built Heritage</p>

9.44	<p>Historic Environment Division has commented that the proposal has the potential to impact upon the setting of a number of listed buildings of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.</p> <ul style="list-style-type: none"> - HB26 50 280 Frames Snooker Hall, 2-14 Little Donegall Street, Belfast Grade B1 - HB26 50 065 Central Library, 126 Royal Avenue, Belfast Grade A - HB26 50 189 Irish News Office, 113 Donegall Street, Belfast Grade B - HB26 50 077A St. Patricks Church, Donegall Street, Belfast Grade B+ - HB26 50 077B St. Patricks Parochial House, Donegall Street Grade B2 - HB26 50 077C St. Patricks School, Donegall Street Grade B1
9.45	<p>HED Historic Buildings (HED:HB) has considered the effects of the proposal on the listed building and on the basis of the information provided give the following initial advice: HED: HB advises that the proposals may have an adverse impact. Upon receipt of requested information being provided HED:HB can assess the impacts of the proposal under the policy requirements of the SPPS (Para 6.12) and Policy BH11 of PPS6.</p>
9.46	<p>Presently used as Library Street public car-park, this application proposes the reinstate the historic urban grain. Arguably the listed building most affected by the proposal will be the Frames building located to the other side of Union Street. Frames Snooker Hall is a Grade B1 listed building with a 'dramatic eastern curved frontage with its four storey conical tower commanding a view of the Royal Avenue-Library Street junction.' (HED 2nd survey, 14th February 20). HED, having reviewed the submitted plans and supporting information, considers the proposals provide a balanced backdrop to the listed building without competing visually with this important architectural feature. HED considers the concept of a set-back on the Union Street and Library Street corner to the rear of Frames Snooker Hall an appropriate response which ensures the proposal responds to the parapet height of the rear block of the listed building. This will be prevalent on the approach to the site along Union Street from the north and south.</p>
9.47	<p>HED states that 'the overall massing approach is acceptable with the increased height and volume of the proposal focussed on the north-west of the site and stepping down to respect the setting of the more intimate historic Victorian context of Union Street and beyond' and considers the additional height gained by the roof-form (beyond the immediate backdrop of Frames Building) will not adversely affect the setting of St. Patrick's Church or other listed buildings in the vicinity.</p>
9.48	<p>HED considers the façade treatment and materiality of the proposals generally comply with BH11 of PPS6 in that '(b) the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building'. The red-brick responds to the materials found on Frames Snooker Hall and Belfast Central Library. HED consider the vertical proportions of the openings to be appropriate.</p>
9.49	<p>Scale, Massing and Design</p> <p>The proposal has been assessed against the SPPS and Policy QD1 of PPS7. The application site is located to the north-west of Belfast City Centre, directly behind 'Frames Snooker Hall' and it forms an intermediary context between the higher city centre development and the more domestic scale of the buildings in Millfield and Carrick Hill and Belfast City Centre.</p>
9.50	<p>Consideration of scale, mass and height within the immediate context of the Frames Building is important, particularly on approach from Royal Avenue, where the vistas along Library Street and Little Donegall Street are relatively intact. Maintaining the silhouette of the Frames Building has been achieved successfully with the shift in scale to the west along Library Street and Little Donegall Street responding to the shift in scale of built form</p>

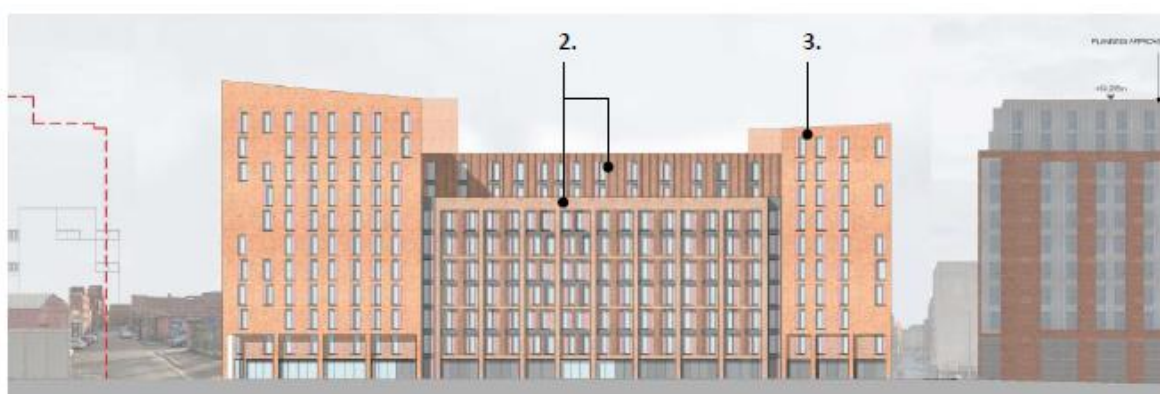
which rises towards Carrick Hill with the approved PBMSA schemes to the north and south of the site (one under construction). The visual primacy of the Frames Building, when viewed from Royal Avenue is preserved and illustrated in the CGI below:



9.51 The scale and massing of the proposal has been reduced significantly from the initial submission in order to break up what was quite an imposing building over the entirety of this inner city block. The following changes have taken place in order to address Officer's concerns about overall scale and form:

- A reduction in the shoulder height along Little Donegall Street by 1 storey. The facade in the central portion reads as 6 storeys with a 2 storey set back above.
- A reduction in the shoulder height of the central portion of the façade along Stephen Street by 2 storeys and overall reduction of 2 floors from the overall building height. The facade in the central portion reads as 7 storeys with a 2 storey set back above.
- A reduction in the building height on the corner of Stephen Street and Library Street by 1 storey.

9.52 The proposed building has a maximum height of approximately 41m at the junction of Stephen Street and Little Donegall Street. Although notably higher than the four storey development along the Carrick Hill frontage the height will be comparable to the approved PBMSA scheme to the immediate north and the scheme under construction to the south as shown below:



Stephen Street

9.53 The approved scheme to the north will also screen the proposal from views approaching the city centre from the north-west along Clifton Street from Carlisle Circus. The mid-section of the Stephen Street elevation has also been reduced in height with a seven

storey shoulder height (26m), nine storeys in total, with a height of 32m. This helps respect the transition in scale between the city centre and the more domestic scale of the two storey and four storey properties located to the west facing onto Carrick Hill. It will ensure that the existing car park site on Stephen Street, the subject of potential future development within the Inner North West Masterplan, can successfully 'bridge the gap', in terms of built form between the scale of the proposal and the residential properties to its immediate west.

9.54

The route from Kent Street along Union Street emphasises the role that the development can play in balancing the form and mass of the Frames Building, with the shoulder height of the Union Street elevation, including a setback, complimenting the shoulder height of the Frames Building. This is illustrated in the CGI below:



9.55

The subdivision of elevations along Little Donegall Street, Stephen Street and Library Street is achieved through the creation of vertical breaks and set backs along each elevation. A tripartite arrangement of building forms reduce the plot width on these elevations. The overall mass of the development is broken down by bays of inset fenestration that suggest several, linked urban blocks. This is shown on the elevation below:



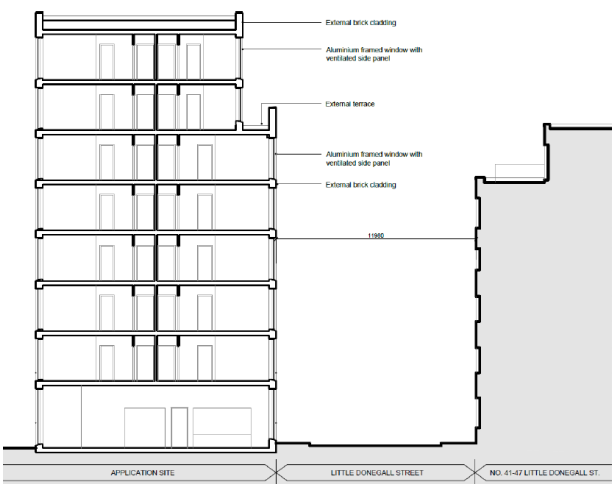
3. LITTLE DONEGALL STREET ELEVATION

9.56

Large format glazing at ground level with double height openings helps establish a rhythm of bay's on key elevations, as above.

	<p>In terms of finishes the subtle tonal variations in the brick, particularly along Stephen Street, accompanied with significant vertical design features, will help avoid an imposing, uniform, engineered appearance. The architecture within the wider context is characterized by its extensive use of Belfast brick. Masonry plinths are either contrasted through colour or tonally complement the brick facades on upper levels.</p>
9.57	<p>Although a formal response from BCC Urban Design Officer remains outstanding it should be noted that he has been heavily involved in a number of productive discussions and workshops throughout the course of the application and is now fully supportive of the scheme subject to recent changes to address issues around scale, massing, roofscape, setbacks and detailed design.</p>
9.58	<p>Open Space Provision</p> <p>The proposal has been assessed against Policies QD1 of PPS7 and OS2 of PPS8 and 'Creating Places' guidance.</p>
9.59	<p>An external courtyard provides an amenity space of approximately 1,300 sqm. Other external amenity areas include a ground floor break out area and cinema room with an area of approximately 750sqm. The total amount of external amenity space equates to approximately 1,300 sqm.</p>
9.60	<p>The internal and external open space/ amenity areas total approximately 2050 sqm, providing approximately 2.6 sqm sqm of amenity space per unit. This is below the 10sqm per unit requirement in 'Creating Places' however given the sites inner city context and the number of communal dining areas on each floor this level of provision is considered acceptable.</p>
9.61	<p>Trees and Landscaping</p> <p>There is one street tree which is outside the red line boundary along Little Donegall Street, the tree is shown as being retained as part of the application. BCC Tree Officer has stated that the tree should not be impacted upon during construction works such as the erection of scaffolding / storage of materials on the rooting area or damage by diggers / machinery etc. The tree should be protected through tree protection fencing in the appropriate locations.</p>
9.62	<p>The proposed internal courtyard is seeking to plant 5 x semi-mature birch trees - betula jacquemontii within the share space.</p>
9.63	<p>BCC Landscape Planning and Development team are supportive of the proposed hard and soft landscape details including high-quality natural stone surfacing within the proposed internal courtyard and event space. We welcome the inclusion of a high quality, robust landscape materials palette that complements the surrounding townscape character.</p>
9.64	<p>The Landscape Management and Maintenance plan is deemed appropriate in terms of how landscaping within the site shall be future managed, cared for and provided adequate requirements to ensure the landscaping features can form key parts of the proposal.</p>
9.65	<p>Traffic and Parking</p> <p>The proposal does not include car parking. DFI Roads has stated that as Purpose Built Student Accommodation (PBSA) is considered to be residential, it is therefore categorised accordingly under dBMAP TRAN 1 Residential Units. As the development proposal is within an area of Parking Restraint, parking reductions are applicable.</p>

	However, DFI Roads has stated that consideration should be given to accommodating 4% of residential requirement for disabled users in the form of in-curtilage parking.
9.66	PPS3 Policy AMP7 Page 32 states “In assessing car parking provision the Department will require that a proportion of the spaces to be provided are reserved for people with disabilities in accordance with best practice. Where a reduced level of car parking provision is applied or accepted, this will not normally apply to the number of reserved spaces to be provided.”
9.67	However, there is no specific quantum of disabled parking required by Planning Policy or associated guidance, simply ‘a proportion of the spaces to be provided’, as stated above. In this case there are no car parking spaces provided. In light of DFI Roads concerns the planning agent has identified Two disabled parking spaces within an adjacent car park, accessed off Little Donegal Street.
9.68	The proposed development has included external design features that aid accessibility to the development. It is located to the rear of the public footways with level access provided to the building. As a car free development, pedestrian access is prioritised within, and around the site.
9.69	As a Student Accommodation development, the site layout is designed to provide ease of access to the main pedestrian desire lines to/ from university sites and further educational campuses.
9.70	The proposal also includes 128 No. cycle spaces, located within an internal storage area at ground floor level on Library Street.
9.71	In order to capitalise on the highly sustainable city centre location of the application site, the Travel Plan, which accompanies the planning application includes a number of measures to encourage the use of non-car modes of travel. A Travel Plan Co-ordinator will be appointed by senior management to oversee the implementation and operation of the Travel Plan and will be responsible for the promotion of cycling, walking and public transport amongst residents, staff, and visitors.
9.72	The principle of a zero parking scheme is essentially accepted by DFI Roads, and other PBMSA proposals have been approved with zero parking in the city centre. There is no specific policy requirement for disabled parking, simply a statement within PPS3 that such parking would be desirable. Officer’s have considered the possibility of introducing a condition requiring a number of disabled parking spaced being reserved within the vicinity of the site however given the absence of any control of the lands by the applicant such a condition would not be reasonable.
9.73	DFI Roads state that the proposal in its current form is unacceptable, however given the points above and the absence of policy in terms of requiring a specific quantum of disabled parking spaces for residential development, it is not considered that the proposal could be refused on this basis. The proposal is therefore on balance considered acceptable.
9.74	<p>Impact on amenity</p> <p>The proposal has been assessed against the SPPS and Policy QD1 of PPS7. The introduction of a substantial built form such as that proposed will inevitably have an impact on properties within the vicinity of the site. However the design has been amended during the course of the application to ensure any impact on adjacent residential properties will not be significant. There are apartments block across fort the proposal on both Library Street and Little Donegal Street.</p>

9.75	<p>To the north of the site, the consented 140 Donegall Street scheme is approximately 10 metres away across the Donegall Street, to the east is the Frames building (2-14 Little Donegall Street), and to the south west are the Library Court (another student accommodation building currently under construction) and the Library Square Penthouse, separated by the 8 metres wide Library Street. The west is the least obstructed side and faces onto an existing surface level car park with the two and four storey residential terrace facing onto Carrick Hill located immediately west of this car park. The car park providing a suitable separation to ensure there will be no significant impact on the amenity of the apartments and housing on Carrick Hill.</p>
9.76	<p>The section below shows how the shoulder height of the mid-section of the building along Little Donegall Street has been dropped to six storeys to address the potential impact on the apartments across from the site:</p> 
9.77	<p>On Library Street the height of the proposal is comparable with the scale of the apartment block and the Student Block (under construction) opposite the site. This juxtaposition of high rise blocks is not uncommon within the city centre.</p>
9.78	<p>The robust management of student behaviour at large scale purpose-built student accommodation schemes is critical to the integration and success of these large schemes as well essential to protect the residential amenity of existing residents of the area. No Student Management Plan has thus far been submitted for review.</p>
9.79	<p>The submission and implementation of a student management plan will be secured through a Section 76 Agreement.</p>
9.80	<p>Contamination</p> <p>A Preliminary Risk Assessment (PRA) and a Generic Quantitative Risk Assessment (GQRA) was submitted with the application. The PRA identified potential contaminant linkages on the site resulting from potential on-site and off-site sources of contamination. The on-site sources were identified as the potential presence of reduced quality made ground associated with historical development and potential contamination associated with the historical industrial use of the site. Potential off-site sources were identified as made ground from historical development within the surrounding area, and historical and current industrial land uses located within the vicinity of the site.</p>
9.81	<p>Soil and groundwater samples were taken and analysed for relevant contaminants of concern. Any exceedances are not considered to pose a risk via direct contact pathways</p>

	as they are located in areas of the site which will be covered by the proposed building. No free phase contamination was noted during the site investigation or within the subsequent groundwater monitoring works.
9.82	RSK have therefore concluded in Section 8 of the report that the underlying soils and groundwater do not pose an unacceptable risk to human health, and that no special gas protection measures are required within the proposed buildings.
9.83	Therefore, on the basis of the information submitted Environmental Health has requested that a condition is attached to demonstrate the successful completion of remediation works and that the site is now fit for end-use. This condition is detailed below.
9.84	Impact on Air Quality As part of Air Quality Impact Assessment Irwin Carr consultants have undertaken a desktop study to include an analysis of the existing air quality situation in the vicinity of the site and an examination of the potential impacts the proposed new development may have.
9.85	No car parking spaces are to be provided as part of the proposed development; moreover, traffic flow associated with the proposed development is predicted to decrease compared to the existing car park remaining in use.
9.86	Consequently, Irwin Carr have concluded that the potential impact associated with road vehicle exhaust emissions from the operation of the proposed development is considered to be negligible.
9.87	Moreover, Irwin Carr have stated within the provided assessment that the proposed development is unlikely to introduce a centralised energy centre or any form of substantial combustion plant. At the current stage of development, it is predicted that Air Source Heat Pump (ASHP) infrastructure to provide a renewable source for heating and hot water demand will be installed as part of the proposal. Furthermore, electrical demands are anticipated to be made directly from the national grid.
9.88	Consequently, Irwin Carr have advised that the proposed development will give rise to a negligible impact upon local air quality conditions with respect to centralised combustion sources.
9.89	Subsequently, Environmental Health Service are of the view that the Air Quality Impact Assessment sufficiently demonstrated that the proposed development will not have adverse impact on air quality in the vicinity of the site and that future occupants of the development will not be exposed to air quality concentrations exceeding UK Air Quality Objectives.
9.90	However, details of proposed heating systems are not confirmed at this stage. Environmental Health advise that any combustion plant where the single or combined NOx emission rate is more than 5mg/sec could give rise to impacts. In view of this, Environmental Health has recommended that the following condition is attached in the event that planning permission is granted:
9.91	Noise The Noise Impact Assessment (NIA) submitted with the application includes a baseline daytime and night-time background noise monitoring survey undertaken at two locations within the surrounding area.
9.92	The Noise Impact Assessment highlights that the noise environment was from road traffic

	noise in both locations. A computer noise model was used to predict the noise impact at each of the facades of the development.
9.93	The Acoustic Consultant has quantified the required mitigation and has recommended the provision of standard double glazing 4/12/4 which shall include an alternative form of ventilation to ensure windows can be kept shut to maintain the noise insulation specification of the window units. The NIA advises that it is not yet confirmed, but alternative ventilation may comprise trickle vents and some form of continuous mechanical extraction.
9.94	The NIA considers the potential impact from a nearby approved roof terrace/beer garden at the Shoe Factory on Union Street. Environmental Health is satisfied in this instance that patrons and music should not have a negative impact on the proposed development, on the basis of the information presented in the NIA.
9.95	In terms of the impact from the proposed ground floor gym to adjacent ground floor apartments and apartments directly above. The report concluded that separating walls and floor constructed of a 200mm concrete slab between the ground floor and first floor apartments would be required.
9.96	Subsequently, Environmental Health has requested that a number of conditions are attached to ensure that there is no significant impact on the amenity of prospective residents.
9.97	<p>Odour</p> <p>The Odour Impact Assessment report assessed the proposed development of two café and retail areas on the ground floor and concludes that a 'high level of odour control' will be required within both of proposed café/retail units. The assessment was based on the following criteria for both proposed units – an extraction ventilation riser that discharges 1m above roof level with a discharge rate of 10-15m/s, proximity of sensitive receptors within 20m of the development and above the proposed café/retail units, a large kitchen size, serving high odour generating food with more than 100 covers per day.</p>
9.98	Environmental Health has noted that the drawings/plans submitted do not indicate the location and height of any proposed odour extraction ducting. However given the absence of any known end user this information would not be available at present.
9.99	The extraction duct must be located at a height not less than 1m above eaves at a velocity of between 10-15m/s so that the kitchen extraction and odour abatement systems achieve a 'high level of odour control' based on the assessment methodology presented in relevant industry guidance. Given the lack of detail in terms of odour extraction conditions have been added below requesting such details prior to installation/commencement of use.
9.100	<p>Drainage and Flooding</p> <p>The proposal has been assessed against Planning Policy Statement 15. There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The site may be affected by undesignated watercourses of which we have no record.</p>
9.101	DfI Rivers PAMU acknowledges receipt of the Drainage Assessment by Kevin McShane Ltd dated June 2022.
9.102	DfI Rivers Planning Advisory Modelling Unit having considered the proposal in line with the current Revised Planning Policy Statement 15 "Planning and Flood Risk" dated

	September 2014. Planning Advisory comments below on Flood Risk as a result of this proposal are:
9.103	FLD1 - Development in Fluvial and Coastal Flood Plains – The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.
9.104	FLD2 - Protection of Flood Defence and Drainage Infrastructure – There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within the site. The site may be affected by undesignated watercourses of which we have no record, in the event of an undesignated watercourse being discovered, Policy FLD 2 will apply.
9.105	<p>FLD3 - Development and Surface Water – DfI Rivers PAMU has reviewed the Drainage Assessment by Kevin McShane Ltd dated June 2022, and comments as follows; Given the proposals that you refer to, DfI Rivers PAMU would require that in order to fully assess this Drainage Assessment that you provide us with further information that demonstrates the viability of your proposals by means of providing the following:</p> <ul style="list-style-type: none"> - Revised Policy PPS 15 Annex D18 bullet point 2 states – Details of how runoff from the site will be controlled and safely disposed of supported by relevant correspondence from Rivers Agency and/or Northern Ireland Water - The applicant is requested to provide evidence of the PDE response from NIW consenting to discharge to their system and provide attenuation size and calculations based on the discharge rate stipulated in the PDE response letter.
9.106	Revised Policy PPS 15 Annex D17 bullet point 9 states – Internal drainage design, including rehabilitation of existing sewers and suitable discharge points to the local drainage and watercourse system that will encourage the safe disposal of storm water run off away from the site and other neighbouring areas.
9.107	The submitted Drainage Assessment Appendix 5: Proposed Drainage Calculations for the applicant site, for 1 in 100 year storm return period, without an allowance for urban expansion or climate change. DFI Rivers has subsequently requested that applicant provide the Critical Storm Duration Results for 1 in 100 year storm event, to include a 10% allowance for urban expansion and a 10% allowance for climate change.
9.108	DFI requested that the applicant provide evidence of the PDE response from NIW consenting to discharge to their system and provide attenuation size and calculations based on the discharge rate stipulated in the PDE response letter.
9.109	In response to the request the agent has confirmed that DFI's first point relates to PPs 15 Annex D18 bullet point 2 and details on how storm water runoff from the site will be controlled and safely disposed of together with relevant correspondence from Rivers Agency and/or NI Water. It is confirmed that storm water will be controlled by a Hydro-brake flow control device, limited to 4.0 l/s, as shown on drainage plan 22-014-DR-100 included in Appendix 1 of the Drainage Assessment. Additional Hydrobrake design drawing and hydraulic characteristics are provided to confirm the flow control details. It is also confirmed that a storm water requisition application and deposit has been paid to NI Water for final confirmation of the proposed storm water connection and a response is currently awaited.

9.110	DFI Rivers also requested that the applicant provide the Critical Storm Duration Results for 1 in 100 year storm event, to include a 10% allowance for urban expansion and a 10% allowance for climate change.
9.111	The agent responded by stating that the second point relates to PPS 15 Annex D17 bullet point 9 and a request for the submission of the 1 in 100 year storm return period drainage model results with in the inclusion of both a 10% allowance for urban expansion and 10% allowance for climate change. Therefore, additional Causeway FLOW results for the 1 in 100 year storm event including 20% are provided. The proposed attenuation tank has a volume of 91m ³ . These results indicate very limited localised flooding of 0.1m ³ which can be accommodated within the site, in the central hardstanding area, without risk of flooding to the proposed or adjacent buildings.
9.112	These calculations, based on the current requirements, demonstrate that a solution is achievable and the design is future proofed to accommodate climate change. A final Drainage Impact Assessment will be required in order to achieve sign off from DFI Rivers. It is proposed that this is secured by planning condition and submitted for approval prior to commencement of development.
9.113	<p>Waste Management</p> <p>The proposal has been assessed against the SPPS and PPS7. The Waste Management Plan has confirmed that waste for the proposal will be stored in communal waste storage areas. On bin collection days the bins will be brought to the road edge at the site access on Library Street and Stephen Street for collection to ensure that there will be no delay on the external highway network.</p>
9.114	The proposal includes enclosed communal bin stores, which will be provided within an acceptable walking distance of the residential units. The communal stores will provide separate bin types to accommodate waste produced.
9.115	<p>Waste collections for the development are anticipated as follows:</p> <ul style="list-style-type: none"> - Frequency – Weekly for each type of waste therefore 3-4 collections per week; - Timing – To be arranged with Belfast City Council. Preferably early morning collection, pre 11am.
9.116	Given the reduction in the number of units from 862 to 795, and given the absence of any detailed end use for the proposed retail/ café units it is recommended that revised Waste and Service Management Plans are submitted to BCC for approval prior to the operation of the development, should approval be forthcoming. it is recommended that a revised Waste Management Plan is submitted to the Council for approval prior to the operation of the development. This will be secured via condition, as detailed below.
9.117	<p>Waste Water Capacity</p> <p>NI Water has stated that sufficient waste water treatment capacity is not available at present for the proposed development. NI Water plans to upgrade the Waste Water Treatment Works in this drainage area, however at the moment NI Water is recommending connections to the system are curtailed.</p>
9.118	Importantly, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development, which includes unimplemented permissions across the city, including one on the site (approval LA04/2008/0655/F), will not come forward at once.

9.119	In practical terms it is considered unreasonable for the Council to withhold planning permission for the proposed development given NI Water's pre-existing commitments to connect to significant levels of un-implemented development across the city. Moreover, NI Water has not provided evidence that the proposed development would have a direct and detrimental on the receiving waste water infrastructure or the environment.
9.120	BCC are awaiting a final consultation response from Shared Environmental Services (SES). Unless SES confirm that there are hydrological connections to designated sites at Belfast Lough (not apparent from the NIEA response), it is not considered necessary to include a negative condition requiring that the development is not occupied until such times that adequate foul and surface water sewerage connections are secured prior to occupation of development given the level of pre-exisitng commitments. It should also be noted that the applicant has confirmed that the contractor would not start initial site mobilisation until late Aug/ early Sept 2023 for a full start on site Oct 2023 with a 2026 delivery programme. NI Water has confirmed that additional capacity will become available from July 2023.
9.121	NI Water has also confirmed that the receiving surface water network has reached capacity. The public sewer system cannot presently serve this development proposal without significant risk of environmental harm and public dis-amenity including pollution, flooding and detrimental impact on existing properties. The planning agent has confirmed that discussions are underway with NI Water to split the combined storm/ foul sewer, with a sewer requisition application currently with NI Water. Should this be approved, this will reduce pressures on both the foul sewerage network and surface water network.
	Other Environmental Matters
9.122	Environmental Health Department has noted that the development of large-scale major development sites close to other nearby sensitive premises such as residents and commercial/office premises has the potential to generate significant adverse environmental impacts if not controlled and managed throughout. Subsequently a condition is attached requiring the submission of a Construction Environmental Management Plan, for approval, prior to commencement of development.
9.123	NIEA Natural Environment Division (NED) notes the site consists of mostly hardstanding with little vegetation. A preliminary bat roost assessment was carried out on the brick wall and Wild Cherry tree (<i>Prunus avium</i>) present at the site, and both had negligible bat roost potential. NED notes from the Ecological Assessment no other buildings or structures were present at the site.
9.124	NED notes butterfly bush (<i>Buddleia</i> sp.) is present. This is not listed under Schedule 9 of the Wildlife (Northern Ireland) Order 1985 (as amended) however has invasive species characteristics. NED therefore welcome plans for its removal as part of this development.
9.125	NED notes that there are limited nesting opportunities for birds. All nesting birds are protected under Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended). NED therefore welcome recommendations in the ES that any vegetation clearance or demolition of structures should be done outside the bird breeding season, which spans from March 1 to August 31st inclusive unless preceded by a pre-work nesting inspection.
9.126	NED welcome plans in the drawing titled: Landscape proposals, dated June 2022, for additional planting in the courtyard area of the site and recommends planting with native flowering and berry producing species to further enhance biodiversity.
9.127	NED has assessed the Ecological Assessment submitted and is content that the proposal is unlikely to significantly impact protected and/or priority species and habitats.

9.128	<p>Impact on Protected Sites</p> <p>The application is currently being considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service (SES) on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p>
9.129	<p>A HRA Appropriate Assessment (AA) under the above legislation has been drafted. SES has been reconsulted with a NIEA consultation to complete the HRA. It should be noted that NIEA have not identified any hydrological connection between the site and the protected sites at Belfast Lough. Officers request delegated authority to consider the outstanding Shared Environmental Services response.</p>
9.130	<p>Pre-application Community Consultation</p> <p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>
9.131	<p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2022/0541/PAN) was submitted to the Council on 11th February 2022.</p>
9.132	<p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p>
9.133	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> - In the absence of a public event being held in the locality of the proposed development due to Covid-19 restrictions, an online webinar was held via Zoom on Wednesday 16 March 2022 between 6pm – 7pm - A consultation website was launched on 9th March 2022. This hosted a live chat function. - Two additional in person Public Information events were held at Belfast Central Library on June 1st 2022 & June 16th 2022 from 12:30pm to 5:30pm to ensure all interested parties had an opportunity to view the proposals in person. - Notification of the webinar and subsequent public information events were advertised in the Belfast Telegraph on 9th March 2022, and amended notices on 24th May and 8th June 2022. - The PAN was circulated to a number of Councillors and MLAs. - Dedicated phone number and email address established. - Leaflets inviting people to the drop in webinars were distributed to approximately 700 properties in the surrounding area.
9.134	<p>A total of eight people actively took part in through the various means of engagement. A total of three responses were received. 34% showed support for the accommodation.</p>
9.135	<p>Concerns were expressed about the lack of parking, the proliferation of student accommodation, disruption during construction, and noise from students walking home late at night.</p>

	<p>In response to these comments:</p> <ul style="list-style-type: none"> - This is a zero parking scheme, supported by DFI Roads on this site and on other PBMSA sites throughout the city centre. - A Construction Environmental Management Plan (CEMP) will be secured via condition. This will help address potential disturbance during construction. - A management plan will be secured via a Section 76 Agreement to address wider amenity issues during operation.
9.136	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.
9.137	<p>Developer Contributions/ Section 76</p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering into a legal agreement with the Council to provide certainty around the management of the accommodation and provide community apprenticeships.</p>
9.138	The red line of the application extends to the edge of the public footpath. This will facilitate public realm improvements around the proposed building, which will be secured via condition.
10.0	Summary of Recommendation:
10.1	Having had regard to the statutory development plan, the draft development plan, relevant planning policies, planning approvals on the site, and the consideration of the issues set out in this report, the proposed development is considered acceptable.
10.2	It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement to secure appropriate management of the student accommodation. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and enter into the Section 76 planning agreement and deal with any other issues that may arise from outstanding consultations, unless they are substantive in which case the application will be reported back to the Planning Committee.
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: Time Limit.</p> <ol style="list-style-type: none"> 2. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the City Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the City Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use. <p>Reason: To ensure that any contamination within the site is appropriately dealt</p>

	<p>with, in the interests of human health.</p> <p>3. Prior to installation of the kitchen extraction and odour abatement systems to serve the hereby permitted development, the applicant must submit to the Planning Authority, for review and approval in writing, full specification details of the extraction and odour abatement systems for both Units including: the location and height of the discharge duct, the extract discharge velocity and details of all stages of grease, smoke and odour control to ensure that a 'high level of odour control' is achieved in accordance with EMAQ+ Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (DEFRA) as recommended within the An Irwin Carr Consulting, Odour Impact Assessment, Purpose-Built Student Accommodation, Library Street, Belfast', referenced Rp002AQ 2022047 (PSA Library Building) and dated 21 June 2022.</p> <p>Reason: Protection of amenity against adverse odour impact.</p> <p>4. Prior to the commencement of cooking operations within the development, the approved kitchen extraction and odour abatement systems shall be installed. The approved systems must be retained thereafter and be cleaned and maintained in accordance with manufacturer's instructions.</p> <p>Reason: Protection of amenity against adverse odour impact.</p> <p>5. 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), this Service would request that an updated Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and 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.</p> <p>Reason: To ensure that ambient air pollution related to the site is appropriately dealt with, in the interests of human health.</p> <p>6. Prior to commencement of construction, the applicant must submit to BCC, for review and approval in writing, a Construction Environmental Management Plan (CEMP). The CEMP shall be developed by the appointed contractor and outline the site-specific methods to be employed to minimise any noise, vibration and dust impacts associated with the phased construction operations demonstrating the use of 'best practicable means'. The plan must pay due regard to BS 5228:2009+A1:2014 Code of practice for Noise and vibration on construction and open sites, and incorporate the recommendations outlined within Chapter 6 of Irwin Carr Consulting, Air Quality Impact Assessment, Purpose-Built Student Accommodation, Library Street, Belfast (21 June 2022) throughout the duration of the construction phase of the development.</p> <p>The CEMP should also include arrangements for liaising with any nearby sensitive premises, both residential and commercial and measures to control noise, dust, vibration and other nuisance during the demolition/construction</p>
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	<p>phase. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Final Environmental Construction Management Plan.</p> <p>Reason: To safeguard the amenities of the area. Approval is required upfront because construction works have the potential to harm the amenities of the area.</p> <p>7. Prior to installation of the hereby approved windows, the applicant shall submit to the planning authority, for review and approval in writing, a final window schedule detailing the sound reduction specification. The selected windows shall be in line with the recommendations in the Irwin Carr Consulting report titled: 'Noise Impact Assessment, PBSA Library Building, Belfast, referenced Rp001N 2022047 (PBSA Library Building) dated 21 June 2022.</p> <p>Reason: In the interests of residential amenity.</p> <p>Prior to occupation of the hereby permitted development, the windows shall be installed as approved and be retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p> <p>8. Prior to occupation of the hereby permitted development, the applicant shall submit to the planning authority, for review and approval in writing, a verification report to demonstrate the windows have been installed as approved such as documentary confirmation from the supplier and installer.</p> <p>Reason: In the interests of residential amenity.</p> <p>9. Prior to installation of alternative means of ventilation throughout the hereby permitted development, the applicant shall submit to the planning authority, for review and approval in writing, confirmation of the sound reduction specification of the alternative means of ventilation. The report confirming the sound reduction specification for any alternative means of ventilation and /or any mechanical means of ventilation proposed shall demonstrate that internal noise levels in habitable rooms will be achieved in line with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'.</p> <p>Reason: In the interests of residential amenity.</p> <p>10. Prior to occupation of habitable rooms of the hereby permitted development, the 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 alternative ventilation provided and operational. The approved alternative means of ventilation shall be retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p> <p>11. Prior to occupation of habitable rooms of the hereby permitted development, a report verifying that the alternative means of ventilation as approved have been installed shall be submitted to the planning authority for review and approval in writing. The report shall comprise a written declaration from the suppliers and installers of the alternative means of ventilation confirming that the alternative means of ventilation have been installed as approved.</p> <p>Reason: In the interests of residential amenity.</p>
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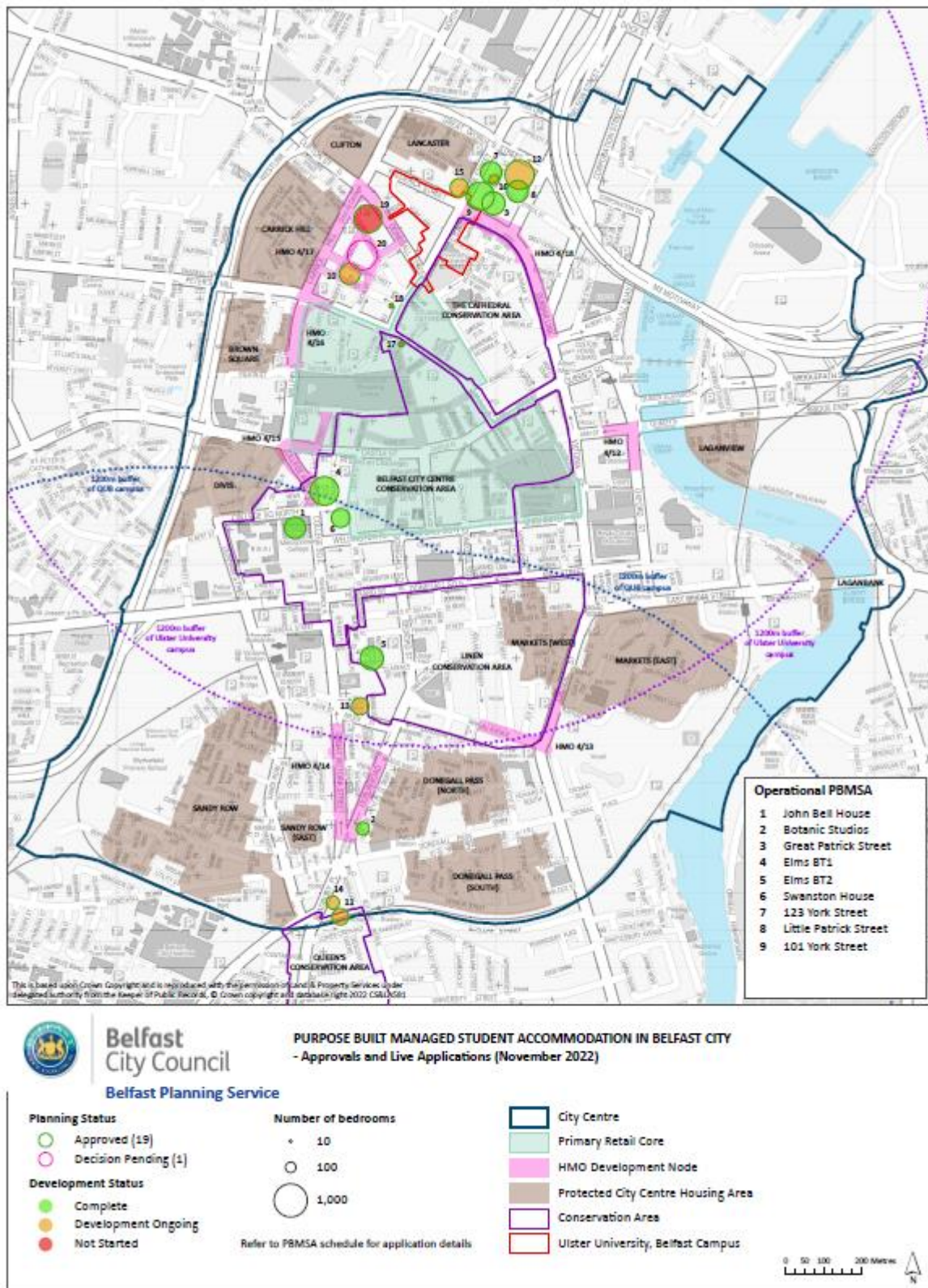
	<p>12. Prior to occupation of any apartment units hereby permitted, the sound reduction measures of the separating walls and a 200mm concrete slab between the ground floor and first floor apartments as outlined in Table 12 emailed from Irwin Carr Consulting titled: LA04/2022/1284/F on 31/10/2022 shall be installed, as approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014. The approved separating walls and a 200mm concrete slab between the ground floor and first floor apartments must be retained thereafter.</p> <p>Reason: In the interests of residential amenity.</p> <p>13. Prior to occupation of any apartment units hereby permitted, a report verifying that the sound reduction measures of the separating walls and a 200mm concrete slab between the ground floor and first floor apartments as outlined in Table 12 emailed from Irwin Carr Consulting titled: LA04/2022/1284/F on 31/10/2022 as approved have been installed shall be submitted to the planning authority for review and approval in writing. The report shall comprise a written declaration from the contractor / installers of the walls and floor construction confirming that the walls and floor have been installed as approved. Documentary evidence such as in-situ photographs should be taken during construction where possible to support verification.</p> <p>Reason: In the interests of residential amenity.</p> <p>14. Notwithstanding the submitted details, no development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless full details of the public realm improvements to the footway bounding the site have been submitted to and approved in writing by the Council. The details shall include:</p> <ol style="list-style-type: none"> 1. Surface materials; 2. The design and provision of underground ducting; and 3. Arrangements for long term management and maintenance. <p>The development hereby approved shall not be occupied or operated unless the public realm works have been completed in accordance with the approved details. The public realm shall be managed and maintained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area and to enhance connectivity to and from the development. Approval is required up front because appropriate realm is integral to design and layout of the scheme.</p> <p>15. The development hereby approved shall not commence until an updated Drainage Impact Assessment has been submitted to, and approved in writing by, Belfast City Council. The development hereby approved shall not be operated or operated unless provision has been made for foul and surface water drainage in accordance with the approved plans and documentation.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site.</p> <p>16. 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>
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	<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 (or render if applicable).</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>17. The development shall not be occupied or operated unless a Final Waste Management Plan has been submitted to and approved in writing by the Council. The development shall not be operated unless in accordance with the approved Final Waste Management Plan.</p> <p>Reason: To ensure adequate provision of refuse and recycling storage in the interests of the amenities of the area.</p> <p>18. The development shall not be occupied or operated unless a Final Service Management Plan has been submitted to and approved in writing by the Council. The development shall not be operated unless in accordance with the approved Final Service Management Plan.</p> <p>Reason: In the interests of amenity, road safety and convenience of road users.</p> <p>19. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless a Final Travel Plan has been submitted to and approved in writing by the Council. The Final Travel Plan shall be prepared in general accordance with the framework Travel Plan uploaded to the Planning Portal on 5th July 2022. The Final Travel Plan shall incorporate the following:</p> <ul style="list-style-type: none"> • Objectives and targets for reducing private car use; • Measures to promote sustainable transports; • Appointment and identification of a Travel Plan Co-ordinator; • Means of funding of the travel plan including Travel Plan Co-ordinator; • Implementation timetable including the responsible body for each action; • Mechanisms for monitoring and review. <p>The Final Travel Plan shall be operated at all times following occupation of the building hereby approved.</p> <p>Reason: To promote sustainable travel patterns and off-set the demand for vehicular movements and/or parking. Approval is required upfront because hard travel measures may be required such as bicycle storage and showers for cyclists which are integral to the design of the building.</p> <p>20. No works shall commence on site (including demolition and site clearance) unless a Tree Protection Plan ("TPP") to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Council. The TPP shall detail the methods of tree protection and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.</p>
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	<p>Reason: To safeguard existing tree on Little Donegall Street in the interests of visual amenity. Approval is required upfront to ensure that important trees are not permanently damaged or lost.</p> <p>21. Notwithstanding the submitted details, no development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless the detailed design of the recesses to the windows and external doors have been submitted to and approved in writing by the Council. The details shall include detailed scaled section drawings. The development shall not be carried out unless in accordance with the details so approved.</p> <p>Reason: Approval is required in advance because the design of the recesses is fundamental to the overall design of the building.</p> <p>22. 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 and soft landscape areas and works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.</p> <p>23. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Environmental Construction Management Plan has been submitted to and approved in writing by the Council.</p>
12.0	Notification to Department (if relevant) No
13.0	Representations from elected members: None received
Neighbour Notification Checked Yes	
Signature(s)	
Date:	

ANNEX	
Date Valid	20th June 2022
Date First Advertised	15th July 2022
Date Last Advertised	15th July 2022
Date of Last Neighbour Notification	12 th December 2022
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
Notification to Department (if relevant) – N/A Date of Notification to Department: Response of Department:	

Appendix 2 PBMSA map and application status



PBMSA DEVELOPMENT TRACKER - Updated November 2022

COMPLETED (SINCE 2015)									
Map Ref	Project Name	Address	Beds	Developer	Operator	Operational	Notes	Planning Ref	Date permission granted
-	Mark Royal House	70-74 Donegal Street	0	Cathedral Living	Cathedral Living	Sep-15	45 bedrooms now closed (Jan 22). Conversion to tourist accommodation	Z/2013/0686/F	19 December 2013
1	John Bell House	1A College Square East	413	Lacuna / Watkin Jones	Student Roost	Sep-16	Previously Fresh Student Living	Z/2014/1172/F	29 January 2015
2	Botanic Studios	78-86 Dublin Road	156	Lacuna / Watkin Jones	Fresh Student Living	Sep-17		LA04/2015/1175/F	15 April 2016
3	Great Patrick Street	28-30 Great Patrick Street	475	Olympian Homes	Student Roost	Sep-18		Z/2014/1657/F	20 May 2016
-	Elms BT1	78 College Avenue	740	McAleer & Rushe / QUB	Queens University	N/A		LA04/2015/0419/F	05 July 2016
4	Elms BT1	78 College Avenue	747	McAleer & Rushe / QUB	Queens University	Sep-18		LA04/2017/1376/F	31 July 2017
-	Elms BT2	McClintock Street	476	McAleer & Rushe / QUB	Queens University	N/A		LA04/2015/0420/F	05 July 2016
5	Elms BT2	McClintock Street	490	McAleer & Rushe / QUB	Queens University	Sep-18		LA04/2017/1382/F	31 July 2017
6	Swanston House	41-49 Queen Street	317	Lacuna / Watkin Jones	Student Roost	Sep-18		LA04/2015/1252/F	27 June 2016
7	123 York Street	123-137 York Street	407	Cathedral Living	Cathedral Living	Sep-19	Extension proposed (84 beds); see Ref 16 below	Z/2015/0177/F	11 October 2016
8	Little Patrick Street	26-44 Little Patrick Street	430	Lacuna / Watkin Jones	Student Roost	Sep-20		LA04/2017/2306/F	30 March 2018
-	101 York Street	81-107 York Street	682	Linux LLP (Unicell LLP)	LIV Student	N/A		Z/2015/0138/F	28 June 2016
9	101 York Street	81-107 York Street	717	Valeo Group	LIV Student	Sep-21		LA04/2016/2385/F	27 June 2017
Total bed spaces completed (since 2015):			4,152						
Completed	9		4,152	Average Size (Beds)		461			

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CONSTRUCTION									
Map Ref	Project Name	Address	Beds	Developer	Operator	Operational	Notes	Planning Ref	Date permission granted
10	Alma Place	18-26 Library Street	393	Lacuna / CAV	Novel Student	Sep-23		LA04/2015/0676/F	27 February 2017
11	Aster House	University Rd & Botanic Avenue (over railway)	253	Lacuna / CAV / Harrison St	Novel Student	Sep-23	Site checked 09/11/2022 - development seemingly complete - awaiting Building Control completion certification and LPS rating	LA04/2019/0417/F	14 June 2019
12	Nelson Street	Little York St, Great George's St & Nelson St	774	Olympian Homes	Student Roost	Sep-24	Pre-construction (piling) commenced Dec 2021.	LA04/2021/2893/F	19 August 2022
13	Bruce Street	Little Victoria St, Bruce St & Holmes St	274	McAleer & Rushe	Vita	N/A		LA04/2018/2602/F	30 March 2020
	Bruce Street	Little Victoria St, Bruce St & Holmes St	271	McAleer & Rushe	Vita	Sep-23	Construction commenced Jan 2022.	LA04/2021/2242/F	21 March 2022
14	Bradbury Place	30-44 Bradbury Place	156	Elkstone Partners	Bradbury Student Living Limited	Sep-24	Acquired by Elkstone. Demolition completed summer 2021. Contractor being tendered. Construction scheduled to commence Summer 2022. Pending NMC application could reduce to 152 bed spaces	LA04/2017/2753/F	01 August 2019
-		48-52 York Street	-			N/A		Z/2014/0479/O	24 March 2015
15		48-52 York Street	307	Student City Ltd	Cathedral Living	Sep-24	Construction scheduled to commence summer 2022 - site checked on 09/11/2022, demolition appears to be underway.	LA04/2016/1213/RM	02 October 2017
16	123 York Street Extension	8-12 Little Patrick Street	94	Cathedral Living	Cathedral Living	N/A	Extension approved at September 2020 Committee - appears to be underway as of site check on 09/11/2022	LA04/2019/2285/F	03 August 2021

2,248									
Underway									
7									
2,248									
Average Size (Beds) 321									
APPROVED - NOT STARTED									
Map Ref	Project Name	Address	Beds	Developer	Operator	Operational	Notes	Planning Ref	Date permission granted
17	Sinclair House	89-101 Royal Avenue	30	Cathedral Living		N/A	Building sold late 2019 / early 2020. Not progressing.	LA04/2015/0685/F	16 May 2017
18		116-122 Royal Avenue	21	CS Suppliers (NI) Ltd		N/A	Part of 'Site 10'. Site sold. Not progressing.	Z/2014/1669/F	23 August 2016
-		140 Donegal Street	620	Northside Regeneration LTD		N/A		LA04/2015/0609/F	21 October 2017
19		140 Donegal Street	724	Lotus Group	Mezzino	Sep-24	Amendment of previous approval LA04/2015/0609/F (620 units).	LA04/2021/0516/F	05 August 2021
775									
Not started									
3			Average Size (Beds) 258						
775									
Total Approved									
19			Average Size (Beds) 378						
7,175									

PLANNING PENDING									
Map Ref	Project Name	Address	Beds	Developer	Operator	Operational	Notes	Planning Ref	Date received
20	Library Street	Library Street and Little Donegal Street	862	Mandeville Developments NI Ltd		N/A		LA04/2022/1284/F	20 June 2022
Total pending			1	862		Average Size (Beds) 862			

Committee Report

Development Management Report	
Application ID: LA04/2021/0319/F	Date of Committee: 14 th February 2023
Proposal: Proposed use of hard standing area as overflow car park with a free draining surface and soft landscaping scheme, to serve existing approved uses on-site.	Location: 115 Blacks Road, Belfast BT10 0NF - Lands to north of square golf training area east of the 3G Dome south of 45 and 46 Garnock Hill.
Referral Route: at the discretion of the Director of Planning and Building Control in accordance with paragraph 3.8.7 of the Scheme of Delegation	
Recommendation: Refusal	
Applicant Name and Address: Colin Glen Trust 163 Stewartstown Road Dunmurry Belfast BT17 0HW	Agent Name and Address: Juno Planning 409 Lisburn Road Belfast BT9 7EW
<p>Executive Summary:</p> <p>The application seeks planning permission for the creation and use of a hard standing area as overflow car park with a free draining surface and soft landscaping scheme, to serve existing approved uses on-site.</p> <p>The site is located at 115 Blacks Road. The site is within Colin Glen Leisure Park, which contains a playpark, sports pitches, a golf course and a driving range as well as associated parking. The proposed overflow car park is located off the access road and within close proximity to dwellings along Garnock Hill.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • The principle of the proposal, including Loss of Open Space • Impact on amenity • Impact on the character and appearance of the area • Other considerations <p>The site is located within lands reserved for landscape, amenity or recreation use within BUAP and is un-zoned “white land” within dBMAP.</p> <p>There have been no objections from consultees.</p> <p>Four objections have been received and are addressed within the main report.</p> <p>A statement was requested from the applicant to address the loss of open space under Policy OS 1 of PPS 8 but to date this has not been submitted. The statement was requested on the 27th June 2022 with further reminders sent on 6th August 2022, 15th September 2022, 10th November 2022, 12th December 2022, 20th December 2022 and 26th January. Without a statement to address the policy the application can only be determined on its merits as proposed. The proposal fails to accord with Policy OS 1 of PPS 8 with no exceptional circumstances advanced to justify the proposal.</p>	

Recommendation

Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be refused.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.

Case Officer Report

Site Location Plan



Proposed Block Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks full planning permission for the creation and use of hard standing area as overflow car park with a free draining surface and soft landscaping scheme, to serve existing approved uses on-site.
2.0	Description of Site
2.1	The site is located at 115 Blacks Road. The site is within Colin Glen Leisure Park, which contains a playpark, sports pitches, a golf course and a driving range as well as associated parking. The proposed overflow car park is located off the access road and within close proximity to dwellings along Garnock Hill.
2.2	The site is located within lands reserved for landscape, amenity or recreation use within BUAP and is un-zoned "white land" within dBMAP.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	LA04/2017/0919/F, Colin Park, 115 Blacks Road, Belfast, BT10 0NF, Construction of Sports Dome with internal lighting, machine room and 3M security fence (Additional Information). Permission Granted
3.2	S/2011/0149/F, Colin Valley Golf Club, Proposed new driving range building, Permission Granted.
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, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.
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	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

5.0	Statutory Consultees Responses DFI Roads- No objections
6.0	Non Statutory Consultees Responses Environmental Health- No objections Tree Officer- No objections following amendments.
7.0	Representations
7.1	The application was advertised on the 18 th February 2021 and neighbour notified on the 24 th February 2021 and the 15 th September 2021.
7.2	<p>Four objections were received from residents of Garnock Hill, the housing to the immediate north, as summarised below:</p> <ul style="list-style-type: none"> • Anti-social behaviour – Case Officer Response: there is no evidence that this would be a land-use planning matter in this case; this would be a police matter. • Management of landscaping • Lack of privacy • Noise and lights from cars • Potential for cars to hit fence – Case Officer Response: This would be a civil matter • Materials of car park • Lack of lighting • Cars parked at fence • Cars double parked • Amount of traffic • Health impacts associated with car fumes • Impact on wildlife • Climbing plants on fence not belonging to Colin Glen
9.0	Assessment
9.1	<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • The principle of the proposal, including Loss of Open Space • Impact on amenity • Impact on the character and appearance of the area • Other considerations
9.2	<p>The principle of the proposal, including Loss of Open Space</p> <p>The proposed car park is located off the existing access road and north of the existing car parks. The car park contains a porous gravel surface and a proposed landscaping scheme to provide a buffer between the car park and residential properties on Garnock Hill to the immediate north.</p> <p><i>Need for the proposed car park</i></p>
9.3	<p>Policy AMP 10 of PPS 3 provides five criteria to be met for the extension of a private car park. The site is not within an area of parking restraint and therefore four criteria apply, as set out below.</p> <ul style="list-style-type: none"> • The proposal does not significantly contribute to an increase in congestion, • It is not detrimental to local environmental quality;

	<ul style="list-style-type: none"> • The car park meets a need identified by the Department for Regional Development in Transport Plans or accepted by DRD following robust analysis provided by a developer; • It is compatible with adjoining land uses
9.5	A statement of need was provided by the applicant with the original application, which stated that the proposed car park is required to facilitate social distancing amid COVID-19 restrictions. It also stated that the landscaping scheme would remove the opportunity for anti-social behaviour. Anti-Social behaviour is not deemed sufficient justification for a car park as there are other ways to manage anti-social behaviour. Given that COVID-19 restrictions have now been removed by government there is no longer need for social distancing within the existing car park.
9.6	Given officers' concerns that the statement of need failed to address Policy AMP 10 of PPS 3, as outlined above, the applicant was afforded opportunity to submit further information. A further statement of need was submitted on the 20 th January 2023 and included a parking survey. The parking survey demonstrated that on the 3 rd , 7 th and 8 th January 2023, the existing car parks were full and this was supported by CCTV which showed cars parking on the access road rather than the car parks. Satellite imagery shows that since 2011 there has been no increase in formal car parking provision despite an increase in facilities. Officers consider that the parking statement, for which DFI Roads has not objected, satisfies Policy AMP 10 and sufficiently demonstrates a need for further car parking provision.
9.7	<p><i>Loss of Open Space</i></p> <p>The application site is located within lands reserved for landscape, amenity or recreation use within BUAP and meets the definition of Open Space as defined in PPS 8. The area is situated within Colin Glen Park and while much of the vegetation and trees have been removed it is clear it provides an amenity value as a buffer between the existing dwellings and the park itself.</p>
9.8	Policy OS1 of PPS 8 states that ' <i>the Department will not permit development that would result in the loss of existing open space or land zoned for the provision of open space</i> '. <i>The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance.</i>
9.9	<p>The policy goes on to state that: '<i>An exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space. An exception will also be permitted where it is demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area and where either of the following circumstances occur:</i></p> <ul style="list-style-type: none"> (i) <i>in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality; or</i> (ii) <i>in the case of playing fields and sports pitches within settlement limits, it is demonstrated by the developer that the retention and enhancement of the facility can only be achieved by the development of a small part of the existing space - limited to a maximum of 10% of the overall area - and this will have no adverse effect on the sporting potential of the facility. This exception will be exercised only once.</i>
9.10	A statement was requested from the applicant to address the provisions of Policy OS 1 of PPS 8. This was formally requested by officers on the 27 th June 2022 but no statement was submitted. Further reminders were sent on 6 th August, 15 th September, 10 th

	November, 12 th and 20 th December 2022, and most recently 26 th January 2023. However, no response or further information to address the PPS 8 issue has been received.
9.11	The applicant has not demonstrated that any of the exception test set out in Policy OS 1 have been satisfied. It should be noted that where an exception on grounds of substantial community benefits, paragraph 5.5 of PPS 8 states that ' <i>In such cases, applicants will generally be expected to demonstrate that their proposals are supported by the local community.</i> ' There is no evidence that the proposal is supported by the local community, indeed, several objections to the applicant have been received from local people. The proposal fails to accord with Policy OS1 of PPS 8 and is unacceptable in principle.
	Impact on amenity
9.12	Four objections have been received from properties within Garnock Hill, the residential properties to the immediate north. Concerns were raised about anti-social behaviour, lack of privacy, noise and light from the cars, anti-social behaviour and cars hitting the fence.
9.13	The proposed hedgerow and existing fence would aid to provide privacy from the car park. The proposed landscaping and fence would provide a buffer from car lights while noise from cars parking would not be sufficient to cause an impact on amenity. Fumes from cars would not be a reason to refuse planning permission and Environmental Health has no objection to the proposal. The proposed car park would be an overflow car park which would be used during busy periods. However, given the facilities close at 10pm, cars would unlikely use the car park at unsociable hours. Were permission to be granted, conditions could be imposed to restrict the times that the car park could be used.
	Landscaping proposals
9.14	The landscaping proposals are considered high quality comprising of grassland, a hedgerow, existing trees and shrubs and the planting of 12 heavy trees. The Tree Officer has been consulted and had no objections.
9.15	An objection from a neighbouring resident questions how the landscaping will be managed and that the proposed planting is on a fence not within the ownership of the applicant. Revised plans have removed the climbing plants from the fence and conditions would be attached to ensure the landscaping proposals are carried out and permanently retained. An objection raises the possibility of damage to existing habitats through removal of trees, while trees appear to have been removed prior to the application being submitted they are not protected under a Tree Preservation Order. The proposals show no further trees to be felled within this application.
10.0	Summary of Recommendation:
10.1	The proposal fails to accord with Policy OS 1 of PPS 8 which seeks to protect open space. There are no material considerations which outweigh this policy presumption. It is therefore recommended that planning permission is refused.
10.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.
11.0	DRAFT REFUSAL REASON:
	<ol style="list-style-type: none"> 1. The proposed car park would result in the loss of existing open space and is contrary to Policy OS1 (Protection of Open Space) of Planning Policy Statement 8: Open Space. Sport and Outdoor Recreation.

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 February 2023	
Application ID: LA04/2022/1479/F	Target Date:
Proposal: Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.	Location: Former NI Water Ltd Sewage Treatment Works Blackstaff Road Belfast BT11 9DT
Referral Route: Major Development	
Recommendation:	Approve subject to conditions
Applicant Name and Address: Northern Ireland Water NI Westland House 40 Old Westland Road Belfast BT14 6TE	Agent Name and Address: Resolve Planning & Development Innovation Factory Forthriver Business Park 385 Springfield Road Belfast BT12 7DG
Executive Summary: This application seeks full planning permission for the partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping. The site comprises the site of the former Kennedy Way Waste Water Treatment Works which ceased use in 2000. The key issues to be considered in the assessment of this application are: <ul style="list-style-type: none"> • The principle of the proposed use at this location • Impact on the character and appearance of the area • Compatibility with adjacent uses • Access, parking and traffic management • Environmental Considerations – Drainage, Contamination, Noise, Impact on Designated Sites/Natural Heritage Assets NI water (applicant) advise that the existing NI Water 'Bretland House' facility must be cleared to facilitate the main extension of the Belfast Waste Water Treatment Works at Duncrue which is a	

key and strategic outcome of the DFI-led Living With Water Programme (the Belfast Strategic Drainage Infrastructure Plan) and that the Kennedy Way Hub proposal forms a fundamental part of the works required to upgrade the Belfast WWTW at Duncrue, the proposal is therefore of strategic importance to both NI Water and the Department for Infrastructure led Living With Water Programme (LWWP).

Consultees are content with the proposal subject to conditions and no third party objections have been received.

Recommendation

Having regard to the development plan, relevant policy context and other material considerations, the proposed development is considered acceptable and it is recommended that full planning permission is granted subject to conditions.

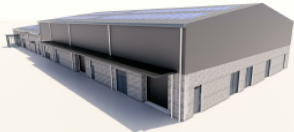
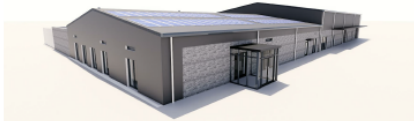
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal any other issues which might arise.

Signature(s):

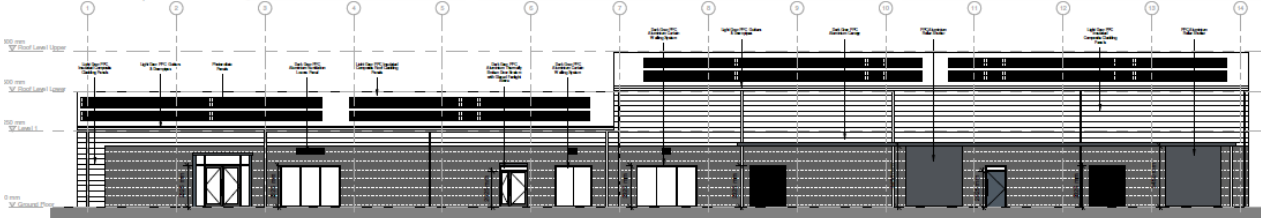
Site Location Plan



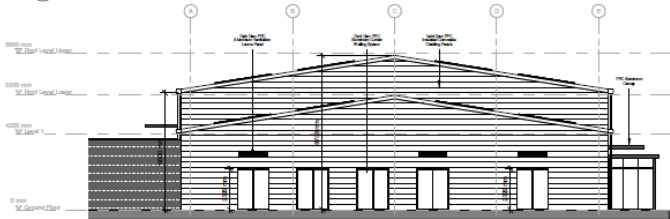
Hub Elevations



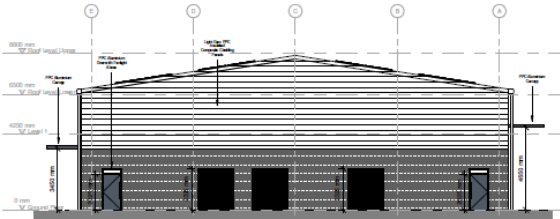
3D Views of Proposed Hub Building



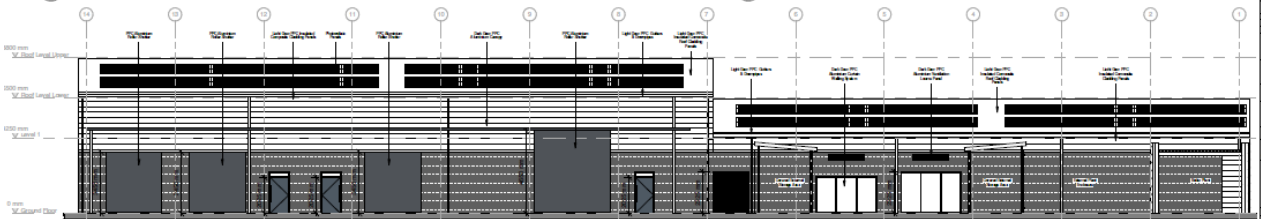
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2 Elevation 2
1:100

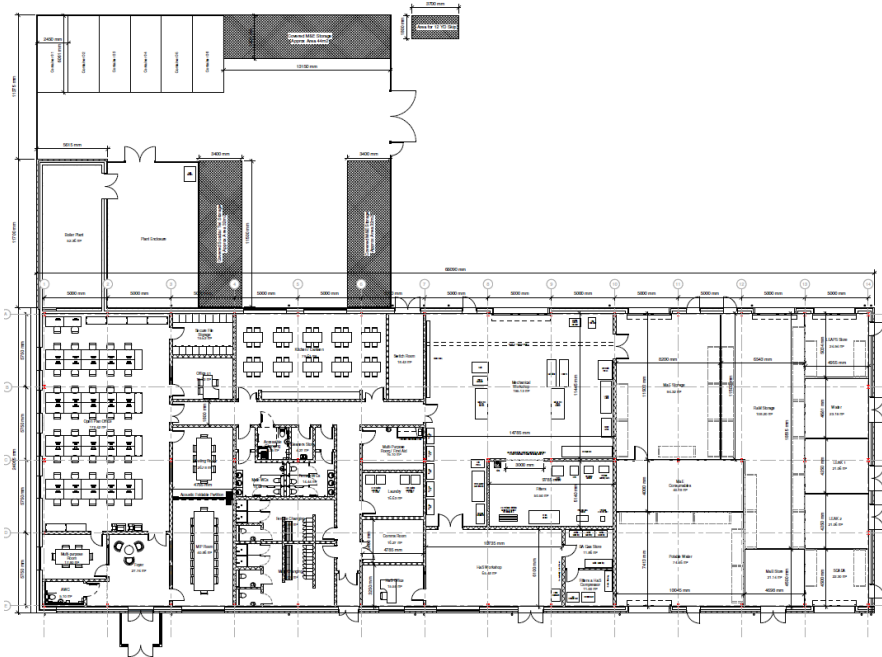


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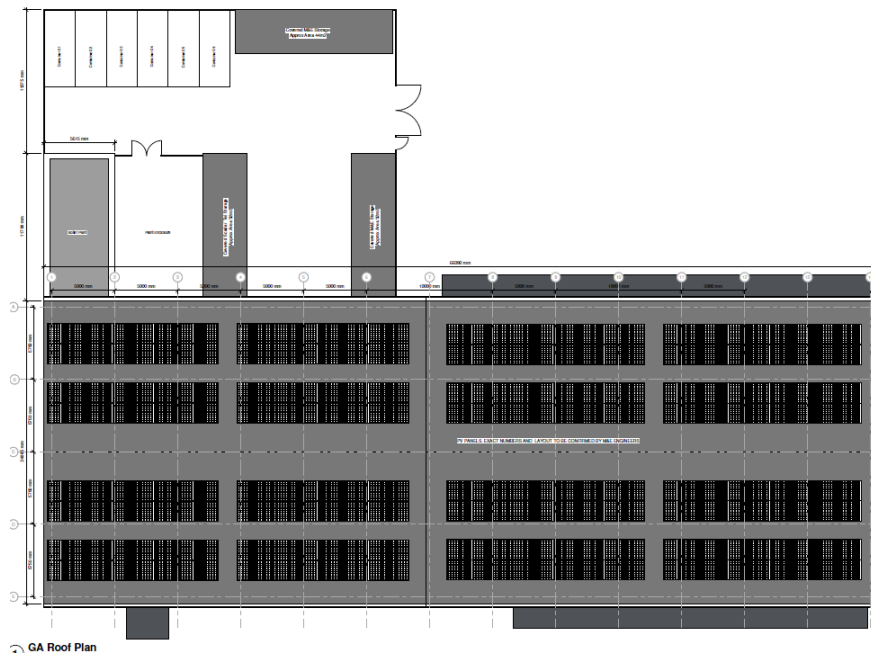
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Hub Ground Floor Plan

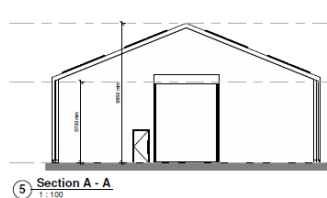
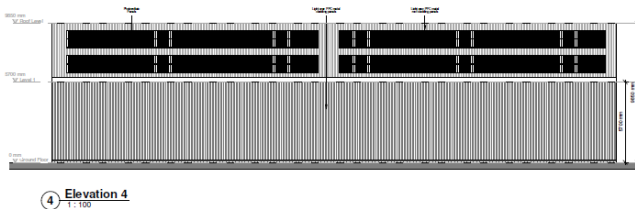
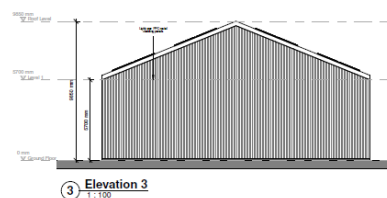
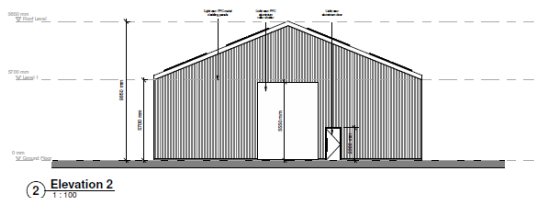
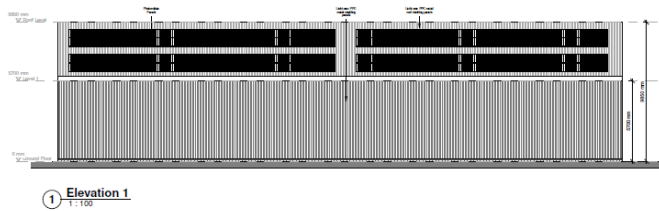


1 Proposed Ground Floor Plan
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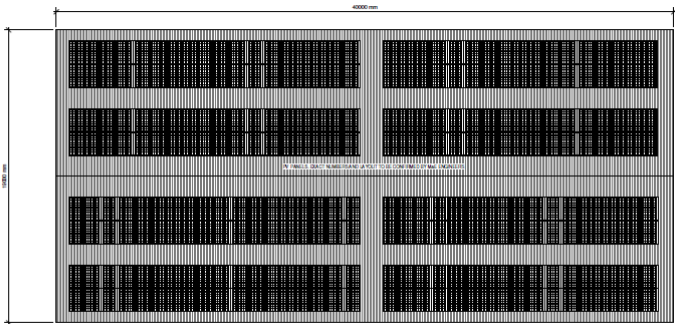
Hub Roof Plan



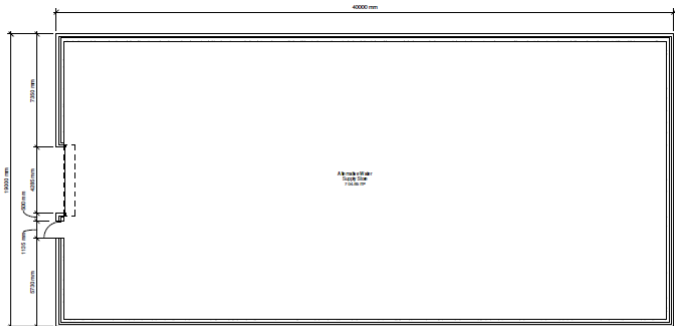
Alternative Water Supply Building (AWS) Elevations



Alternative Water Store (AWS) Ground Floor Plan

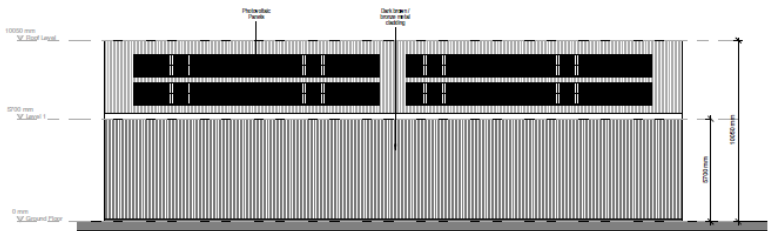


2 Proposed Roof Plan
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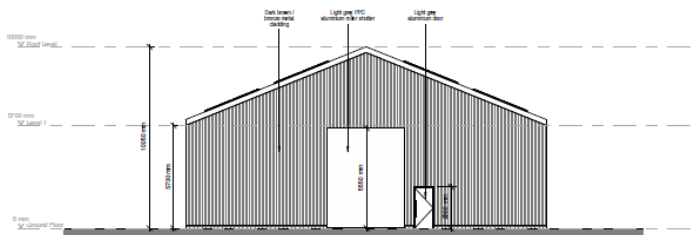


1 Proposed Ground Floor Plan
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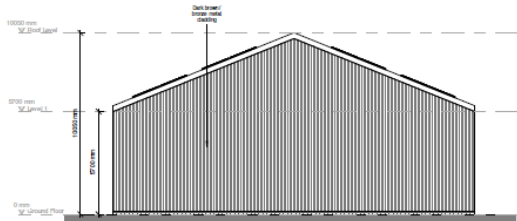
Generator Store Elevation



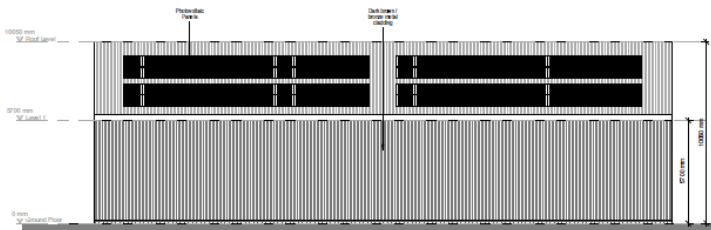
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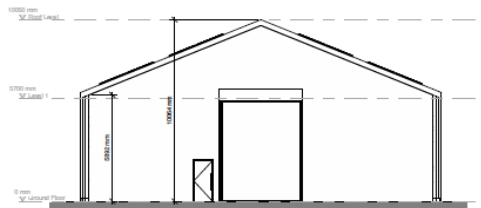
2 Elevation 2
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3 Elevation 3
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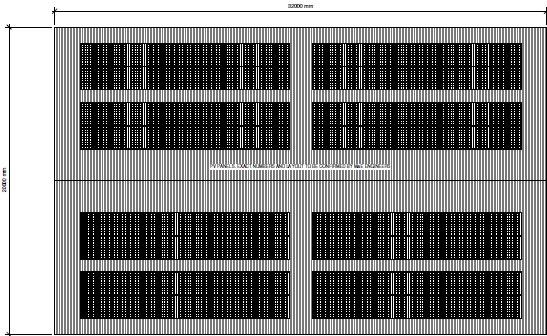


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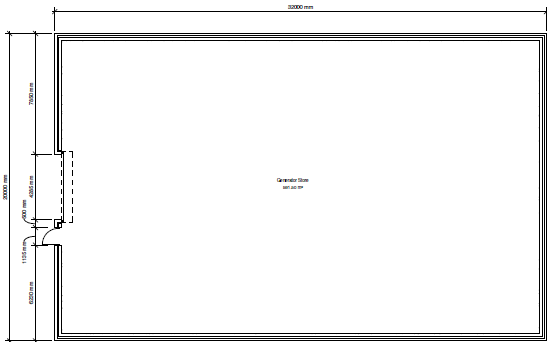


5 Section A - A
1 : 100

Generator Store Floor Plans



2 Proposed Roof Plan
1 : 100



1 Proposed Ground Floor Plan
1 : 100

CGIs
CGI of Hub showing front entrance




CGI of Hub showing rear yard of Hub building**CGI of Alternative Water Supply Building**

2.0	<p>Characteristics of the Site and Area</p> <p>The site is located off the Blackstaff Road within an existing commercial/industrial area and comprises part of a former waste water treatment works that operated on the site until 2000 and has now been decommissioned. The M1 Motorway abuts part of the eastern boundary of the site. Blackstaff Road is located along the western boundary, Belfast City Council Civic Amenity Site and existing industrial/employment units are located to the immediate north of the site. An existing access road runs along the southern boundary of the site.</p>
3.0	<p>Description of Proposal</p> <p>3.1 The application seeks full planning permission for the partial redevelopment of former Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.</p> <p>3.2 The application follows a Pre-Application Discussion (PAD) with officers.</p>

4.0	Planning Assessment of Policy and Other Material Considerations
4.1	<p>Planning Assessment of Policy and Other Material Considerations</p> <p>Regional Planning Policy</p> <ul style="list-style-type: none"> • Regional Development Strategy 2035 (RDS) • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement • Planning Policy Statement 13 (PPS 13) - Transportation and Land Use • Planning Policy Statement 15 (PPS 15) - Flood Risk <p>Local Planning Policy Context</p> <ul style="list-style-type: none"> • Belfast Urban Area Plan (2001) BUAP • Draft Belfast Metropolitan Area Plan (2015) • Draft Belfast Metropolitan Area Plan (2004) <p>Other Material Considerations</p> <ul style="list-style-type: none"> • Belfast Agenda Community Plan • Developer Contributions Framework (2020)
4.2	<p>Planning History</p> <p>LA04/2022/0668/PAN - Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities, ancillary offices, access improvements, parking, service yards, boundary fencing and landscaping. It is proposed to develop three buildings on the site: 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store, Sewage Treatment Works, Blackstaff Road, Belfast, BT11 9DT. PAN acceptable 11.04.2022</p> <p>LA04/2021/1325/PAD - Partial redevelopment of former NI Water operational land at Blackstaff Road / Kennedy Way, Belfast to include M&E workshops, storage, changing facilities and associated offices, access improvements, parking, service yards, boundary fence and landscaping, Sewage Treatment Works, Blackstaff Road, Belfast, BT11 9DT.</p>
4.3	Consultation Responses
4.3.1	<p>Statutory Consultation Responses</p> <p>Responses from statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.</p> <p>DFI Roads – No objection subject to conditions.</p> <p>NI Water – No objection. NI Water response confirms that until such times as there is available capacity at Belfast Waste Water Treatment and downstream wastewater network its proposed to discharge foul sewage to a cesspool which will be emptied via a tanker as necessary. Public water main available to serve the development.</p> <p>DFI Rivers Agency – No objection subject to a condition.</p> <p>DAERA (NIEA) – <i>Water Management Unit</i> - No objection subject to conditions. <i>Drinking Water Inspectorate</i> – No objection <i>Regulation Unit Land and Groundwater Team</i> – No objection subject to conditions. <i>NED</i> – no objection.</p> <p>Shared Environmental Services – No objection subject to conditions. SES advises that the project would not have an adverse effect on the integrity of any European site</p>

	<p>either alone or in combination with other plans or projects subject to mitigation measure proposed as conditions.</p>
4.3.2	<p>Non-Statutory Consultation Responses</p> <p>Responses from non-statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.</p> <p>Environmental Health – No objection subject to conditions. BCC Tree Officer – No objection subject to conditions. Economic Development Unit – Recommend that Employability and Skills during both the construction or operational phases of development should not be applied.</p>
4.4	<p>Representations</p>
4.4.1	<p>The application has been advertised and neighbours notified. No third party objections have been received.</p>
5.0	<p>Planning Assessment</p>
5.1	<p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • The principle of the proposed use at this location • Impact on the character and appearance of the area • Compatibility with adjacent uses • Access, parking and traffic management • Environmental Considerations – Drainage, Contamination, Noise, Impact on Designated Sites/Natural Heritage Assets <p>An assessment of the above issues is set out below.</p>
5.2	<p>Background</p>
5.2.1	<p>The proposed development was the subject of a PAD process which included input from DFI Roads, BCC Tree Officer and Environmental Health.</p>
5.3	<p>Development Plan Context</p>
5.3.1	<p>Section 6(4) of the Planning Act (Northern Ireland) 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>
5.3.2	<p>The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) provides the statutory plan context for the area.</p>
5.3.3	<p>Draft BMAP 2015 (dBMAP 2015), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).</p>

5.3.4	In dBMAP 2004 part of the site is identified as a Park and Ride site within the Belfast Metropolitan/Settlement Development Limit. In dBMAP 2015 the site is on unzoned land within the Belfast Metropolitan/Settlement Development Limit. Within the BUAP the site is unzoned land within the development limit of Belfast.
5.3.5	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
5.4	Need for the Proposed Development
5.4.1	<p>The Planning Statement accompanying the application states <i>that 'The need for the Kennedy Way Hub building arises as a direct result of the requirement to upgrade the existing Belfast Wastewater Treatment Works, which is a key and strategic outcome of the DFI-led Living With Water Programme (the Belfast Strategic Drainage Infrastructure Plan). The Strategic Drainage Infrastructure Plan demonstrates that the Belfast WWTW needs to be significantly increased in capacity to facilitate economic growth, reduce the risk of flooding and achieve future stringent final effluent discharge consent standards in order to help improve the water quality of Belfast Lough. Without the Belfast WWTW upgrade, none of these objectives can be met.... Recent appraisals undertaken by NI Water have identified that the adjoining NI Water 'Bretland House' facility must be cleared to facilitate the main extension of the Belfast WWTW and Bretland House staff must therefore be relocated in order to facilitate the main Belfast WWTW upgrade works currently scheduled for 2024. The new Kennedy Way Hub building, as proposed in this planning application, will provide replacement facilities for those staff currently based at Bretland House whose relocation needs are not already being planned for through other NI Water projects. The provision of this alternative accommodation will allow Bretland House to be demolished and an Inlet Sewer diverted prior to the main Belfast WWTW works commencing.'</i></p>
5.4.2	<p>The Map below shows the existing Bretland House site (6 acres) adjacent to Belfast Waste Water Treatment Works, Duncrue.</p> 

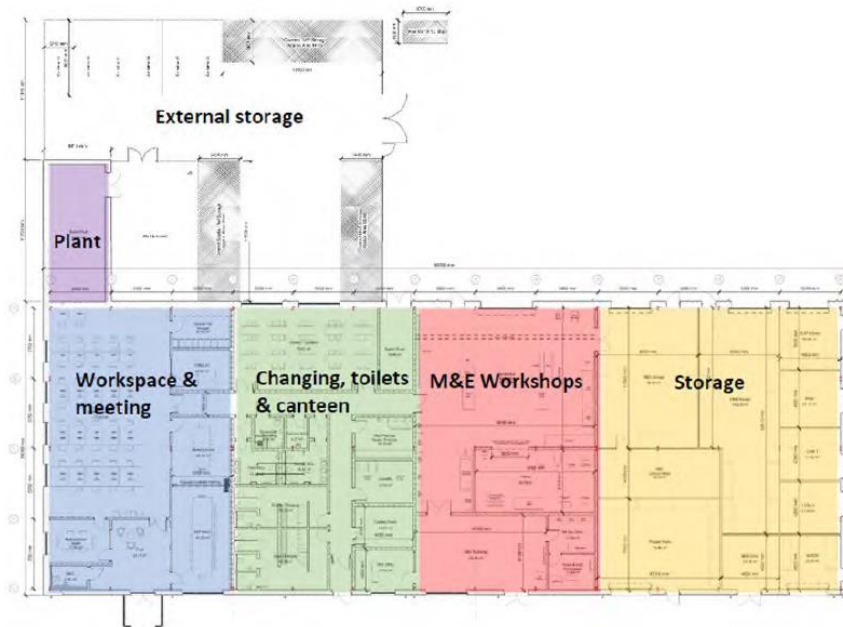
5.4.3	The need for a replacement facility as a result of relocation of Bretland House to facilitate the upgrade to Belfast Waste Water Treatment Works is a material consideration that supports the case for the proposed development.
5.4	Policy Context/Principle of Proposed Uses
5.4.1	The site is located within a primary commercial/industrial/ employment area. The proposal primarily comprises a Class B2 (Light Industrial Use) and Class B4 (Storage and Distribution) uses. Offices are also proposed within the Hub building. The applicant's team has advised that the function of the office space within the hub building is ancillary to its principal function and its purpose is to provide a supporting role to the main use of the building as an M&E workshop and that it would not be operationally possible to provide the office element in a town centre location with the main industrial use on a separate site elsewhere in the city, because the main industrial use relies on the support provided by the office staff. Officers are satisfied that the proposed office use is ancillary to the primary use of the main Hub building.
5.4.2	Policy PED 1 of PPS 4 – Economic Development in Settlements states that proposals for Class B2 and B4 uses will be permitted in an area specifically allocated for such purposes in a development plan or in an existing industrial / employment area provided it is of a scale, nature and form appropriate to the location. Elsewhere in cities and towns such proposals will be determined on their individual merits. The site is not zoned as an employment /industry area in either versions of draft BMAP or the BUAP. However, it is located adjacent to an existing employment/industry and commercial area. The proposal would support the strategic objectives of NI Water to upgrade the Belfast Waste Water Treatment Works. The proposed development is considered in principle to comply with Policy PED 1 and meet the core principles of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and objectives of the Belfast Agenda.
5.4.3	<p>Policy PED 9 – General Criteria for Economic Development also applies to the proposed development and further assessment of the proposed development is set out below. Policy PED 9 states that <i>'a proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria'</i>. Assessment of the criteria is set out below.</p> <p>(a) it is compatible with surrounding land uses; <i>It is considered that the proposal is compatible with the surrounding uses for reasons set out above.</i></p> <p>(b) it does not harm the amenities of nearby residents; <i>No residential properties are located in close proximity to the site.</i></p> <p>(c) it does not adversely affect features of the natural or built heritage; <i>NIEA Natural Environment Division (NED) has considered the impacts of the proposal on designated sites and other natural heritage interests and has no concerns subject to condition to ensure the satisfactory implementation of the Invasive Species management Plan. SES advises 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 subject to mitigation measures which are included as recommended conditions. There are no built heritage assets in close proximity to the site. In summary the proposed development is not considered to adversely affect features of the natural or built heritage heritage.</i></p> <p>(d) it is not located in an area at flood risk and will not cause or exacerbate flooding; <i>The site is not located in a floodplain. Rivers Agency has considered the proposal against Policy FLD 1 and considers that it is not applicable to this development and raises no objections.</i></p>

	<p>(e) it does not create a noise nuisance; <i>Environmental Health has considered the impact of the proposed development and has no concerns relating to noise subject to a condition.</i></p> <p>(f) it is capable of dealing satisfactorily with any emission or effluent; <i>Environmental Health has considered the impact of the proposed development and has no objections relating to air quality/emissions subject to a condition. NI Water has no objections to the proposed development with regard to waste water infrastructure.</i></p> <p>(g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified; <i>DFI Roads has considered the traffic impact of the proposal and has raised no objections subject to conditions.</i></p> <p>(h) adequate access arrangements, parking and manoeuvring areas are provided; <i>DFI Roads has considered the proposed access, parking and manoeuvring arrangements and has raised no objection subject to conditions.</i></p> <p>(i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport; <i>The access arrangements proposed include two access points and operation of a one way system for lorries and vans. The site is located close to Kennedy Way and a regular bus service is available in close proximity to the site. The development supports a range of modes of transport and is considered to meet the needs of those with impaired mobility and is convenient to public transport route.</i></p> <p>(j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity; <i>The site layout and building design are considered to be of an appropriate design quality. Photovoltaic (solar) panels are proposed on the roof which will promote sustainability. Landscaping proposals are proposed which will promote biodiversity in the area and serve to improve the character and appearance of the area.</i></p> <p>(k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view; <i>Security fencing (2.4m high paladin fencing) around the perimeter of the site is proposed and will provide an appropriate means of enclosure. Existing birch trees along the Blackstaff Road boundary will be retained along with new planting proposed within the site will provide an adequate degree of screening of storage areas.</i></p> <p>(l) is designed to deter crime and promote personal safety; <i>Perimeter fencing and gates at the access points entrance and exit to the site will secure the site and act as deterrent against crime. Car parking and access to the building/office is segregated from lorry loading/parking bays which will serve to promote personal safety for users.</i></p> <p>(m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape. <i>Not applicable.</i></p>
5.4.4	The scale, nature and form of the development is considered appropriate to the location and compatible with surrounding uses. The proposal is considered to satisfy the criteria set out in Policy PED 1 and PED 9.
5.5	Scale, Design, Layout
5.5.1	<p>The proposed development comprises three buildings as set out below:-</p> <ul style="list-style-type: none"> • Hub – this is the main building accommodating mechanical and electrical (M&E) workshops, stores, welfare and administrative support; • The Alternative Water Supply Store (AWS) - stores water containers and bottles of drinking water deployed to the community in the event drinking water main supply is interrupted; and

- Generator Store – This building stores mobile electrical generators used during water operations within the Belfast area and beyond.

5.5.2

The hub building is the main operational building proposed and comprises of three types of accommodation (as set out in the plan below) for mechanical and electrical workshops, workspace and meeting space, storage and changing facilities, toilets and canteen along with plant. The height of the Hub building varies across its length. The lowest part is 6.5 m rising to 8.8m. The M&E workshops are accessed from the eastern (rear) elevation whilst the ancillary offices are accessed from the western elevation thereby providing segregated safer entrances.

**5.5.3**

The Planning Statement states that ‘around 100 operational and maintenance staff will need to be assigned to a new hub location arising from the requirement to demolish Bretland House and that the Hub building will incorporate a management control centre and a major incident emergency control centre. It will also have welfare facilities and include a canteen, showers and laundry areas’. The Planning Statement further states that ‘It is operationally essential that the Hub management staff and operatives are accommodated at their operational base – the proposed new Kennedy Way Hub. Its proximity to the M1 motorway, makes it an ideal route access for the Hub’s staff vehicles. In the event of any major incident, its Major Incident Centre (Bronze Command) within the Hub building can be quickly activated with management control staff directing operations and with the ability to deploy staff and plant to site as rapidly as possible.’

5.5.4

The Alternative Water Supply building will be used for the storage of emergency bottled water (a minimum of 200 pallets) and a water tanker fast fill station. In addition, there will also be a large portable generator shed complete with a specialist ventilation system for generator testing. Portable generators stored at the Hub can be quickly moved to a remote site as necessary for use by operational staff. All of the proposed facilities will be provided in a secure protected site. The Kennedy Way Hub will be a working depot for maintenance of water and wastewater infrastructure throughout Belfast and areas beyond and the proposed business hours are 24/7.

5.5.5

The design of the Hub, Alternative Water and Generator Stores reflect typical warehouse type accommodation. All three buildings are of similar scale and appearance

	to industrial buildings in the surrounding area and are long span portal framed buildings with composite cladding. Walls are proposed to be finished in grey cladding and blue/grey brick. Windows are proposed to be finished in grey aluminium frames, roof to be finished in grey cladding and doors in grey steel, grey roller shutter goods doors and glazed aluminium entrance doors.
5.5.6	The height, scale, massing, design, layout and materials of the proposed development are acceptable and compatible with the surrounding context and comply with the SPPS and PPS4.
5.7	Impact on the character and appearance of the area
5.7.1	The site is located in a predominantly commercial/industrial/employment area. Belfast City Council Civic Amenity Site is located to the immediate north along with existing industrial/employment units. The Westwood Shopping Centre is located to the west. Lands abutting the site to the south and southeast are owned by NI Water and form part of the former Waste Water Treatment Works. The M1 motorway runs along the eastern boundary of the site. The nearest existing residential property is located approximately 115 to the south at Stockmans Crescent. The Traffic impact has been considered by DFI Roads who raise no objection. Environmental Health has considered amenity impacts and are content that no adverse impact by way of noise, odour air quality would arise from the development. Japanese knotweed and Himalayan Balsam were identified as being present on the site and the applicant has submitted an Invasive Species Management Plan (ISMP) which sets out steps to control and manage the species to facilitate the proposed development. Measures have been implemented to eradicate the species and this process is ongoing. The (ISMP) has been reviewed by NIEA Natural Environment Division who raise no objection and recommend a condition ensuring that the development adheres to the ISMP.
5.7.2	It is considered that the proposed development will not give rise to adverse impacts and is compatible with the surrounding area and complies with the SPPS.
5.8	Access Parking and Traffic Management
5.8.1	Two access points to the site are proposed from the Blackstaff Road and a one-way access route for lorries and vans is proposed through the site segregating lorries and vans from cars/staff traffic. Parking for 64 cars/vans and 11 HGV lorries is proposed and includes 6 electrical charging points. A sheltered cycle store and providing parking for bicycles is also proposed on site.
5.8.2	DFI Roads has no objections to the proposed development subject to conditions which are set out below. The proposal is considered to comply with the SPPS and PPS 3.
5.9	Environmental Considerations
	Drainage
5.9.1	The application is supported by a Flood Risk Assessment and Drainage Assessment. The proposal has been considered against policies FLD 1-5 of Revised PPS15. DFI Rivers have raised no objections under Policies FLD 1, 2, 3, 4 and 5 subject to a condition seeking the submission of a final drainage plan prior to construction.
5.9.2	NI Water has no objection to the proposed development and advises that although Belfast WWTW and catchment are both operating at capacity this proposal can be approved on the basis of no additional loading. It is proposed to discharge foul sewage to a cesspool which will be emptied by a tanker as necessary. This arrangement will be

	in place until such times as there is capacity at both the WWTW and wastewater network. NI Water advise that there is a public water main within 20m of the proposed development boundary which can adequately service these proposals.
5.9.3	Contamination The application is supported by a Land Contamination Assessment which has been considered by both DAERA, NIEA and Environmental Health. Neither have raised objections and both have provided conditions/informatives if permission is granted.
5.9.4	Noise The application is supported by a Noise Impact Assessment which has been considered by Environmental Health who has provided a condition should permission be granted.
5.9.5	Air Quality The application is supported by an Air Quality Impact Assessment which has been considered by Environmental Health which has no objection subject to a condition as set out below.
5.9.6	Odour The application is supported by an Odour Impact Assessment which has been considered by Environmental Health who has no objection.
5.10	Impact on Designated Sites/Natural Heritage Assets
5.10.1	The proposed development is located adjacent to an unnamed watercourse that connects to the features in Belfast Lough via the Turf Lodge Stream and Lagan System and therefore there is potential that the development could impact on a number of designated sites.
5.10.2	In accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended) Shared Environmental Services (SES) on behalf of the Council has carried out an appropriate assessment and having considered the nature, scale, timing, duration and location of the project, SES advises that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including mitigation measures. This conclusion is subject to mitigation measures being conditioned in any approval which require the development to be carried out in accordance with the drainage plan submitted and the requirement for at least a 10m buffer between the location of any refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and any watercourse or drains present onsite or adjacent to the site. SES considers that adherence to these conditions will negate any potential pollution issues at both construction and operational phases from affecting connected European Site features. Both conditions are set out in full below.
5.10.3	Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 01/02/2023. This found that the project would not have an adverse effect on the integrity of any European site.

5.11	Pre-Application Community Consultation
5.11.1	In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 25 th March 2022 (LA04/2022/0668/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable subject to additional consultation with the MP for West Belfast. A digital public consultation event via a dedicated NI Water website was proposed between 02 and 20 May 2022.
5.11.2	A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. 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 event (digital public consultation event) took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that a leaflet was distributed to neighbouring properties. The report states that feedback was limited to one response which raised issues regarding additional traffic on Blackstaff Road.
5.11.3	The applicant's responded to the issue raised by advising that the application is accompanied by a Transport Assessment Form (TAF) that considers the impact of the development on traffic congestion and road safety which concludes that <i>"the low number of vehicles generated by the proposed development will have a minimal transport impact during AM and PM peak periods"</i> . The response advises that the TAF was also submitted in draft to DFI Roads via the PAD process, who raised no objection to the draft development proposal.
5.11.2	The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.
Neighbour Notification Checked Yes	
Summary of Recommendation: Having regard to the development plan, relevant policy context and other material considerations, the proposed development is considered acceptable and it is recommended that full 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 any other issues which might arise.	
Draft Conditions: 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. All landscaping works shall be carried out in accordance with the approved details on Drawing No. 16C – Planting Plan. 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 proposed trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

3. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any existing trees or planting to be retained as indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying, shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of visual amenity.

4. Prior to commencement all tree protective measures, protective barriers (fencing) and ground protection shall be erected or installed in accordance with the British Standard 5837: 2012 (section 6.2) on any trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

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

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

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

6. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, service runs / cables or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA of existing trees to be retained.

7. The Kennedy Way Hub Tree Survey Report [Arboricultural Method Statement and Plan] by M. Large Tree Services dated 16 Sept 2022 submitted in support of the application shall be adhered to in full during the construction process.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees.

8. No development shall commence (other than site clearance, enabling works or works to fulfil this condition) until a Detailed 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: P2565_2_Issue 4, Phase 3 Remediation Strategy, Kennedy Way, Belfast, Client: McAdam Design, Issued: January 2023'. The Remediation Strategy

shall follow best practice 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.

9. Prior to operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant 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.

10. If during the carrying out of the development, or through the completion of any updated risk assessment for the proposal, 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. The development shall be carried out 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 and for the protection of environmental receptors to ensure the site is suitable for use.

11. Prior to operation of the development, alternative means of mechanical ventilation that is suitably acoustically attenuated shall be installed to the hub building in accordance with section 4.1.1 of the RPS Group report entitled '*Noise Impact Assessment, NI 2588 Kennedy Way Belfast*', referenced NI 2588, dated June 2022.

Reason: Protection of amenity.

12. In the event that any substantial 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), an updated Air Quality Impact Assessment shall be submitted to and approved in writing by the Council prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and 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. The development shall be carried out in accordance with the approved details.

Reason: Protection of human health against adverse air quality impact.

13. The dust management measures, as detailed within Appendix D (*Dust Management Plan*) of the *RPS Group Report entitled 'Air Quality Impact Assessment, Partial Redevelopment of Former NI Water Operational Land at Blackstaff Road/Kennedy Way*, referenced NI 2588, dated July 2022 shall be implemented throughout the duration of the construction phase of the development.

Reason: Protection against adverse air quality impacts.

14. A suitable buffer of at least 10m must be maintained between the location of any refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and any watercourse or drains present onsite or adjacent to the site.

Reason: To protect the features of European Sites indirectly hydrologically connected in Belfast Lough from adverse effects.

15. The drainage for the site shall be constructed in accordance with the approved drainage plan on drawing No. 17D – Proposed Drainage Layout (BRA-MCA-ST1-00-DR-CP-2000 Rev P6).

Reason: To protect the features of European Sites indirectly hydrologically connected in Belfast Lough from adverse effects.

16. Prior to the construction of the drainage network, a final drainage assessment, compliant with FLD 3 and Annex D of PPS 15, shall be submitted to and agreed in writing by the Council. The Final Drainage Assessment shall demonstrate 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. The development shall not be carried out unless in accordance with the approved details.

Reason – In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

17. No development shall commence until the applicant has submitted evidence in writing to the Council for its agreement demonstrating that the risks to groundwater and other environmental receptors due to on-site contamination of the ground and groundwater have been effectively assessed. This evidence should include but not be limited to:

- Groundwater quality monitoring data and a detailed quantitative risk assessment to investigate the risks to groundwater from hydrocarbon contamination identified at the site (WS01),
- If unacceptable risks to groundwater are identified provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to receptors. The remedial criteria are required to be derived through quantitative risk assessment based on the conceptual site model.

If unacceptable risks to receptors are identified a remediation strategy will be required to address those risks.

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

18. The development hereby permitted shall not commence until a detailed remediation strategy to address all unacceptable risks to environmental receptors identified from Condition 17. This strategy must be submitted to and agreed in writing by the Council and should identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which

are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).

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

19. The development hereby permitted shall not be occupied until the remediation measures as described in the remediation strategy submitted under Condition 17 have been implemented to the satisfaction of the Council. The Council must be given at least 2 weeks written notification prior to the commencement of remediation work.

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

20. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:

<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

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

21. The applicant must adhere to the agreed Invasive Species Management Plan (ISMP) for this site and Waste Transfer Notes must be retained where they are required.

Reason: To control and reduce the spread of non-native species.

22. The development shall not become operational until the weather protected cycle parking has been provided in accordance with the approved plans.

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

23. The development shall not become operational until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

24. Pedestrian crossing points including tactile paving shall be provided at all road junctions in accordance with the DETR / Scottish Office publication "Guidance on the use of Tactile Paving Surfaces".

Reason: In the interests of pedestrian safety.

25. The visibility splays, shall be provided in accordance with Drawing Nos. 14C and 26B, prior to the operation of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

26. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted becomes operational and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interest of road safety and the convenience of road users.

Notification to Department (if relevant) - Not Required

Date of Notification to Department:

Response of Department:

Representations from Elected Members:- None

ANNEX	
Date Valid	9th August 2022
Date First Advertised	26th August 2022
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 1,6a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 11 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, 14a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 16a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 19 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 19a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 1c ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 2 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 3 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 3,3 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 4,4-5 ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 45 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 47 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 5 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, 5 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 5-8a Dc Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 6 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 6,5 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 7 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, 9 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, Blackstaff Recycling Centre (Belfast CC), Blackstaff Way, Belfast BT11 9BQ The Owner/Occupier, Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT The Owner/Occupier, Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, Ess,Blackstaff Way,Ballymurphy,Antrim, The Owner/Occupier, Factory 10,Blackstaff Way,Ballymurphy,Belfast,Antrim,BT11 9DT The Owner/Occupier, Factory 7,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT The Owner/Occupier, Former Kennedy Enterprise Centre, 2 Blackstaff Road, Belfast, Antrim,BT11 9DT	

The Owner/Occupier, olly Business Park,Blackstaff Way, Ballymurphy, Belfast, Antrim, BT11 9DS

The Owner/Occupier, Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Office,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, R ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 1,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 1-2,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 10,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 10,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 10,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 11 ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9BL

The Owner/Occupier, Unit 11,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 11,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 12,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 12,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 14,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 14,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 14,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 15,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 15a,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 16,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 16,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 16/17/18,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 17,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 17,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 17-18,Westwood Shopping Centre,Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 18,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 18,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 19,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 19a,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 19b,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 1a,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 2,3 Blackstaff Way,Ballymurphy,Belfast,Antrim,BT11 9DT

The Owner/Occupier, Unit 2,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 2,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 20,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 20,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 21,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 21,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 22,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 22,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 22,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 23,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 24,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 24,Kennedy Enterprise Centre,2 Blackstaff Road, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 24,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 25,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 26,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 27,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 28,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 29,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim,BT11 9BQ

The Owner/Occupier, Unit 3,Kennedy Enterprise Centre,2 Blackstaff Road, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 3,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 3,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim,BT11 9BQ

The Owner/Occupier, Unit 3,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 39,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 4,48 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 4,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 4,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 4-5,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 4-5,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 5 ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT

The Owner/Occupier, Unit 5,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 5,Blackstaff Road,Belfast,Antrim,BT11 9DT

The Owner/Occupier, Unit 5,Kennedy Enterprise Centre,2 Blackstaff Road, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 5,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 5/6,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 6,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 6,48 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 6,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 6,Westwood Retail Park,51 Kennedy Way,Belfast,Antrim, BT11 9BQ

The Owner/Occupier, Unit 6,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 6,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 6/7,D C Silencers Complex,Kennedy Way, Belfast, Antrim, BT11 9AP

The Owner/Occupier, Unit 7,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 7,48 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 7,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 7,D C Silencers Complex,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 7,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 7,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 7,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 7b,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 8,48 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 8,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 8,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 8,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 8,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ The Owner/Occupier, Unit 9,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ The Owner/Occupier, West Belfast Enterprise Centre,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT The Owner/Occupier, Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ	
Date of Last Neighbour Notification	31st August 2022
Date of EIA Determination	30th August 2022
ES Requested	No
Drawing Numbers and Title	
01 – Site Location Plan 03C – Proposed Site Layout Plan 04C – Proposed layout Levels 05 – Proposed AWS Ground Floor and Roof Plan 06 – Proposed AWS Elevations and Sections 07 – Proposed Generator Store Ground Floor and Roof Plan 08 – Proposed Generator Store Elevations and Sections 09 – Proposed Hub Ground Floor Plan 10 – Proposed Hub Roof Plan 11 – Proposed Hub Elevations 12 – Proposed Hub Sections 13 – Proposed Site Sections 14C – Proposed Visibility Splays – Secondary Access 15C – Proposed Visibility Splays 16C – Planting Plan 17D – Proposed Drainage Layout 18C – Proposed Layout fencing 19C – Proposed Layout Kerbs 20C – Proposed Layout Surfacing 21 – Pavement Construction Details 22 – Ground Mounted PV Cells 23 – Above Ground Bunded Fuel Tank 24 – Cycle Shelter Stands 25B- Tree Root Protection Zones 26B – Proposed Whitelining Plan	

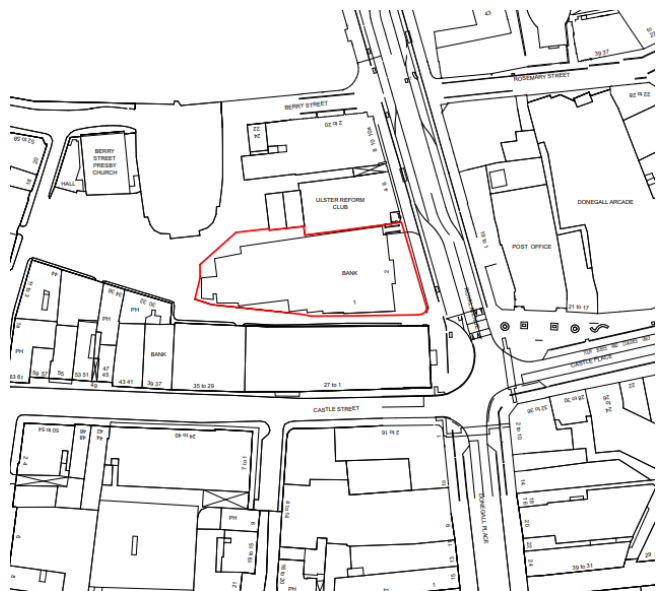
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Committee Report

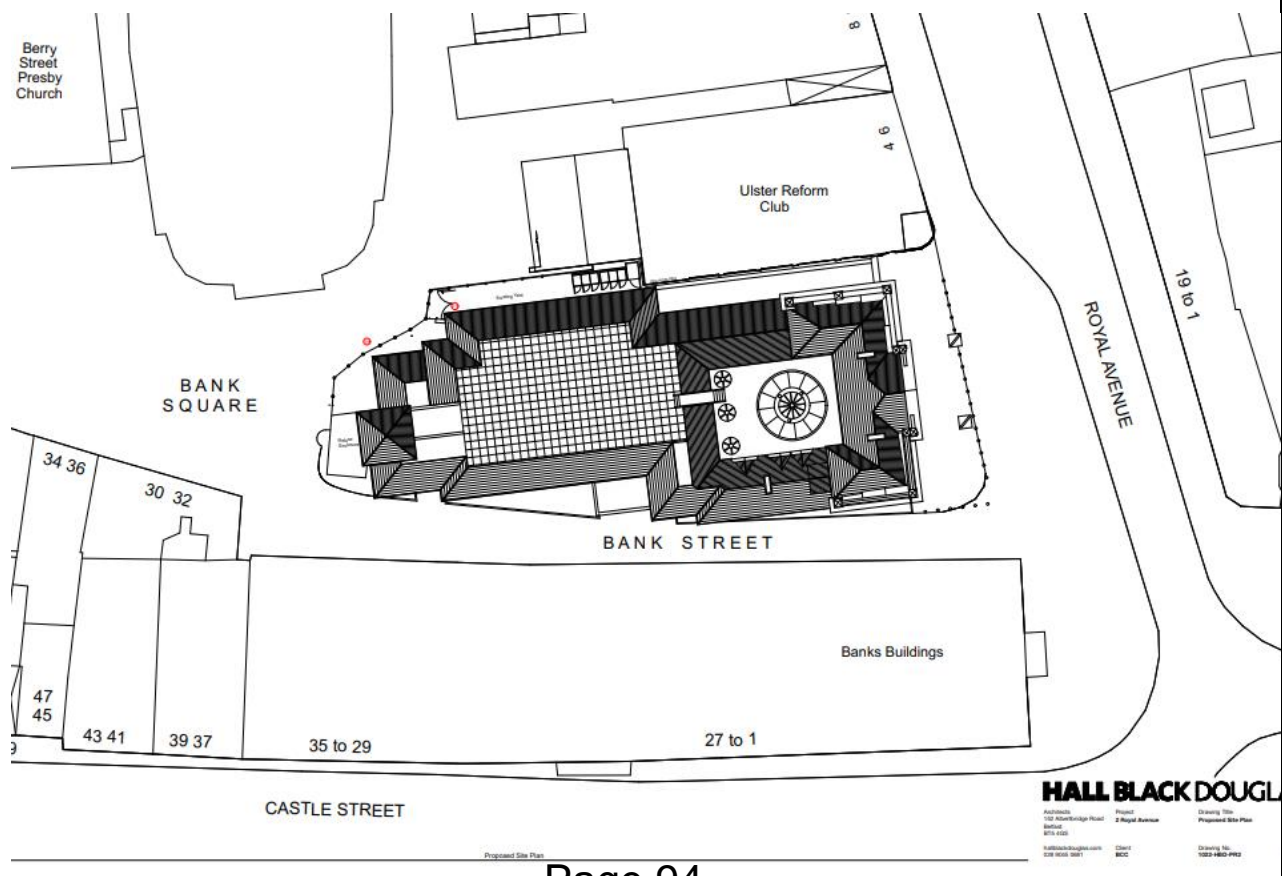
Development Management Report	
Application ID: LA04/2022/2018/F	Date of Committee: Tuesday 14 th February 2023
Proposal: Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.	Location: 2 Royal Avenue Belfast BT1 1DA.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (c) of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Belfast City Council City Hall Belfast BT1 5GS	Agent Name and Address: 152 Albertbridge Road Belfast BT5 4GS
<p>Executive Summary:</p> <p>The applications seeks proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations. The building is a two storey high Victorian sandstone B+ graded listed building (HB26/50/106). The building is in a prominent position facing onto Royal Avenue and has been extensively extended to the rear of the site facing onto Bank Street.</p> <p>Area Plan</p> <p>The site is located within the City Centre in BUAP and within the Retail Core, City Centre Conservation Area and Primary Retail Frontage within both versions of dBMAP. The application site is currently used as a community, recreational and cultural space to facilitate multi-disciplinary uses as approved on a temporary basis under the application LA04/2021/2580. 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 deemed to comply with the SPPS, policies BH 8 and BH 12 of PPS 6 and Section 104(11) (b) of the Planning Act (Northern Ireland) 2011. The proposal will open up the rear of the building with a new pedestrian entrance. This includes removing the existing palisade fence to be replaced with bollards and this is considered to enhance the listed building and the conservation area.</p> <p>The application is brought before committee under section 3.8.5 (c).</p> <p>HED and the Conservation Officer were consulted. HED had no objections, the Conservation Officer had no objections to the proposed pedestrian entrance but asked for clarity regarding the proposed shutter.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p>	

Case Officer Report

Site Location Plan



Proposed Block Plan



HALL BLACK DOUGL
Address: 100 Keshmidge Road, Belfast, BT5 4JH
Phone: 01234 567890
Email: info@hallblackdouglas.com
Website: www.hallblackdouglas.com

Project: 4 Royal Avenue
Drawing Title: Proposed Site Plan
Drawing No: 1000-1000-000

Client: BCC
Drawing No: 1000-1000-000

Proposed Elevations

- A. COVERED LOADING AREA
- B. LEAN TO EXTERNAL STORE
- C. EXISTING 2.5M HIGH DOUBLE SLUTTED GALVANISED STEEL GATES / RAILINGS
- D. EXISTING 1.8M HIGH RAILING ON GUM STONE PUNY
- E. EXISTING TIMBER WINDOWS WITH COMMERICAL DISPLAY

EXISTING FINISHES

- Brick - Red/Brown in Colour
- Concrete/Floor Tiles
- Reconstructed Stone Window Surround - Buff in Colour
- Reconstructed Stone Details - Buff in Colour
- Dark Grey Aluminium Rainwater Goods

- 1. WINDOW INFILL PANELS (BASIC) Carefully remove plastered masonry (if) to reveal existing timber framed retail window in Bank Street. Remove 1 x plastered window reveals where damaged and install plastered horizontal (if) board.

- 2. NEW STRUCTURAL OPENINGS Remove plastered masonry (if) and existing masonry (if) to reveal existing 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny. Remove plastered masonry (if) to reveal existing 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny. Remove plastered masonry (if) to reveal existing 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny.

- 3. NEW WINDOW SCREENS Install new PVC aluminium framed doors - screens comprising vertical to parking doors with steel lintels and horizontal to parking doors. Install 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny. Remove plastered masonry (if) to reveal existing 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny.

- 4. ROOF RIGIDITY Install new PVC aluminium framed doors - screens comprising vertical to parking doors with steel lintels and horizontal to parking doors. Install 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny. Remove plastered masonry (if) to reveal existing 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny.

- 5. STAINLESS STEEL ROLLERS Provide 1.5m x 1.5m high roller support stainless steel rollers including 4m high roller type to allow delivery vehicles to enter.

- 6. GATES Install 2.5m high double sluted galvanised steel gates and existing 1.8m high railing on gum stone puny.



Characteristics of the Site and Area	
1.0	Description of Proposed Development Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.
2.0	Description of Site The site is located at 2 Royal Avenue. The building is a two storey high Victorian sandstone B+ graded listed building (HB26/50/106). The building is in a prominent position facing onto Royal Avenue and has been extensively extended to the rear of the site facing onto Bank Street. The application site is currently used as a community, recreational and cultural space to facilitate multi-disciplinary uses as approved on a temporary basis under the application LA04/2021/2580. The surrounding area is commercial in nature with a mix of city centre uses, the building is surrounded by a number of listed buildings. The site is located within the City Centre in BUAP and within the Retail Core, City Centre Conservation Area and Primary Retail Frontage within both versions of dBMAP.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Application Number: LA04/2021/2580/F Decision: Permission Granted Decision Date: 04 January 2022 Proposal: Temporary (2 years) change of use of the ground floor at the former Tesco Metro store on Royal Avenue Belfast from use class A1 to a community, recreational and cultural space to facilitate multi-disciplinary uses under use classes D1 (community and cultural uses) and D2 (assembly and leisure).
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 3: Access, Movement and Parking
4.5	Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
5.0	Statutory Consultees Responses HED- No objections
6.0	Non Statutory Consultees Responses Conservation Officer- No objections to proposed entrance, clarification sought on details.

7.0	Representations
	The application was advertised on the 18 th November 2022 and neighbour notified on the 13 th December 2022, no objections were received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance Belfast City Centre Conservation Area Design Guide
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Design of the Proposal • Impact on Listed Building • Impact on Conservation Area <p>With regards to development in Conservation Areas, Section 104(11) of the Planning Act (Northern Ireland) 2011 states that special regard must be had to the desirability of;</p> <p>(a)preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</p> <p>(b)enhancing the character or appearance of that area in cases where an opportunity to do so does arise</p> <p>Paragraph 6.18 of the SPSS states as follows:</p> <p>‘In managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, 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 considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.’</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 BH 8 of PPS 6 provides policy for the extension or alteration of a listed building and three criteria to be met which are:</p> <p>Design of the Proposal</p> <p>The proposal involves the creation of a new pedestrian access to the rear of the existing extension with a roller shutter. The rear of the building is surrounding by a 2.4m palisade fence and the proposal removes a section of fencing to the rear of the building, instead</p>

	<p>using stainless steel bollards which will open up the rear of the site. A new 2.4m gate is also proposed to the side of the building which will tie in with the existing fencing. The proposal is considered to conform to the good design paragraphs of the SPPS in that the proposals will open up the rear of the building to the public and remove an unsightly palisade fence in an area open to the public.</p> <p>Impact on the Listed Building</p> <p>The proposal is deemed to comply with the SPPS and policy BH 8 of PPS 6. The proposed works are to the rear extension of the building which was constructed during the 1990s and will retain the essential character of the building. The proposal will open up the rear of the building by removing the unsightly palisade fencing and utilising bollards instead, this will improve the setting of the listed building. HED were consulted and considered the proposal shall not have any additional adverse impact on the listed building. HED consider that the proposed roller shutter is situated on the rear extension of the building and the removal of the fencing and opening up a new entrance is a betterment.</p> <p>Impact on the Conservation Area</p> <p>The proposal is considered to comply with the SPPS, policy BH 12 of PPS 6 and Section 104(11) (b) of the Planning Act (Northern Ireland) 2011. The scale of the proposal is minor in nature and by opening up the building to the rear and removing the unsightly palisade fencing the development is considered to enhance the character and appearance of the area. The pedestrian entrance is considered sympathetic to the rear extension it is set within and the proposed bollards replacing the palisade fencing will improve views within the conservation area. Bank Street is a pedestrianised area which is located at the rear of buildings facing Royal Avenue and contains a number of unsympathetic boundary treatments, the proposals will aid footfall within the area and enhance the character of the area. The conservation officer was consulted and had no objection to the proposed new entrance. The Conservation Officer stated that page 58 of the Belfast City Centre Conservation Guide notes that external shutter boxes will not be permitted and any acceptable roller shutter/housing should be internal and be perforated. The Guide refers to perforated shutters within the streetscene and does state projecting shutter boxes will not be permitted. With consideration that the shutter is located to the rear of the building and the enhancements of the proposals, it is considered that the shutter will not have a detrimental impact to the conservation area.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
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.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>1. This decision relates to the following approved drawing numbers: 01, 02, 05, 06, 07</p>
	Notification to Department (if relevant) N/A
	Representations from Elected members: N/A

ANNEX	
Date Valid	12 th October 2022
Date First Advertised	18 th November 2022
Date Last Advertised	18 th November 2022
Date of Last Neighbour Notification	13 th December 2022
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01 Site Location Plan 02 Existing Block Plan 03 Proposed Block Plan 04 Existing Ground Floor Plan 05 Existing 1 st Floor Plan 06 Existing Elevations 07 Existing Roof Plan 08 Proposed Ground Floor Plan 09 Proposed 1 st Floor Plan 10 Proposed Elevations	

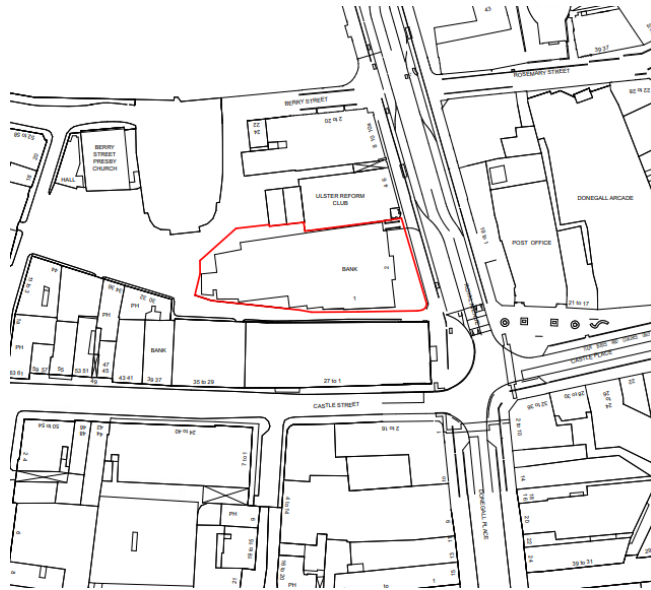
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Committee Report

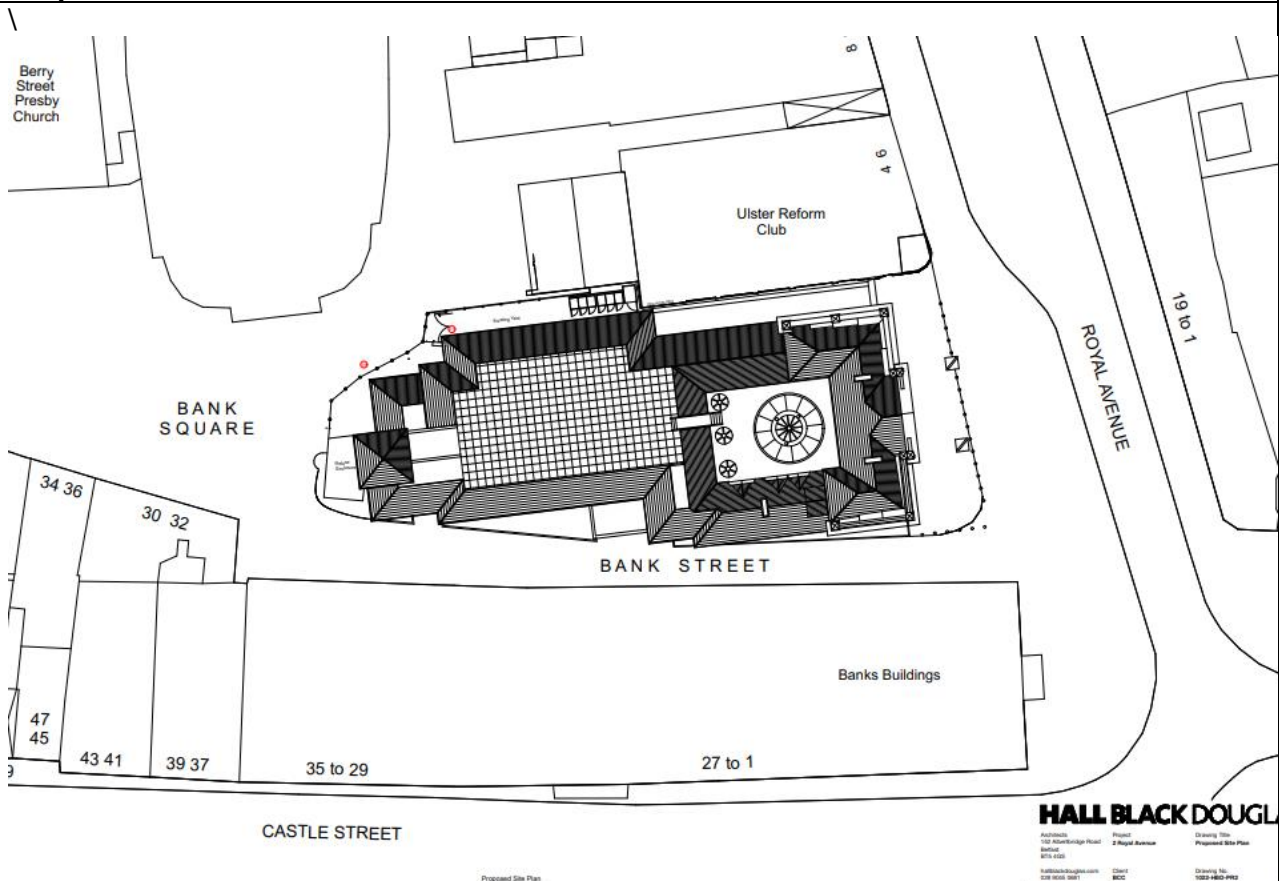
Development Management Report	
Application ID: LA04/2022/2019/LBC	Date of Committee: Tuesday 14 th February 2023
Proposal: Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.	Location: 2 Royal Avenue Belfast BT1 1DA.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (c) of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Belfast City Council City Hall Belfast BT1 5GS	Agent Name and Address: 152 Albertbridge Road Belfast BT5 4GS
<p>Executive Summary: The applications seeks proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations. The building is a two storey high Victorian sandstone B+ graded listed building (HB26/50/106). The building is in a prominent position facing onto Royal Avenue and has been extensively extended to the rear of the site facing onto Bank Street.</p> <p>Area Plan The site is located within the City Centre in BUAP and within the Retail Core, City Centre Conservation Area and Primary Retail Frontage within both versions of dBMAP. The application site is currently used as a community, recreational and cultural space to facilitate multi-disciplinary uses as approved on a temporary basis under the application LA04/2021/2580. 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 deemed to comply with the SPPS, policy BH 8 of PPS 6 and Section 91(2) of the Planning Act (Northern Ireland) 2011. The proposal will open up the rear of the building with a new pedestrian entrance while the internal alterations are minor. This includes removing the existing palisade fence to be replaced with bollards and this is considered to enhance the listed building and the conservation area.</p> <p>The application is brought before committee under section 3.8.5 (c).</p> <p>HED were consulted and had no objections.</p> <p>Recommendation Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p>	

Case Officer Report

Site Location Plan



Proposed Block Plan



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Characteristics of the Site and Area	
1.0	Description of Proposed Development Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.
2.0	Description of Site The site is located at 2 Royal Avenue. The building is a two storey high Victorian sandstone B+ graded listed building (HB26/50/106). The building is in a prominent position facing onto Royal Avenue and has been extensively extended to the rear of the site facing onto Bank Street. The application site is currently used as a community, recreational and cultural space to facilitate multi-disciplinary uses as approved on a temporary basis under the application LA04/2021/2580. The surrounding area is commercial in nature with a mix of city centre uses, the building is surrounded by a number of listed buildings. The site is located within the City Centre in BUAP and within the Retail Core, City Centre Conservation Area and Primary Retail Frontage within both versions of dBMAP.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Application Number: LA04/2021/2580/F Decision: Permission Granted Decision Date: 04 January 2022 Proposal: Temporary (2 years) change of use of the ground floor at the former Tesco Metro store on Royal Avenue Belfast from use class A1 to a community, recreational and cultural space to facilitate multi-disciplinary uses under use classes D1 (community and cultural uses) and D2 (assembly and leisure).
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
5.0	Statutory Consultees Responses HED- No objections
6.0	Non Statutory Consultees Responses None
7.0	Representations The application was advertised on the 18 th November 2022.
8.0	Other Material Considerations

	None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> Impact on Listed Building <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 BH 8 of PPS 6 provides policy for the extension or alteration of a listed building and three criteria to be met which are:</p> <p>(a) the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired;</p> <p>(b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the building; and</p> <p>(c) the architectural details (e.g. doors, gutters, windows) match or are in keeping with the building.</p> <p>Impact on the Listed Building</p> <p>The proposal is deemed to comply with the SPPS and policy BH 8 of PPS 6. The proposed works are to the rear extension of the building which was constructed during the 1990s and will retain the essential character of the building. The proposal will open up the rear of the building by removing the unsightly palisade fencing and utilising bollards instead, this will improve the setting of the listed building. HED were consulted and considered the proposal shall not have any additional adverse impact on the listed building. HED consider that the proposed roller shutter is situated on the rear extension of the building and the removal of the fencing and opening up a new entrance is a betterment.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
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.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>1. This decision relates to the following approved drawing numbers: 01, 03, 08, 09, 10</p>

ANNEX	
Date Valid	12 th October 2022
Date First Advertised	18 th November 2022
Date Last Advertised	18 th November 2022
Date of Last Neighbour Notification	N/A
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title	
01 Site Location Plan 02 Existing Block Plan 03 Proposed Block Plan 04 Existing Ground Floor Plan 05 Existing 1 st Floor Plan 06 Existing Elevations 07 Existing Roof Plan 08 Proposed Ground Floor Plan 09 Proposed 1 st Floor Plan 10 Proposed Elevations	



Subject:	Delegation of Local applications with NI Water objections
Date:	14 February 2023
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input 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	The Planning Committee will recall that at its meetings on 27 June and 14 November 2022 it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other than the NI Water objection) will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.

2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where ' <i>There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.</i> ' This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee ' <i>...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.</i> '
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at its meeting on 27 June and 14 November 2022, the Committee agreed to delegate 97 and 25 Local applications respectively with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report all 122 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development; and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development.

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

	transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	Officers are aware of the infrastructure issues which NI Water are facing and have had regard to that in making this recommendation to Committee. However, each application must be assessed on its own merits and officers have sought detailed evidence to support the objections which have been provided by NI Water. That has not been forthcoming.
4.2	The cost and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee.
4.3	Regard is also had to the considerable current pressures on the Planning Service and staff with an extremely high volume of live applications on hand due to the longer-term impacts of COVID-19 and ongoing technical issues with the new Planning Portal. The impacts of COVID-19 and other operational pressures were reported in detail to the 15 th February 2022 Planning Committee, item 12a . (hyperlink). In addition, technical issues with the new Planning Portal have reduced the rate of decisions. Combined with several key vacancies, total live applications have increased to around 1,200 application, an approximate 40% increase since pre-pandemic levels. It is very important that the Planning Service implements a range of measures to reduce live applications back down to more manageable levels. This includes securing delegated authority from the Committee for officers to deal with these Local applications subject to NI Water objections.
4.4	For the reasons set out above, officers are of the view that it would be appropriate to continue to delegate these applications.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

Appendix 1 – Local applications with NIW objections (February 2023)

	DEA	REFERENCE	DATE RECEIVED	PROPOSED	ADDRESS
1	Balmoral	LA04/2022/2222/F	22/11/2022	The construction of a ground floor restaurant with 4no. 1 bed apartments at first and second floor level, at 565-567 Lisburn Road.	565-567 Lisburn Road
2	Balmoral	LA04/2022/2226/F	22/11/2022	The construction of a ground and first floor restaurant with 2no. 1 bed apartments at second floor level, at 565-567 Lisburn Road.	565-567 Lisburn Road
3	Black Mountain	LA04/2023/2324/F	13/12/2022	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	Mountain View Centre Norglen Gardens
4	Black Mountain	LA04/2022/0929/F	20/04/2022	Proposed alterations to existing Social Club to provide extensions to Main Hall, lounge with new external entrance, bar with covered seated patio area, smoking area and boundary wall removal.	Andersonstown Social Club
5	Botanic	LA04/2022/1934/F	12/10/2022	Proposed change of use to ground floor of former bank building to hot food cafe and associated external terrace space.	49-51 University Road
6	Botanic	LA04/2022/1880/F	07/10/2022	Proposed change of use from retail unit to hot food carry out and erection of extractor flue	463 Ormeau Road
7	Botanic	LA04/2022/1355/F	14/07/2022	Change of use from retail unit to hot food take away with associated flue extracton. External works to include a first floor extension a single storey side extension.	224 Tates Avenue
8	Botanic	LA04/2022/1721/F	24/08/2022	Change of use from dwelling to House in Multiple Occupation (HMO).	15 Ulsterville Gardens
9	Botanic	LA04/2021/2408/F	07/10/2021	Extensions to existing office building, elevations changes, internal alterations and ancillary landscaping works	Gas Office, Cromac Quay
10	Castle	LA04/2022/1950/F	19/10/2022	Proposed 2Nos. detached two storey dwellings, associated car parking, landscaping and all other ancillary site works (Phase 2).	Lands Immediately South Of 742 Antrim Road
11	Castle	LA04/2021/2756/F	16/11/2021	Alteration & refurbishment, with change-of-use, of existing commercial premises to 6No 1-bed apartments with 2No integral garages.	61 Alexandra Park Av

12	Castle	LA04/2022/1945/F	21/06/2022	Proposed extension of restaurant/ bar at rear of building; first floor external seating/ smoking area at rear with fire stairs and exit. Demolition of existing store and replacement with single storey flat roof store. Proposed alterations of south facade.	169-175 Cavehill Road
13	Court	LA04/2022/2059/F	04/11/2022	Residential development comprising of 12no. 3p/2b semi-detached dwelling houses with incurtilage parking and associated site-works.	Lands South Of 56 Highcairn Drive Belfast BT13 3RU Site Located At Junction Between Highcairn Drive And Dunboyne Park Belfast.
14	Court	LA04/2022/0742/F	01/03/2022	Proposed new two storey/split level community hub building (including changing rooms) and a single storey modular changing room building with associated car parking; paths and landscape site-works.	Paisley Park Sportsplex West Circular Road
15	Court	LA04/2022/1450/F	18/07/2022	Proposed change of use from vacant social club and bar to a bar, restaurant and function room; first floor side extension; 2 storey side and rear extension; alterations to Shankhill Road facade and alterations to boundary on Lanark Way	352-356 Shankill Road
16	Lisnasharragh	LA04/2022/0953/F	30/03/2022	Retrospective change of use from commercial building to plant hire business	3 Alexander Road
17	Titanic	LA04/2022/2111/F	11/11/2022	Conversions of existing storage space into 1 no. 68sqm 2 bedroom apartment	228 Albertbridge Road
18	Titanic	LA04/2022/1998/F	25/10/2022	Demolition of existing buildings and erection of social-led, mixed tenure residential development comprising of 20 no. dwelling houses and 10 no. apartments with car parking; provision of public open space and community hib	Belfast Metropolitan College Tower Street.