

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



**Belfast
City Council**

6th December, 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, 12th December, 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. Committee Site Visits

- (a) Note of Committee Site Visits (Report to follow)
- (b) Request for Briefing and Site Visit - LA04/2020/2607/F - Residential development for the erection of 33 no dwellings (including 5 no affordable units) including public open space, equipped children's play area and associated development as enabling works to deliver the refurbishment of 3 no listed pavilions within the Belvoir Park Hospital complex. Former Belvoir Park Hospital Site Hospital Road, Belfast

- (c) Request for Site Visit - LA04/2022/1219/F - Demolition of existing building and erection of 11 storey building (May Street/Victoria Street) and 4 storey building (Gloucester Street) comprising 77 apartments with communal areas, ground floor retail services (A2) unit, cycle and car parking, and vehicular access via Gloucester Street - 177-183 Victoria Street 66-72 May Street and 4-8 Gloucester Street
3. **Notification of Provision/Removal of Accessible Parking Bay**
- (a) Provision - Cliftonville Circus (Pages 1 - 4)
 - (b) Provision - 28 Ava Crescent (Pages 5 - 8)
 - (c) Provision - 236 Duncairn Gardens (Report to follow)
 - (d) Provision - 17 Cooke Street (Pages 9 - 12)
4. **Proposed Speed Limit Reduction**
- (a) Notification of Speed Limit Reduction - Ballygowan Road (Pages 13 - 16)
5. **Planning Appeals Notified** (Pages 17 - 18)
6. **Planning Decisions Issued** (Pages 19 - 42)
7. **Miscellaneous Reports**
- (a) Delegation of Applications with NIW Objections (Pages 43 - 48)
 - (b) Planning Service Updated Improvement Plan (Report to follow)
8. **Appeal for Non-Determination**
- (a) **LA04/2023/2922/F** - Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping - Site bounded by Glenalpin Street, Wellwood Street and Norwood Street (Pages 49 - 72)
9. **Planning Applications Previously Considered**
- (a) **LA04/2022/0118/F** - Erection of 46No.apartment units over three storeys, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (amended plans received 21-9-23) - 146 Parkgate Avenue (Pages 73 - 104)
 - (b) **LA04/2022/1203/F** - Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings) - Glenriver Lands adjacent to 78 Cloona Park (Pages 105 - 124)

- (c) **LA04/2022/2103/F** - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works. - 1 and 2 Duncrue Pass (Report to follow)
- (d) **LA04/2020/2285/O** - Two storey detached dwelling with garden and associated parking - Land adjacent to 39 and 40 Stirling Road (Pages 125 - 136)

10. **New Planning Applications**

- (a) **LA04/2023/2668/F** - Demolition of existing buildings and the erection of an affordable housing development comprising of 71No. units with a mix of apartments and townhouses, including an ancillary community hub and offices, car parking, landscaping and all associated site and access works - Lands bound by Pilot Street, Short Street, the rear of nos. 11-29 Garmoyle Street and, the rear of Nos. 63 and 65a Dock Street and No. 123 Corporation Street (Report to follow)
- (b) **LA04/2023/2388/F** - Residential development comprising 256no. units, public realm, and associated access and site works. - Lands immediately North of Cross Harbour Bridge, East of Donegall Quay and South of AC Marriott Hotel, City Quays (Report to follow)
- (c) **LA04/2021/2687/F** - Residential development for 87 no. apartments (1 no. and 2 no. bedroom) of which 18no. units are affordable housing, internal car park, landscaped gardens/ terraces and all associated site works (amended description and plans). - 3 Milner Street (Pages 137 - 160)
- (d) **LA04/2023/3030/F** - Erection of 201-bed Purpose Built Managed Student Accommodation scheme and retail unit (11-storey) (amended description and plans). - 41-49 Dublin Road and 3-5 Ventry Street (Report to follow)
- (e) **LA04/2022/0097/F** - Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings) - 22-30 Hopefield Avenue (Report to follow)
- (f) **LA04/2023/4165/F** - Vary Conditions 15 and 16 of LA04/2020/0673/F, relating to trees and landscaping - Lands at "The Bullring" located parallel to the Westlink motorway and adjacent Denmark Street/California Close between Peters Hill and Regent Street (Report to follow)
- (g) **LA04/2023/2390/F** - Section 54 application to vary a number of conditions to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road. - Lands West of Monagh By-Pass South of Upper Springfield Road and 30-34 Upper Springfield Road and West of Aitnamona Crescent and St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road and Airfield Heights and St Mary's CBG School (Pages 161 - 176)

- (h) **LA04/2023/3462/F** - Proposed change of use of vacant first floor restaurant seating, storage and ancillary space to amusement and gaming to facilitate extension to existing ground floor amusement and gaming premises, 24-28 Bradbury Place (Report to follow)
- (i) **LA04/2023/3547/F** - Three storey side extension to existing Community Building to provide, Artist's Studio, Gallery Space, Digital Hub on ground and 1st floor and apartment to provide Artist's Residence on 2nd floor, 149-151 Sandy Row (Pages 177 - 184)
- (j) **LA04/ 2023/3832/F**- Section 54 application to vary condition No. 4 of LA04/2013/434/F (as amended in PAC decision 2016/A0033) to vary trigger point for provision of community centre.

Amended text for this condition:

In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this, Blacks Gate Development (Former Visteon Factory) Blacks Road (Pages 185 - 192)

11. **Restricted Item**

- (a) Quarter 2 Finance Report (Pages 193 - 200)



Department for

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Network Traffic, Street Lighting and Transportation Eastern Division

Mr John Walsh
Chief Executive
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Email: Traffic.Eastern@infrastructure-ni.gov.uk

Website: www.infrastructure-ni.gov.uk

Being Dealt with By: G. Stevenson
Direct Line: (028) 9262 6676

Our Ref:

17 November 2023

Dear Mr Walsh

CLIFTONVILLE CIRCUS, BELFAST – PROPOSED ACCESSIBLE PARKING BAY.

Following a request for an accessible parking bay in the Cliftonville Circus area, we carried out a number of surveys which indicated that there is a high demand for parking in this area which may create difficulties for blue badge holders.

Consequently, it is considered that it may be beneficial to introduce an accessible parking bay outside doctors' surgery.

The proposed bay will be subject to a waiting restriction of 'Monday to Friday, 8am to 6pm, 2 hours, No Return within 1 hour'.

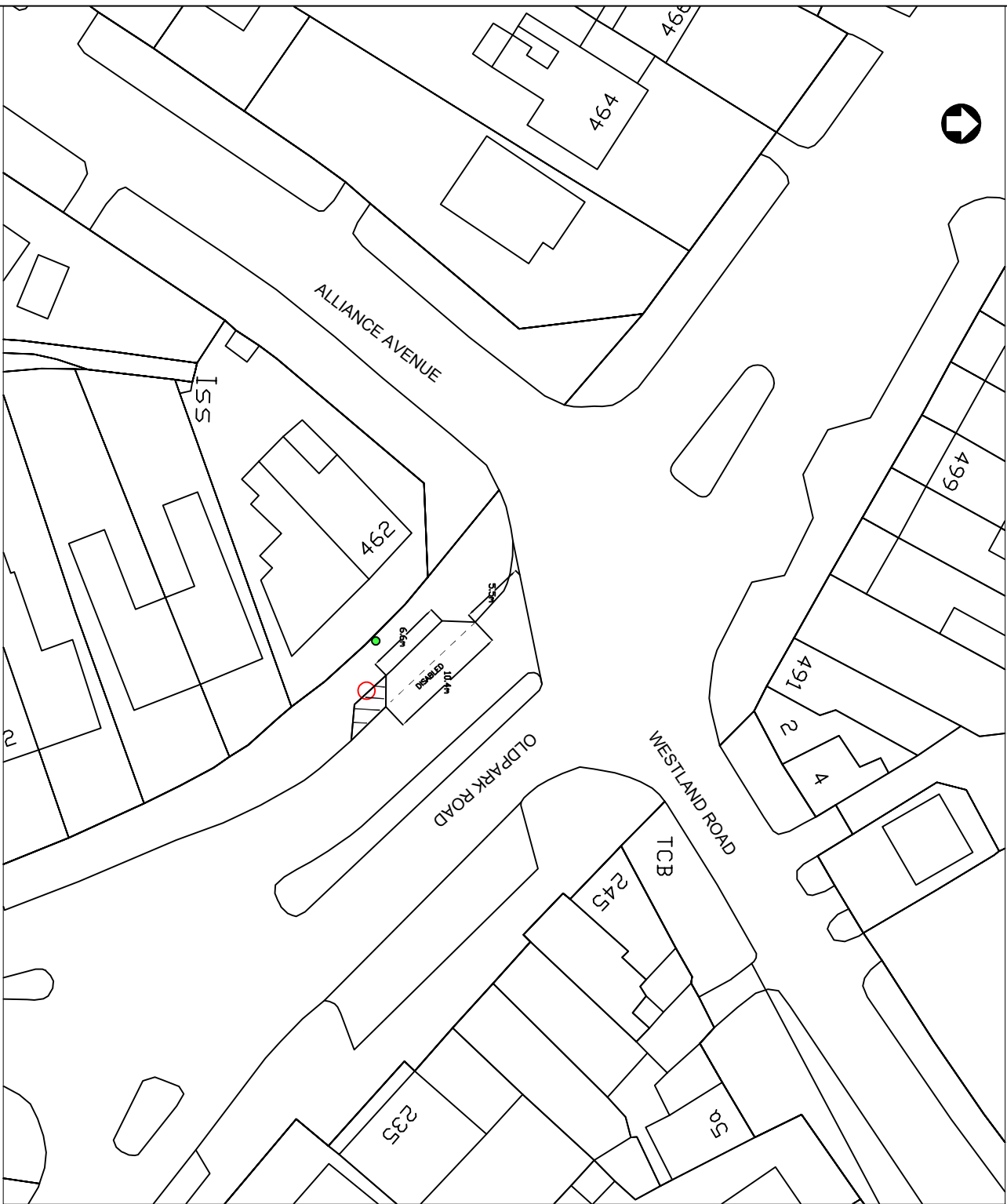
I have attached a plan showing our proposal for your information.

I would be grateful if you could confirm that the Council has considered this matter and is content with the proposal.

Yours sincerely

Jim McGarry

**Traffic Manager
Traffic Management 1**



NO.	REVISION	DATE
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- Proposed dropped kerbs
- ▨ Hatch Road markings

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Project Oldpark Road, Belfast

Title			
Proposed accessible parking bay			
FILE NO.	DESIGNED	GS	date Mar 23
DRAWN	CHECKED		date
TRACED	APPROVED		date
Drq. No.	Revision		
	01		

Scales 1:500

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

Being dealt with by: Mr. Ling Gillespie
Direct Line: 02890522272

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 30 November 2023

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY AT 28 AVA CRESCENT, BELFAST

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

We would welcome your comments on this proposal.

Yours sincerely

PP Ling Gillespie
Graham Campbell
Traffic Manager

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NO.	REVISION	DATE

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Project
28 AVA CRESCENT
BELFAST

Title
PROVISION OF AN ACCESSIBLE/
DISABLED PARKING BAY

FILE NO.	DESIGNED	AO'H	date
DRAWN	CHECKED		date
TRACED	APPROVED		date
Dwg. No.	Revision		

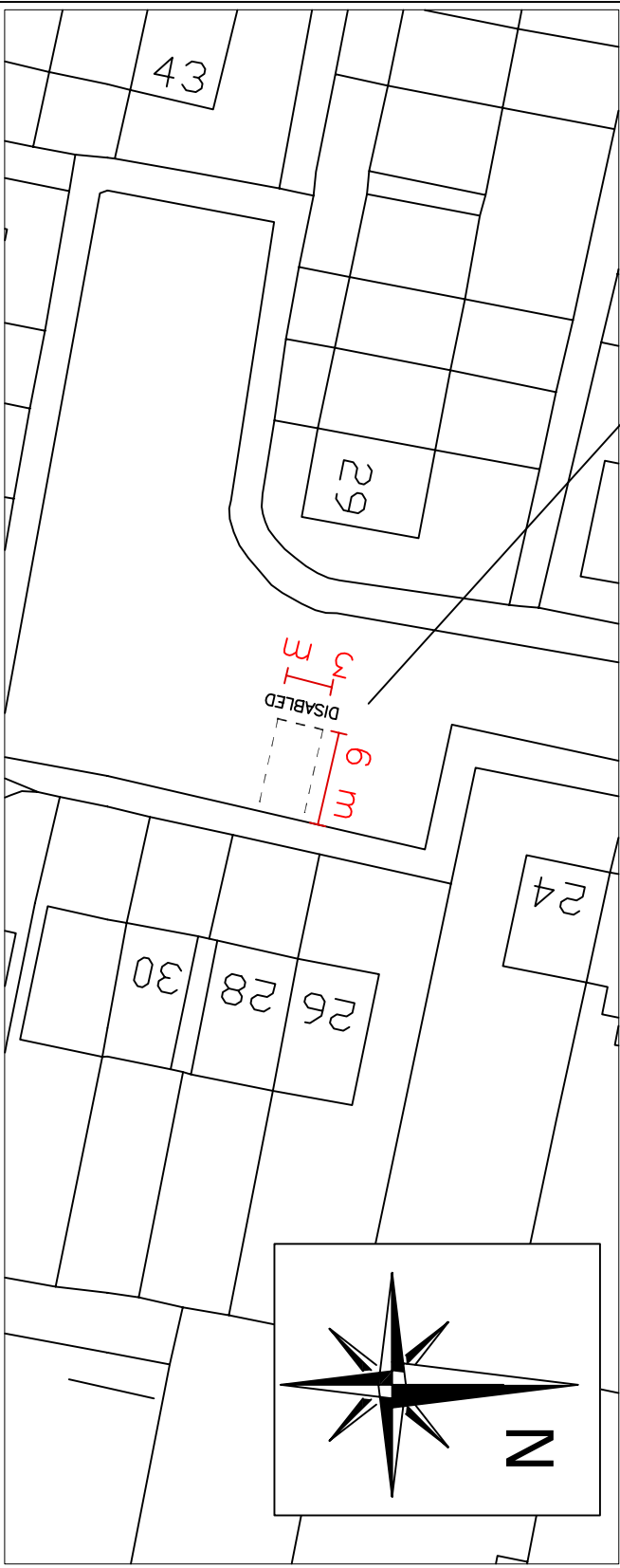
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Scales
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Being dealt with by: Mr. Ling Gillespie
Direct Line: 02890522272

OfficeoftheChiefExecutive@BelfastCity.gov.uk

Your reference:
Our reference: MT

Date: 5 December 2023

Dear Mr Walsh

PROVISION OF AN ACCESSIBLE/ BLUE BADGE PARKING BAY AT 17 COOKE STREET, BELFAST

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

We would welcome your comments on this proposal.

Yours sincerely

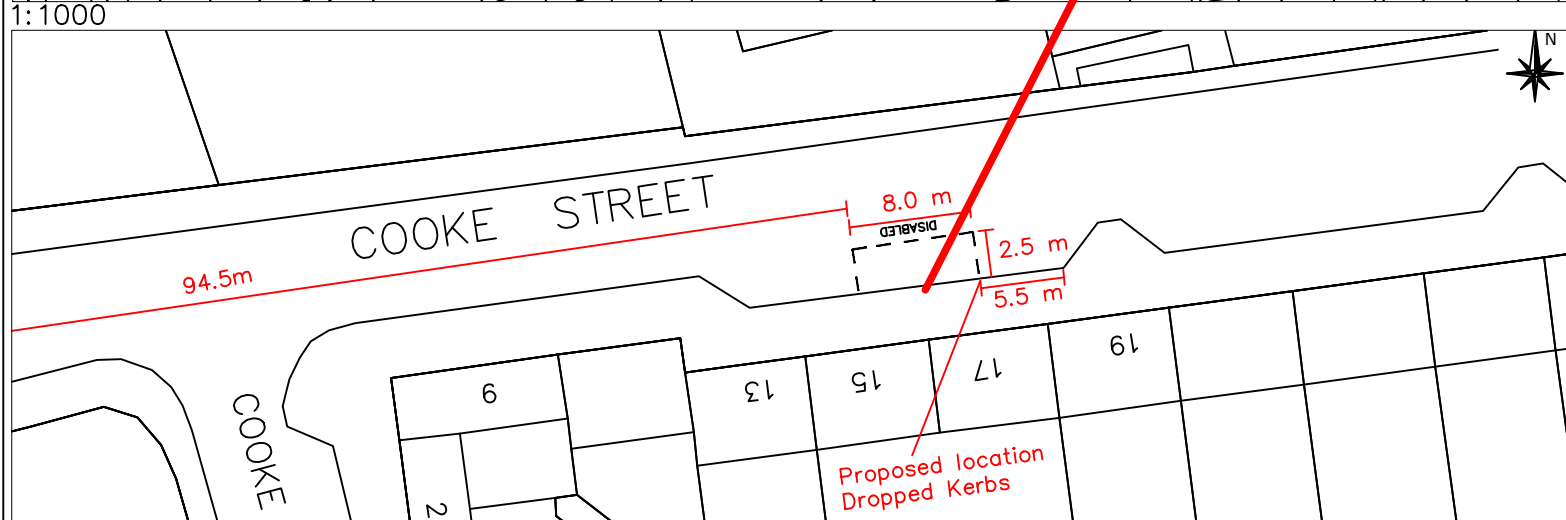
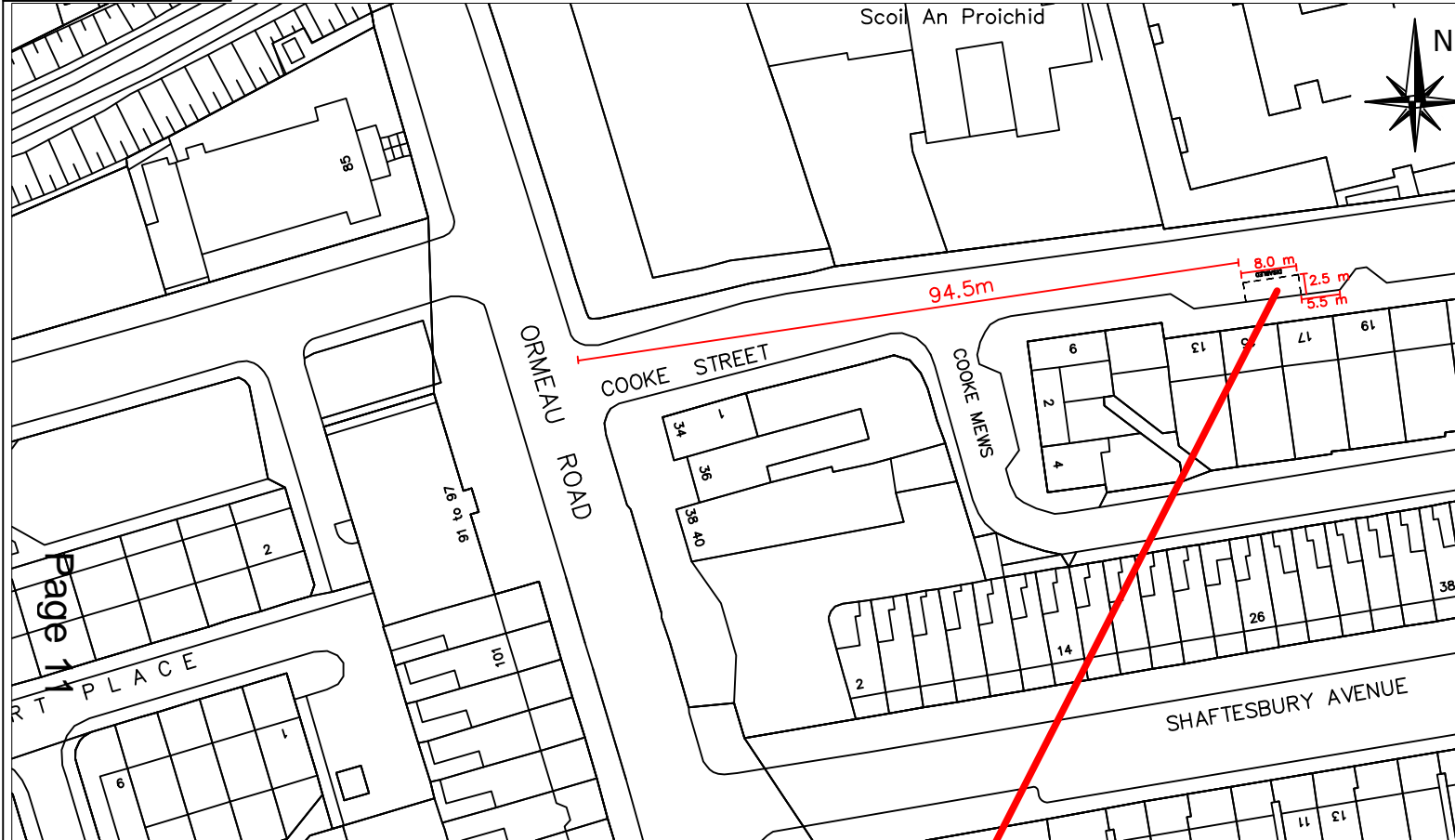
PP Ling Gillespie
Graham Campbell
Traffic Manager

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Drg. No.

Cooke Street, Belfast (south-east side)—from a point 94.5 metres north-east of its junction with Ormeau Road, for a distance of 8.0 metres in a north-easterly direction.



NO.	REVISION	DATE
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Project
PROPOSED ACCESSIBLE/
DISABLED PARKING BAY

Title
17 COOKE STREET
BELFAST

FILE NO.	DESIGNED	LG	date DEC'23
DRAWN	CHECKED		date
TRACED	APPROVED		date

Drg. No.
TM2/BEL/DEC/23/61/A

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**Network Traffic, Street Lighting and
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Eastern Division**



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Email: Traffic.Eastern@infrastructure-ni.gov.uk

Website: www.infrastructure-ni.gov.uk

Being Dealt with By: G. Stevenson
Direct Line: (028) 92626 676

Your Ref:
Our Ref:

17 November 2023

Dear Mr Walsh

BALLYGOWAN ROAD, BELFAST – PROPOSED SPEED LIMIT REDUCTION.

Following an enquiry regarding speed issues, we carried out an assessment on the suitability of the existing speed limit on Ballygowan Road, between its junctions with Church Road and Castlehill.

The assessment indicated that the speed limit at this location, should be reduced from national speed limit to 40mph.

Consequently, we propose to implement these changes. Please see the attached plan showing the proposals for your information.

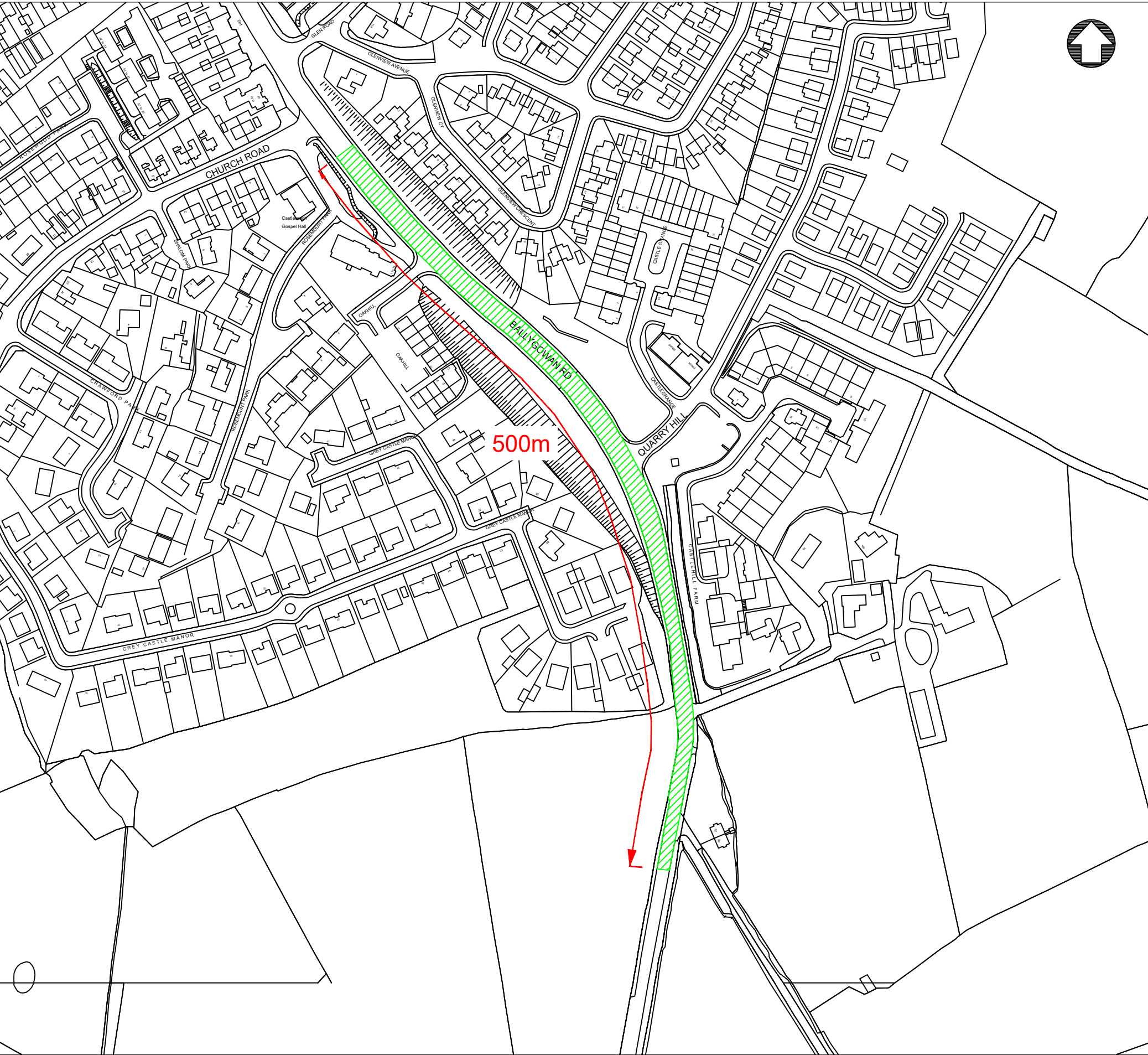
If you have any comments or queries regarding the proposals please get in touch with Gillian Stevenson by using the contact details above.

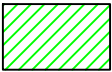
Yours sincerely

Jim McGarry

**Traffic Manager
Traffic Management 1
Enc.**





 Proposed 40mph speed limit

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Project	BALLYGOWAN ROAD, BELFAST			
Title	PROPOSED SPEED LIMIT			
FILE NO.		DESIGNED	GS	date OCT 23
DRAWN		CHECKED		date
TRACED		APPROVED		date
Drg. No.				Revision
			01	

Scales 1:2500

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Agenda Item 5

PLANNING COMMITTEE – 12 DECEMBER 2023

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2023/A0081

PLANNING REF: LA04/2023/2922/F

APPLICANT: Artemis Development Ltd

LOCATION: Site bounded by Glenalpin Street, Wellwood Street and Norwood Street, Belfast

PROPOSAL: Redevelopment of existing surface car park for the rection of new purpose built, managed student accommodation scheme comprising of 354No units purpose built, managed student accommodation scheme comprising of 354 No units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping

PROCEDURE:

APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2022/A0130

PLANNING REF: LA04/2022/0300/F

RESULT OF APPEAL: DISMISSED

APPLICANT: Mr Charles Toland

LOCATION: 95 University Street, Belfast

PROPOSAL: Section 54 application to remove condition 2 from planning permission LA04/2019/2518/F ie removal of condition which states that occupation shall be by the same person(s) for a consecutive period exceeding 90 days to allow for longer term occupation of flats

ITEM NO 2 PAC REF: 2022/A0095

PLANNING REF: LA04/2020/1667/F

RESULT OF APPEAL: DISMISSED

APPLICANT: Hutchinson 3G UK Ltd

LOCATION: Adjacent to existing bus shelter 10m south of 107-111 Andersonstown Road at junction with Slemish Way, Belfast, BT11 9BU

PROPOSAL: Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works

Planning Decisions issued November 2023 - No. 182

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2021/1447/F	LOC	Lands to NE of 265 Whiterock Road Ballymurphy Belfast BT12 7FZ	28 house development (social housing) including provision of new access, below ground pumping station, open space and landscape (Amended drawings / Additional information)	Permission Granted
LA04/2022/0849/F	LOC	36 Green Road Ballycloghan Belfast BT5 6JA	Alterations to side and rear elevations	Permission Granted
LA04/2022/1312/F	LOC	39 Flush Road Ballysillan Upper Belfast BT14 8SJ.	Demolition of existing dwelling and build new dwelling, single storey with attic accommodation located approx. 75m east of existing dwelling and detached double garage.	Permission Granted
LA04/2022/1334/PAD	MAJ	Former Cross & Passion School Site Glen Road Belfast BT11 8BW.	PAD Option 3: Redevelopment of the former Cross & Passion School site, Glen Road, Belfast to create a new post-primary school campus for All Saints College with an enrollment of approximately 1000 pupils.	PAD Concluded
LA04/2022/1365/F	LOC	193 Belmont Road Belfast BT4 2AE	Smart Pod for Ancillary Use Erected to the Rear of the Site.	Permission Granted

LA04/2022/1683/F	LOC	21 Upper Knockbreda Road Belfast BT6 0NA.	Regularisation of Changes to Previously Approved 2 Storey Extension and Single Storey Extension Ref: LA04/2018/2225/F. 2-Storey Extension Changed from Flat Roof to Pitched Roof. Single Storey Extension Changed - Floor & Roof Levels Lowered. Rear Garden Patio Levels & Patio Extent Changed. Garden Levels Changed. (Revised Information Received)	Permission Granted
LA04/2022/1765/F	LOC	Titanic Spar, Units 1, 2 and 3, Block A The Arc, Abercom Basin Titanic Quarter, Queens Road, Belfast. BT3 9DT.	Internal reconfiguration and change of use from restaurant/food to go counter to convenience retail use (class a1) to provide an extension to the existing retail unit and retention of existing hot and cold food counter (sui generis) with reconfiguration of its associated customer seating.	Permission Granted
LA04/2022/1929/F	LOC	99 Upper Newtownards Road Belfast BT4 3HW.	Demolition of Existing Single Storey Rear Return. Alterations to the Existing Fabric of the Building. Erection of Part Two Storey, Part Single Storey Extension to the Rear. Additional Site Works.	Permission Granted
LA04/2022/2038/DC	LOC	Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queens Road Belfast.	Discharge of condition 2 LA04/2022/0293/F.	Condition Discharged

LA04/2022/0915/F	MAJ	12 Stoney Road Belfast BT4 3SD	Development of new, replacement Animal Health Sciences Building with General Stores Building, Post-Mortem Suite and Carcass Incineration Facility, and associated works	Permission Granted
LA04/2022/0995/DCA	LOC	36 Green Road Belfast BT5 6JA	Alterations to existing side and rear elevations	Consent Granted
LA04/2022/1544/DC	LOC	Porters Annex Apsley Street Belfast BT7 1BL	Discharge of Condition no.9 - LA04/2018/0408/F	Condition Discharged
LA04/2022/1645/F	LOC	4 Boucher Crescent Belfast BT12 6HU	Erection of new switchgear building with GRP enclosure.	Permission Granted
LA04/2022/1682/LDE	LOC	8A Balmoral Park Belfast BT10 0QD	Building used a storage/hardstanding area for parking.	Application Required
LA04/2022/1931/LBC	LOC	99 Upper Newtownards Road Belfast BT5 3HW.	Demolition of Existing Single Storey Rear Return. Alterations to the Existing Fabric of the Building. Erection of Part Two Storey, Part Single Storey Extension to the Rear. Additional Site Works.	Consent Granted
LA04/2022/2128/O	LOC	Lands 20M East of 669 Antrim Road and 28M South of, 3 Glastonbury Avenue Belfast BT15 4DL	Detached 1 and 1/2 storey dwelling.	Permission Granted

LA04/2022/2268/F	LOC	13 Park Road, Belfast, BT7 2FW	Proposed conversion of the former Masonic Lodge Hall to provide 11 serviced apartments, including the demolition of the rear return and rebuilding as a two story extension.	Permission Granted
LA04/2023/2293/A	LOC	Land approx 10m West of 176 BELVOIR DRIVE, Belfast, BT8 7DQ. (Amended Address)	1 Other - Illuminated Ad Panel on Bus Shelter	Consent Granted
LA04/2023/2392/A	LOC	13 Great Georges Street, Belfast, BT15 1FH.	Resiting of existing digital sign	Consent Granted
LA04/2023/2461/F	LOC	3 KINEDAR CRESCENT STRANDTOWN BELFAST DOWN BT4 3LY	Two Storey Side & Rear Extension. Single Storey Side Extension. Reduction in Size of Existing Garage to Accommodate Extension and Additional Site Works.	Permission Granted
LA04/2023/2477/F	LOC	Public footpath located opposite 168 Ballysillan Road, Belfast, BT14 8GQ	New 5G 15m height street pole Telecommunications Mast and associate ancillary equipment cabinets	Permission Granted
LA04/2023/2445/F	LOC	20 MARLBOROUGH PARK NORTH MALONE LOWER BELFAST ANTRIM BT9 6HJ	Proposed side and rear part single storey / part two storey extensions to dwelling, proposed solar panels to front elevation. Proposed new front boundary wall / railings and in curtilage car parking space. (Amended Proposal Description)	Permission Granted
LA04/2023/2446/F	LOC	9 ELAINE STREET MALONE LOWER BELFAST ANTRIM BT9 5AR	Conversion of and alterations to existing dwelling including two storey rear extension to form 2no. one-bedroom apartments.	Permission Refused

LA04/2022/2341/F	LOC	Lands at existing CCL Label Ireland Limited Production Facility, Ballygomartin Industrial Estate Ballygomartin Road Belfast BT13 3LZ	Warehouse extension to existing production facility, associated car parking and landscaping	Permission Granted
LA04/2023/2494/F	LOC	43A ROSEMARY STREET TOWN PARKS BELFAST ANTRIM BT1 1QB	RETROSPECTIVE EXTENSION TO EXISTING SOCIAL CLUB TO FORM GROUND FLOOR BEER GARDEN	Permission Granted
LA04/2023/2527/F	LOC	203 Moyard House Glen Road, Belfast, BT11 8BU	Two storey rear extension to existing Museum and Restaurant to provide ground floor store and first floor Kitchen	Permission Granted
LA04/2023/2532/DC	LOC	57-59 & 61-63 Dublin Road, Belfast, BT2 7HE	Discharge condition 23 (Lighting Strategy) of planning approval LA04/2020/0761/F.	Condition Discharged
LA04/2023/2585/F	LOC	5 Harberton Drive Malone Upper Belfast Antrim BT9 6PE	Two storey rear extension and single storey garage with bike storage area and raised patio area. (Amended Proposal Description)	Permission Granted
LA04/2023/2613/F	LOC	Cathedral Eye Clinic, 1 Boucher Crescent, Belfast, b	The proposal includes adding an external lift on the front elevation of the building for access to first floor. External lift to be cladded in same material and colour as existing front elevation cladding.	Permission Granted
LA04/2023/2596/F	LOC	86 LANSDOWNE ROAD SKEGONEILL BELFAST ANTRIM BT15 4AB	Erection of single storey rear extension to accommodate living and dining area.	Permission Granted

LA04/2023/2642/PAD	LOC	45-47 Ravenhill Road, Belfast, BT6 8EB	Demolition of existing buildings and erection of 16no apartments	PAD Concluded
LA04/2023/2645/F	LOC	123 MILLTOWN ROAD BALLYNAVALLY BELFAST DOWN BT8 7XP	Erection of 6 no. 15 metre lighting columns with LED floodlights on existing rugby pitch 2 at the complex. Total of 12 no. LED luminaires, 2 per column and an overall lux level of 100 lux.	Permission Granted
LA04/2023/2704/F	LOC	62-64 Wellington Park, Belfast, BT9 6DP	Reconfiguration of 9no. apartments including part demolition to rear with replacement three storey extensions, storage units and landscaping works. (Amended Description)	Permission Granted
LA04/2023/2705/DCA	LOC	62-64 Wellington Park, Belfast, BT9 6DP	Demolition to the rear of Nos. 62-64 Wellington Park, Belfast to facilitate replacement extension and internal reconfiguration.	Consent Granted
LA04/2023/2740/F	LOC	32 BALMORAL AVENUE MALONE LOWER BELFAST ANTRIM BT9 6NW	Loft conversion into additional bedroom and ensuite by means of two proposed dormer windows and proposed internal staircase.	Permission Granted
LA04/2023/2780/F	LOC	68 Ard-na-va Road, Belfast, BT12 6FF	Proposed Extension and Alterations to an existing Nursing Home	Permission Granted
LA04/2023/2805/DC	LOC	2-14 Dunbar Street (Common Market), Belfast, BT1 2LH	Management Plan and Fire Safety Manual Discharge of Condition 2 - LA04/2021/2095/F	Condition Not Discharged

LA04/2023/2853/F	LOC	Footpath on Monagh By Pass (inbound), approx 70m from Glen Rd roundabout, Andersonstown, Belfast, BT11 8QF	The proposal relates to the installation of a 20m high slim-line monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric meter cabinet, and ancillary development thereto.	Permission Granted
LA04/2023/2848/F	LOC	119 LAGMORE DALE LAGMORE DUNMURRY ANTRIM BT17 0TF	Conversion of existing garage and attic to living accommodation, including provision of rear dormer window, new windows and rooflights. External balcony to rear elevation with external metal stairs.	Permission Granted
LA04/2023/2850/F	LOC	146 Andersonstown Road, Andersonstown, Belfast, BT11 9BY	Change of use from Parish Hall to licensed Social Club. Renewal of previous application LA04/2018/2081/F.	Permission Granted
LA04/2023/2854/F	LOC	Footpath on Glen Rd, adjacent to junction with Hannahstown Hill, opposite 27-29 Glenveagh Park, Anderstown, Belfast, BT11 8BU	The proposal relates to the installation of a 20m high slim-line monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric meter cabinet, and ancillary development thereto.	Permission Granted
LA04/2023/2859/F	LOC	16 Dundela Avenue, Belfast, BT4 3BQ	Proposed new vehicular access, with dropped kerb (Amended Description)	Permission Granted
LA04/2023/2832/LBC	LOC	14 & 15 UPPER CRESCENT MALONE LOWER BELFAST ANTRIM BT7 1NT	Works to facilitate change of use to 6 no. serviced apartments with associated facilities and retention of rear dormers (Amended Description)	Consent Granted

LA04/2023/2834/F	LOC	14 & 15 UPPER CRESCENT MALONE LOWER BELFAST ANTRIM BT7 1NT	Change of use to 6 no. serviced apartments with associated facilities and retention of approved rear dormers (Reduction from previously approved development of 10 apartments under LA04/2020/1506/F)	Permission Granted
LA04/2023/2840/F	LOC	Lands approximately 70 m west and north west of No. 35 Hampton Park, Belfast, BT7 3JP	Erection of 12no. detached dwellings (change of house type to site nos. 3, 3a, 4a, 4b, 5a, 5b, 6, 6a, 6b, 7, 7a & 8 previously approved under reference LA04/2019/0775/F) including garages, landscaping and all other associated site works. Internal road network remains as previous approval LA04/2019/0775/F (access via Hampton Park has been constructed as previously approved)	Permission Granted
LA04/2023/2878/F	LOC	On the footpath of the Ballygomartin Road, approximately 9m east of 226 Ballygomartin Road, Belfast, BT13 3LZ (Amended address)	The proposal relates to the installation of a 19m high slim-line monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric meter cabinet, and ancillary development thereto.	Permission Granted
LA04/2023/2855/F	LOC	6 Sinclair Street, Belfast, BT5 6JS	2 Storey extension to rear of dwelling.	Permission Granted
LA04/2023/2865/F	LOC	30 Credenhill Park, Belfast, BT17 0ES	Proposed rear extension and dormer to roof space	Permission Granted

LA04/2023/2936/F	LOC	Alma Place, 16 Library Street, Belfast, BT1 2JD	Retrospective application for the regularisation of the basement layout to that permitted under LA04/2015/0676/F including the loss of one parking space to accommodate an additional bin store. (Amended Description & Information Received)	Permission Granted
LA04/2023/2901/F	LOC	Public Footpath on Kingsway Approx. 20m South West of Entrance to no. 254-256 Kingsway, Dunmurry, Belfast, BT17 9AF	Proposed Installation of a 20m high Telecoms Streetpole to host Integrated Antenna and 2no. 600mm Dishes plus Ground Based Equipment Cabinets and all other ancillary equipment.	Permission Granted
LA04/2023/3016/F	LOC	3 Orpen Drive, Belfast, BT10 0BT	Proposed single storey extension to rear of dwelling.	Permission Granted
LA04/2023/3028/F	LOC	The Gregory, 32Eglantine Avenue, Co Antrim, Belfast, BT9 6DX	Retrospective planning application for the development of a free standing pergola structure, including seating below, fencing, proposed lighting and associated hard-standing/ landscaping work.	Permission Granted
LA04/2023/3019/F	LOC	2 Andersonstown Crescent, Belfast, BT11 8FJ	TWO STOREY REAR AND SIDE EXTENSION	Permission Granted
LA04/2023/3149/A	LOC	402 Newtownards Road, Belfast, BT4 1HH	1 no. Digital Screen on Facade of Eastside Visitor Centre	Consent Granted
LA04/2023/3117/F	LOC	10 MALONE RIDGE MALONE UPPER (MAIN PORTION) BELFAST ANTRIM BT9 5QW	Rear decking area with privacy screening (amended description)	Permission Granted

LA04/2023/3155/DC	LOC	40-50 Townsend Street, Belfast, BT13 2ES	Discharge of Condition 4 LA04/2018/2076/F Dust Management Plan	Condition Discharged
LA04/2023/3197/A	LOC	40 Fountain Street, Belfast, BT1 5EE	1 Shop sign, 1 Projecting sign	Consent Granted
LA04/2023/3209/F	LOC	32 Cedar Grove, Holywood, BT18 9QG	Single storey extension to rear of property and level access to side/rear of property.	Permission Granted
LA04/2023/3222/CLEUD	LOC	APARTMENT 1 71 EGLANTINE AVENUE MALONE LOWER BELFAST ANTRIM BT9 6EW	Change of use to HMO.	Permitted Development
LA04/2023/3246/F	LOC	45 Bawnmore Road, Belfast, BT9 6LB	Alterations to rear elevations of and new landscaping around existing property. New gate pillars and gate to front.	Permission Granted
LA04/2023/3231/F	LOC	2 Mount Merrion Gardens, Belfast, BT6 0FW	Single storey side extension and attic conversion (retaining existing roof profile)	Permission Granted
LA04/2023/3289/A	LOC	17-21 Bruce Street, Belfast, BT2 7JD	New signage canopy over the main entrance - individual internally illuminated letters.	Consent Granted
LA04/2023/3288/F	LOC	47 Knockbreda Park, Belfast, BT6 0HD	Removal of detached garage to create 2 storey side / rear extension + associated site works.	Permission Granted
LA04/2023/3301/F	LOC	22 Ballycairn Drive, Belfast, BT8 8HG	Single storey rear extension. Level access to be provided to rear.	Permission Granted
LA04/2023/3342/F	LOC	On Footpath opposite Glenalina Lodge Care Centre, Springfield Road Belfast, BT12 7FN	Proposed 5G telecoms installation: 15m high street pole telecoms mast and cabinets with ancillary works	Permission Granted

LA04/2023/3320/A	LOC	Lincoln Building 27-45 Great Victoria Street, Belfast, BT2 7SL	New Corporate external signage (illuminated) at 4th floor level	Consent Granted
LA04/2023/3348/F	LOC	5 Willesden Park, Belfast, BT9 5GX	Single storey rear extension. Two storey side and rear extension.	Permission Granted
LA04/2023/3362/F	LOC	12-14 COLLEGE SQUARE EAST TOWN PARKS BELFAST ANTRIM BT1 6DD	Change of use from retail shop to coffee shop with new shop front	Permission Granted
LA04/2023/3366/A	LOC	8 Enterprise House, Boucher Crescent, Belfast, BT12 6HU	1no Digital Totem Sign	Consent Granted
LA04/2023/3382/DCA	LOC	45 Bawnmore Road, Belfast, BT9 6LB	Removal of sections of rear wall to facilitate new doors/windows. Boiler house to be demolished. Existing flat roof to rear removed and replaced. Gate pillars removed and replaced to front. Garage door removed and replaced.	Consent Granted
LA04/2023/4127/F	LOC	75 Larkfield Road, Belfast, BT4 1QF	Single story rear extension	Permission Granted
LA04/2023/3404/F	LOC	5 Abbeydale Crescent, Ballysillan Lower, Belfast, BT14 7HH	Proposed 2 storey rear kitchen extension with first floor bedroom over and to include internal utility/WC	Permission Granted
LA04/2023/3411/F	LOC	138 Stewartstown Park, Belfast, BT11 9GN	Proposed Garage storage unit for cars.	Permission Granted
LA04/2023/3420/DC	LOC	site 56-58 Townsend Street, Belfast, BT13 2ES	Discharge of Conditions 3 and 4 of LA04/2022/1029/F	Condition Partially Discharged
LA04/2023/3472/F	LOC	66-70 Springfield Road, Belfast, BT12 7AH	Extension and alterations to existing GP Surgery to provide additional consulting room and interview room	Permission Granted

LA04/2023/3505/F	LOC	Shaftesbury House 14 Shaftesbury Square and 1-7 Donegall Road, Belfast, BT2 7DB	Change of use of 1st and 2nd floor offices to 10no. short-term let accommodation units with ancillary roof-top solar PV panels	Permission Granted
LA04/2023/3514/F	LOC	2 MOOR PARK DRIVE BALLYFINAGHY BELFAST ANTRIM BT10 0QF	Proposed garage conversion, elevational alterations and extended driveway	Permission Granted
LA04/2023/3549/DCA	LOC	5 Harberton Drive, Belfast, BT9 6PE	Proposed demolition works to rear and side wall to facilitate proposed two storey rear extension and single storey garage with bike storage area and raised patio area. (Amended Proposal description)	Consent Granted
LA04/2023/3523/DCA	LOC	32 Balmoral Avenue, Belfast, BT9 6NW	Demolition of 2 no. existing rear skylights to accommodate proposed rear dormer and demolition of existing hip-roof for the addition of a proposed side dormer window.	Consent Granted
LA04/2023/3538/LBC	LOC	BELFAST CITY HALL 2 DONEGALL SQUARE NORTH TOWN PARKS BELFAST ANTRIM BT1 5GS	Installation of two number bronze statues on the grounds of Belfast City Hall.	Consent Granted
LA04/2023/3532/F	LOC	9 Donegall Quay, Belfast, BT1 3EA	Change of use and external alterations to vacant former warehouse/sail-making workshop to a new serviced office/studio space on 1st and 2nd floors and cafe/restaurant/exhibition use on ground floor.	Permission Granted

LA04/2023/3533/LBC	LOC	9 Donegall Quay, Belfast, BT1 3EA	Change of use and external alterations to vacant former warehouse/sail-making workshop to a new serviced office/studio space on 1st and 2nd floors and cafe/restaurant/exhibition use on ground floor.	Consent Granted
LA04/2023/3531/F	LOC	62 Suffolk Crescent, Belfast, BT11 9JT	Proposed single storey rear extension and associated alterations.	Permission Granted
LA04/2023/3587/DC	LOC	56 - 58 Townsend Street, Belfast, BT13 2ES	Discharge of condition 5 LA04/2022/1029/F (Details/samples of external finishes)	Condition Discharged
LA04/2023/3594/F	LOC	56 Bearnagh Drive, Belfast, BT11 8HT	Attic Conversion with rooflights to front and rear dormer.	Permission Granted
LA04/2023/3610/F	LOC	18 ST JAMES PARADE BALLYMURPHY BELFAST ANTRIM BT12 6EL	Proposed Two Storey Extension to Rear and Side for ancillary accomodation.	Permission Granted
LA04/2023/3615/F	LOC	4 STEPHEN STREET TOWN PARKS BELFAST ANTRIM BT1 2JE	PROPOSED CHANGE OF USE FROM DWELLING TO 5BED HMO	Permission Granted
LA04/2023/3636/DC	LOC	140 Donegall Street, Belfast, BT1 2FJ	Discharge of condition no.19 - LA04/2021/0516/F Proposed Access Arrangement showing Visibility Splays and Landing Area	Condition Discharged
LA04/2023/3642/RM	LOC	17 Upper Springfield Road, Hannahstown, Belfast, BT17 0NB	Reserved Matters Application for erection of new retirement dwelling	Permission Granted

LA04/2023/3696/F	LOC	118 Andersonstown Park Belfast BT11 8FH	Single storey and storey and a half side extension to accommodate new stairs	Permission Granted
LA04/2023/3668/F	LOC	17 Sunningdale Park North, Belfast, BT14 6RZ	Proposed single storey extension to rear of dwelling and demolition of garage (amended description).	Permission Granted
LA04/2023/3699/F	LOC	14 Bellevue Park, Newtownabbey, BT36 7QD	Single storey kitchen, living, utility and W.C. to rear of existing dwelling and loft conversion with new rooflight (Amended description).	Permission Granted
LA04/2023/3673/F	LOC	68 Marlborough Park South, Belfast, BT9 6HW	Rear 2 storey extension to provide increased open plan kitchen and living space at ground floor level and 1no. additional bedroom at first floor level.	Permission Granted
LA04/2023/3697/F	LOC	42 Lyndhurst Park, Belfast, BT13 3PG	Single storey extension to side of property.	Permission Granted
LA04/2023/3704/F	LOC	48 Ailesbury Road, Belfast, BT7 3FH	Proposal for a first floor single storey extension above an existing kitchen extension and alteration to 2no. existing openings at ground floor to rear.	Permission Granted
LA04/2023/3705/DCA	LOC	68 Marlborough Park South, Belfast, BT9 6HW	Demolition of rear external wall to provide new proposed 2 storey rear extension refer to planning application LA04/2023/3673/F.	Consent Granted
LA04/2023/3734/F	LOC	Unit 2 Warehouse Lane, Waring Street, Belfast, BT1 2DX	Proposed relocation of extraction flue, approved under LA04/2021/1842/F.	Permission Granted

LA04/2023/3715/LBC	LOC	12-14 College Square East, Belfast, BT1 6DD	CHANGE OF USE FROM RETAIL UNIT TO COFFEE SHOP WITH NEW SHOP FRONT, INTERNAL ALTERATIONS TO INCLUDE FITTING OUT NEW FIXTURES AND FITTINGS TO FACILITATE OPERATION OF COFFEE SHOP	Consent Granted
LA04/2023/3749/F	LOC	4 Kincora Avenue, Belfast, BT4 3DW	Single storey extension to side and rear of dwelling + site works.	Permission Granted
LA04/2023/3755/DC	LOC	Nos. 41-49 Tates Avenue, Belfast, BT9 7BY	Discharge of condition condition 2 LA04/2021/2544/F Building Contract (Newpark Developments (NW) Ltd and P&K McKaigue Limited)	Condition Discharged
LA04/2023/3777/F	LOC	30 Trigo Parade, Belfast, BT6 9GA	Single storey rear extension	Permission Granted
LA04/2023/3785/F	LOC	102 Old Holywood Road, Belfast, BT4 2HL	New boundary wall to rear yard. Conversion of basement level to annex accommodation with store.	Permission Granted
LA04/2023/3786/DC	LOC	Unit 2 Hillview Retail Park, Belfast, BT14 6AA	Submission of a Noise Impact Assessment to discharge Condition 2 of Planning Approval: LA04/2022/1999/F	Condition Discharged
LA04/2023/3791/LBC	LOC	11 Donegall Square West, Belfast, BT1 6JH	Proposed reconfiguration of internal layout & M&E works to facilitate a café use to Ground Floor and Basement to the Scottish Provident Building, 11 Donegall Square West, Belfast, BT1 6JH along with temporary seating to Donegall Square West.	Consent Granted
LA04/2023/3801/DC	LOC	1-5 Graham House Albert Square, Belfast, BT1 3EQ	Discharge of condition 20 LA04/2017/1707/F. NIW Discharge Consent Agreement	Condition Discharged

LA04/2023/3806/F	LOC	46 Blenheim Drive, Belfast, BT6 9GD	Single storey rear extension to dwelling and replace existing garage roof from pitched to flat.	Permission Granted
LA04/2023/3817/F	LOC	14 ROSEMARY PARK MALONE UPPER BELFAST ANTRIM BT9 6RF	Erection of single-storey and two-storey rear extension. Demolition of storage (side elevation).	Permission Granted
LA04/2023/3818/F	LOC	39 Gilnahirk Road, Knock, Belfast, BT5 7DB	Single storey side and rear flat roof extension with rooflight. Alterations to existing Bathroom window and additional site works. (Amended Proposal Description)	Permission Granted
LA04/2023/3842/LBC	LOC	BELFAST CITY HALL 2 DONEGALL SQUARE NORTH BELFAST ANTRIM BT1 5GS	Installation of a new water bottle refill station on the grounds of Belfast City Hall	Consent Granted
LA04/2023/3860/F	LOC	133 Lenadoon Avenue, Belfast, BT11 9HF	Single storey extension to rear of property with some internal alterations. Some excavation works and retaining wall to be installed.	Permission Granted
LA04/2023/3960/F	LOC	The Arc Apartments, Queens Road, Belfast, BT3 9DE	Removal of existing timber cladding to building elevations and balcony soffits, and replace with aluminium 'timber effect' cladding system	Permission Granted
LA04/2023/3887/NMC	LOC	49 Grand Parade, Belfast, BT5 5HG	Change from Hipped roof to a Gable type roof.	Non Material Change Granted
LA04/2023/3889/LBC	LOC	St Georges Market 12 -20 East Bridge Street, Belfast, BT1 3NQ	Installation of a new wall hung water bottle refill station	Consent Granted
LA04/2023/3877/F	LOC	20 Cameronian Drive, Belfast, BT5 6AW	Single story rear extension	Permission Granted

LA04/2023/3894/F	LOC	21 Malfin Court, Belfast, BT9 6HD	Rear single story extension to provide tenant with ground floor toilet facilities. Level access to be provided to front of property.	Permission Granted
LA04/2023/3901/F	LOC	19 MOUNT EAGLES AVENUE LAGMORE DUNMURRY ANTRIM BT17 0GT	Partial change of use from dwelling to child care facility for 8 children.	Permission Granted
LA04/2023/3919/NMC	LOC	8 NELSON STREET	Removal of high level (levels 10 & 11) cladding panels, cladding sections between the large format kitchen windows and cladding sections on main hall elevations Cladding to be replaced with panels of a Buff coloured brick - proposed brick 'Durrow Cream Antique'	Non Material Change Granted
LA04/2023/3926/F	LOC	2 Monagh Drive, Belfast, BT11 8ED	Attic conversion with dormer to the rear.	Permission Granted
LA04/2023/3929/F	LOC	36 Park Avenue, Belfast, BT4 1JJ	Proposed single-storey side and rear extension to existing dwelling house	Permission Granted
LA04/2023/3934/DC	LOC	Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.	Discharge Condition 5 LA04/2021/1672/O Remediation Implementation Plan	Condition Discharged

LA04/2023/3907/DCA	LOC	20 Marlborough Park North, Belfast, BT9 6HJ	Demolition to facilitate Proposed side and rear part single storey /part two storey extensions to dwelling, proposed new front boundary wall / railings and in curtilage car parking space (Amended Proposal description)	Consent Granted
LA04/2023/3944/NMC	LOC	10 Duncrue Street, Belfast, BT3 9BJ	Provision of CCTV coverage to point of entry yard, NMC to LA04/2023/2871/F	Non Material Change Granted
LA04/2023/3949/F	LOC	7 Wheatfield Gardens, Belfast, BT14 7HU	Proposed single storey extension to side of property, internal alterations and level access to front of property.	Permission Granted
LA04/2023/3952/F	LOC	39 Carrigart Avenue, Belfast, BT11 9QL	Single storey rear extension	Permission Granted
LA04/2023/3973/NMC	LOC	140 Donegall Street, Belfast, BT1 2FJ	Non-material change to LA04/2021/0516/F	Non Material Change Granted
LA04/2023/3967/F	LOC	14 Danesfort Park South, Belfast, BT9 7RG	Single storey side extension. Replacment of glass sunroom roof with a flat roof to the rear. Conversion of garden store into office and storage room.	Permission Granted
LA04/2023/3985/F	LOC	Lands Approx. 60m NW Of 29 Hazel View, Dunmurry	Vary condition 6 LA04/2021/2462/F, (date for completion of road works).	Permission Granted
LA04/2023/3994/WPT	LOC	1 Harberton Drive, Belfast, BT9 6PE	Works to 5 trees.	Works to Trees in CA Agreed
LA04/2023/3996/DC	LOC	150 Knock Road, Belfast, BT5 6QD	Discharge condition 23 LA04/2021/2144/F Construction Environmental Management Plan (CEMP)	Condition Partially Discharged
LA04/2023/3995/WPT	LOC	11 Harberton Avenue, Belfast, BT9 6PH	Works to 4-6 trees.	Works to Trees in CA Agreed

LA04/2023/4006/DC	LOC	140 Donegall Street, Belfast, BT1 2FJ.	Discharge of condition 2 LA04/2021/0516/F Public Realm Plan	Condition Discharged
LA04/2023/4112/F	LOC	1 Pandora Street, Belfast, BT12 5PR	PROPOSED SINGLE STOREY REAR EXTENSION	Permission Granted
LA04/2023/4022/F	LOC	32 The Green, Dunmurry, Belfast, BT17 0QA	Proposed Attic conversion with Dormer to rear. Changes to front elevation including bay window. Removal of chimney to side elevation	Permission Granted
LA04/2023/4055/F	LOC	15 Rinnalea Gardens, Belfast, BT11 9DQ	Single storey rear extension.	Permission Granted
LA04/2023/4045/CLEUD	LOC	49 JERUSALEM STREET MALONE LOWER BELFAST ANTRIM BT7 1QN	Existing use: House of Multiple Occupation	Permitted Development
LA04/2023/4047/F	LOC	114 Carrigart Avenue, Belfast, BT11 9PX	Single story rear extension	Permission Granted
LA04/2023/4118/CLOPUD	LOC	24 Nendrum Gardens, Belfast, BT5 5LZ	Demilition of existing sub-standard flat roofed single storey rear return and construction of new rear return.	Permitted Development
LA04/2023/4040/F	LOC	72 Monagh Road, Belfast, BT11 8EG	Single storey rear extension for access - bathroom and bedroom	Permission Granted
LA04/2023/4050/F	LOC	14 North Sperrin, Belfast, BT5 7HU	Single storey rear extension and new boundary treatments.	Permission Granted
LA04/2023/4067/A	LOC	Continental Barbers, 123 Great Victoria Street, Belfast, BT2 7AH	1 shop sign	Consent Granted
LA04/2023/4059/A	LOC	Townhouse Gallery. 125 Great Victoria Street, Belfast, BT2 7AH	Shop sign	Consent Granted
LA04/2023/4222/A	LOC	Aldersgate House, 13-19 University Road, Belfast, BT7 1NA	Permanent building sign	Consent Granted

LA04/2023/4071/DC	LOC	88 Sunningdale Gardens, Belfast, BT14 6SL	Discharge conditions 5 & 6 LA04/2020/1748/F Landscaping scheme & Boundary details	Condition Partially Discharged
LA04/2023/4068/WPT	LOC	37 Osborne Park, Belfast, BT9 6JP	As per attached Survey and Map	Works to Trees in CA Agreed
LA04/2023/4111/A	LOC	185-189 Shankill Road, Belfast, BT13 1FH	Replacement signage: Replace existing blue fascia with new purple fascia and new button logo	Consent Granted
LA04/2023/4103/F	LOC	71 & 73 Mountview Street, Belfast, BT14 6FW	PROPOSED ALTERATION TO SHOP FRONTS AND CHANGE OF USE FROM HOT FOOD TAKE-AWAY UNIT (SUI-GENERIS) TO BOOKMAKERS (SUI-GENERIS)	Permission Granted
LA04/2023/4136/F	LOC	4 Bladon Court, Belfast, BT9 5JP	Single storey rear extension with new pitched roof over with first floor window to the front elevation. Existing walls to be rendered and painted white with windows / doors to be replaced.	Permission Granted
LA04/2023/4096/F	LOC	4 Church Wynd, Gilnahirk, Belfast, BT5 7RZ	Change to roof from hipped to gable, flat roof dormer to rear, pitched dormers to front, elevational changes	Permission Granted
LA04/2023/4104/F	LOC	21 Greenwood Park, Belfast, BT4 3JN	Replacement single storey rear extension to ground floor.	Permission Granted
LA04/2023/4119/CLEUD	LOC	75 Eglantine Avenue, Flats 1,2 & 3, Belfast, BT9 6EW	House of Multiple Occupation Flats 1, 2 & 3.	Permitted Development
LA04/2023/4120/CLEUD	LOC	3 Windsor Avenue North, Belfast, BT9 6EL	House of Multiple Occupation for Flats 2 & 5	Permitted Development
LA04/2023/4130/WPT	LOC	70 University Road, Belfast, BT7 1NN	See attached arboricultural report-work to 148 trees.	Works to Trees in CA Agreed
LA04/2023/4121/WPT	LOC	53 Shandon Park, Belfast, BT5 6NX	Works to 1 tree	Works to Trees in CA Agreed

LA04/2023/4122/F	LOC	56 Rushfield Avenue, Belfast, BT7 3FQ	Attic conversion with dormer to rear elevation.	Permission Granted
LA04/2023/4123/CLOPUD	LOC	4 Orby Gardens, Belfast, BT5 5HS	Proposed single storey rear extension	Permitted Development
LA04/2023/4137/WPT	LOC	72a Upper Malone Road, Belfast, BT9 5PD	To Sectionally dismantle 2 x Western Red Cedar trees and grind stumps as per attached Arboricultural Report.	Works to TPO Granted
LA04/2023/4138/F	LOC	McDonald's Restaurant Connswater Retail Park, Belfast, BT5 4AF	Changes to elevations with combined extensions totalling 51.8 sqm, to include the relocation of the entrance with new lobby, new access door, glazing and reconfigured back of house areas. Minor relocation of one drive thru booth, new khaki green aluminium cladding to new food safe store and associated works to the site.	Permission Granted
LA04/2023/4142/CLEUD	LOC	61 Sandhurst Gardens, Belfast, BT9 5AX	Existing use: House of Multiple Occupancy	Permitted Development
LA04/2023/4145/F	LOC	68 Sunnyhill Park, Dunmurry, Belfast, BT17 0PZ	Ground Floor Rear Extension, Level Access to side of property	Permission Granted
LA04/2023/4164/F	LOC	13 Cairnburn Park, Belfast, BT4 2HX	Two-storey extension to the rear of property, and subdivision of existing garage to create utility room	Permission Granted
LA04/2023/4155/DC	LOC	98 Knockvale Park, Belfast, BT5 6HJ	Discharge Condition 11 LA04/2022/1537/F Landscape Proposals	Condition Discharged
LA04/2023/4159/F	LOC	112 Ashley Avenue, Malone Lower, Belfast, BT9 7BU	Proposed Single storey rear sunroom extension	Permission Granted
LA04/2023/4173/DC	LOC	Former Visteon Factory, Blacks Road, Belfast	Discharge conditions 20 & 23 Z/2013/1434/F Verification Reports	Condition Discharged

LA04/2023/4178/A	LOC	34a Botanic Avenue, Belfast, BT7 1JQ	Proposed replacement of existing 48 sheet advertisement with one digital screen	Consent Granted
LA04/2023/4189/F	LOC	24 Glen Ebor Park, Belfast, BT4 2JJ	single storey rear extension	Permission Granted
LA04/2023/4192/F	LOC	16 Cromac Place, Belfast, BT7 2JB	Alteration to frontage to create new entrance	Permission Granted
LA04/2023/4204/DC	LOC	Vacant lands at access road to Olympia Leisure Centre, directly opposite, and approx. 70m east of Nos. 9-15 Boucher Road, Belfast	Discharge condition 22 LA04/2021/2815/F PILING RISK ASSESSMENT	Condition Discharged
LA04/2023/4206/DC	LOC	A Wing, Crumlin Road Gaol 53-55 Crumlin Road, Belfast, BT14 6ST	Discharge Condition 19 LA04/2019/2756/F Plant/Boiler Specification	Condition Discharged
LA04/2023/4227/F	LOC	3 Mayfield Square, Belfast, BT10 0QR	Single storey extension to side and rear.	Permission Granted
LA04/2023/4236/F	LOC	Unit 17, King's Square Shopping Centre, Belfast, BT5 7EA	Change of use of an existing vacant shop unit (Unit 17, Kings Square, Belfast BT5 7EA) from retail (class A1) to a Pilates Studio.	Permission Granted
LA04/2023/4267/DC	LOC	Admin Building Former Belvoir Park Hospital, Hospital Road, Belfast, BT8 8SJ	Discharge condition 12 LA04/2022/2098/F Discharge condition 5 LA04/2022/2099/LBC Proposed glazed link details	Condition Discharged
LA04/2023/4275/DC	LOC	Admin Building Former Belvoir Park Hospital	Discharge Condition 9 LA04/2022/2098/F and Condition 2 LA04/2022/2099/LBC (Window Condition Survey)	Condition Discharged
LA04/2023/4286/CLEUD	LOC	2 Riverview Street, Belfast, BT9 5FD	Existing use: House in Multiple Occupation	Permitted Development
LA04/2023/4330/DC	LOC	333-339 Albertbridge Road, Ballymacarret, Belfast, BT5 4PY	Discharge Condition 2 LA04/2016/2183/F External material samples	Condition Discharged

LA04/2023/4335/DC	LOC	28 Malone Park, Belfast, BT9 6NJ	discharge of Condition 2 of LA04/2019/1819/F (sample Materials)	Condition Discharged
LA04/2023/4350/PRELIM	LOC	Ground floor print hall 122-144 Royal Avenue Belfast BT1 1DN.	Change of use of and alterations of former printing hall to event space	PAD Concluded
LA04/2023/4377/PAN	LOC	No's 96-110 Great Victoria Street, Belfast	Demolition of existing Fanum House and erection of new Purpose-Built Managed Student Accommodation (mix of clusters and studios), including landscaped roof terraces, and all other associated site and access works.	Proposal of Application Notice is Acceptable
LA04/2023/4375/PRELIM	LOC	Site adjacent to York Street Belfast	Self storage facility	PAD Concluded
LA04/2023/4381/PRELIM	LOC	31 Ulsterville Avenue Belfast BT9 7AS	10 bed short term care facility	PAD Concluded
LA04/2023/4382/WPT	LOC	4 Balmoral Gardens, Belfast, BT9 6PB	Works to 1 tree.	Works to Trees in CA Agreed
LA04/2023/4409/PAN	MAJ	1 Havelock House Havelock Place, Ormeau, Belfast, BT7 1EB	Proposed demolition of existing buildings and erection of residential development of c.105no. apartments with a mix of 1 bed, 2 bed and 3 bed units, including provision of Over 55's accommodation and 10no. wheelchair accessible units.	Proposal of Application Notice is Acceptable
LA04/2023/4453/WPT	LOC	2 CYPRUS AVENUE BALLYHACKAMORE BELFAST DOWN BT5 5NT	Remove tree which has blown down	Works to Trees in CA Agreed

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Subject:	Delegation of Local applications with NI Water objections
Date:	12 December 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

☐

No

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If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Some time in the future

Never

☐
☐
☐
☐

Call-in

Is the decision eligible for Call-in?

Yes

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No

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1.0	Purpose of Report or Summary of Main Issues
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 15 November 2022 14 February 2023, 14 March 2023 18 April 2023, 15 August 2023 and 17 October 2023, 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 2022, 14 November 2022, 14 February 2023, 16 March 2023, 18 April 2023 15 August 2023 and 17 October 2023, the Committee agreed to delegate Local applications, as appended to the respective reports, with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report to date 174 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, and/ or

	<p>c) There is insufficient network capacity within the foul sewerage system and a Wastewater Impact Assessment is required.</p>
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. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided..
	<u>Habitats Regulations Assessment</u>
3.14	Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.
3.15	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than 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 1,100 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 (December 2023)

	DEA	REFERENCE	DATE RECEIVED	PROPOSED	ADDRESS
1	Botanic	LA04/2023/3676/F	5/7/23	The refurbishment and change of use from retail to café at ground floor and conversion of 58-66 Royal Avenue c 8 No. short term let serviced apartments including new amenity space	58-66 Royal Avenue, Belfast, BT1 1DJ
2	Ormiston	LA04/2023/3128/O	28/09/2023	Proposed New End Terrace House	Site adjacent to 14 Edenvale Crescent, Belfast, BT4 2BH
3	Ormiston	LA04/2023/3922/F	01/09/2023	Erection of a 2 storey dwelling, new access and associated site works to land adjacent to no.26 Kingswood Park. A 2 storey rear extension, widening of existing driveway, new 1.2m boundary treatment to the front and associated site works to no.26 Kingswood Park.	Land at and adjacent to 26 Kingswood Park , Belfast, BT5 7EZ
4	Court	LA04/2023/4201/F	06/10/2023	Demolition of existing structure on site and construction of 24hr Petrol Filling Station (6no. pump) with associated canopy; 1no. control room/store; service facilities (air/water/AdBlue pump); tanker stand; 1no. pump house; car wash (drive thru and manual facilities); alteration of existing entrance; creation of a new exit and all other associated site and access works.	18-50 Shankill Road, Belfast, BT13 2BD
5	Ormiston	LA04/2023/4264/F	18/10/2023	Formation of Jet Wash Bay including 1.8m High Screens and Associated Works	Tesco Filling Station Knocknagoney Road, Belfast, BT4 2PW

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Addendum Report 1	
Committee Meeting Date: 12 th December 2023	
Application ID: LA04/2023/2922/F	Target Date:
Proposal: Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping.	Location: Site bounded by Glenalpin Street, Wellwood Street and Norwood Street, Belfast
Referral Route: Major development	
Recommendation:	That the Council's position should be that planning permission is refused and the appeal dismissed.
Applicant Name and Address: Artemis Development Ltd	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2
<p>Background</p> <p>This application was due to be considered by the Planning Committee at its 14th November 2023 meeting. However, on 10th November, the applicant gave notice to the Planning Service that it had submitted an appeal for non-determination. The appeal was submitted within a timely manner (i.e. after 2 months from the application valid date and within 4 months of when the decision should have been made, i.e. by 18th February 2024). The appeal has subsequently been confirmed by the Planning Appeals Commission.</p> <p>The Committee was then due to discuss the Council's position at the appeal, however, the Committee deferred the matter for a Committee site visit. The Committee site visit is scheduled for Friday 8th December.</p> <p>This report should be read in conjunction with the report to the 14th November 2023 Committee, appended.</p> <p>Updated Consultations</p> <p>Environmental Health responded on 14th November 2023, offering no objection subject to conditions relating to noise mitigation and a student management plan.</p> <p>Recommendation</p> <p>Having regard to the development plan and other material considerations, the proposed development is considered unacceptable as the site is located within an established residential area and as such is contrary to Policy HOU12 of the Plan Strategy. Moreover, at this current time, there is not a completed Section 76 planning agreement in place to secure the management plan and Employability and Skills Plan necessary to make the development acceptable.</p>	

It is therefore recommended that the Council's position at the appeal should be that planning permission is refused and that the appeal is dismissed.

Draft Refusal Reasons for the Appeal

1. The proposal is contrary to Policies RD1 (a) and HOU12 (a) of the Belfast Local Development Plan: Plan Strategy 2035 as the site is located within an Established Residential Area. The proposal would place undue pressures on housing and local amenities. Moreover, the proposal would not be complimentary to surrounding residential uses and would be an incompatible form of development given the introduction of a significant number of students within existing housing.
2. A Section 76 planning agreement is not in place at this time to secure the provision of a student management plan and a Construction Employability and Skills Plan, both required to make the proposal acceptable. The proposal is in contravention with Policy HOU12 of the Belfast Local Development Plan: Plan Strategy 2035 and Belfast City Council's Developer Contributions Framework 2020 and is unacceptable.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 th November 2023	
Application ID: LA04/2023/2922/F	Target Date:
Proposal: Redevelopment of existing surface car park for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping.	Location: Site bounded by Glenalpin Street, Wellwood Street and Norwood Street, Belfast
Referral Route: Major development	
Recommendation:	Refusal
Applicant Name and Address: Artemis Development Ltd	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2
<p>Executive Summary:</p> <p>This application seeks full planning permission for the erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 354no. units with shared amenity spaces, ancillary accommodation, on street car parking and landscaping. The site is bounded by Glenalpin Street, Wellwood Street and Norwood Street.</p> <p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> Principle of development Scale, Massing and Design Climate change Open Space Provision Impact on Built Heritage Traffic and Parking Impact on Amenity Contamination Impact on Air Quality Noise Drainage and Flooding Waste water infrastructure Waste Management Developer Contributions/Section 76 Agreement Pre-application Community Consultation <p>The principle of Purpose Building Managed Student Accommodation is considered unacceptable as the site is located within an established residential environment as defined in the LDP Plan Strategy (Appendix C), in conflict with Policy HOU12.</p>	

The proposed scale and massing of the proposed building are considered acceptable, with a previous outline application for a residential building of an almost identical massing approved in June 2019. The design, detailing and materiality are considered appropriate to the site's setting and are of a quality that will not detract from the character of the area.

DFI Roads has raised concerns due to the absence of disabled parking. However, 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. It should also be noted that two disabled parking spaces have been proposed in a lay-by on Norwood Street.

Consultation responses are summarised below.

Statutory consultees:

DFI Roads – objection
DAERA – approval subject to conditions
DFI Rivers – no objection
Belfast City Airport – no objection
Shared Environmental Services – no objection

Non-statutory consultees:

Senior Urban Design Officer (SUDO) – no objection
BCC City Regeneration and Development team – no objection
BCC Environmental Health – response Outstanding
BCC Place and Economy Team – no objection

166 objections have been received along with a 271 signature petition. These are set out and considered in the main report.

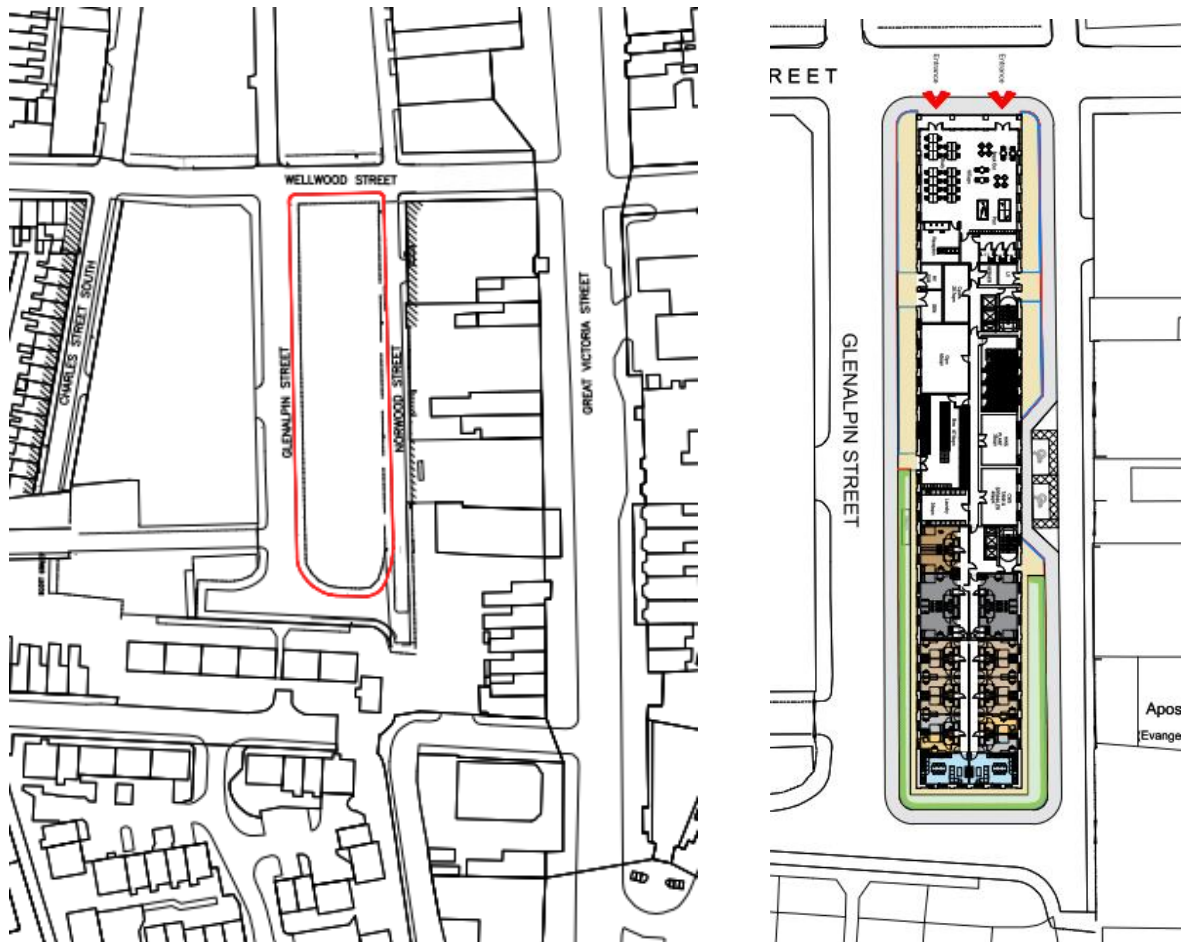
Recommendation

Having regard to the development plan and other material considerations, the proposed development is considered unacceptable as the site is located within an established residential area and as such is contrary to Policy HOU12 of the Plan Strategy. Moreover, at this current time, there is not a completed Section 76 planning agreement in place to secure the management plan and Employability and Skills Plan necessary to make the development acceptable.

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

Case Officer Report

Site Location Plan and layout



1.0 Description of Proposed Development

- 1.1 The application seeks full planning permission for the erection of new purpose built, managed student accommodation scheme comprising of 354no. units with shared amenity spaces, ancillary accommodation, on-street car parking and landscaping.

1.2	The proposed building is in a single and elongated block with a maximum height of approximately 35.5m (11 storeys) facing onto Wellwood Street. This drops to 17m (5 storeys) before rising and dropping again to 25m (8 storeys) and 17m to the rear of the site backing onto the dwellings in St. Georges Gardens.												
1.3	The proposed building includes two primary external amenity spaces. The first being on the ground floor which includes a hard and soft landscaped recreation space providing communal amenity facilities, and a second hard and soft landscaped communal area is located on the fifth floor.												
1.4	<p>The proposal includes:</p> <table border="1"> <thead> <tr> <th>Ground Floor</th><th>Upper Floors</th></tr> </thead> <tbody> <tr> <td>Common social space</td><td>Shared kitchen, living and dining facilities</td></tr> <tr> <td>Gym</td><td>External landscape terrace</td></tr> <tr> <td>Kitchen</td><td></td></tr> <tr> <td>Cinema room</td><td></td></tr> <tr> <td>Bicycle storage area</td><td></td></tr> </tbody> </table>	Ground Floor	Upper Floors	Common social space	Shared kitchen, living and dining facilities	Gym	External landscape terrace	Kitchen		Cinema room		Bicycle storage area	
Ground Floor	Upper Floors												
Common social space	Shared kitchen, living and dining facilities												
Gym	External landscape terrace												
Kitchen													
Cinema room													
Bicycle storage area													
1.5	The proposal includes 128 no. cycle racks at ground floor level within an internal storage area and provides for two disabled car parking spaces which would be accommodated within a proposed lay by on Norwood Street.												
1.6	The proposed ground floor plan includes an area of recreation space to the front (northern end) of the building.												
1.7	A large service space is proposed to the rear of the building. A 3.0m setback buffer is proposed at ground floor around the full extent of the two side and rear elevations. The 3.0m buffer extends around the rear half of the building at ground floor, where a total of 18 student rooms and two communal kitchen/living areas are located. Here the buffer comprises artificial grass bounded by planted hedging and metal railings.												
2.0	Description of Site												
2.1	The application site is located within the city centre and is bounded by existing streets on all four sides and currently serves as a surface level car park.												
2.2	The surrounding area consists of housing to the south and west, modern apartment blocks on either side. A vacant car park (owned by NIHE) is located immediately north of the site with the Europa Bus and Train Station beyond this to the north west.												
3.0	Planning History of the application site												
3.1	LA04/2019/0127/O - Redevelopment of existing surface car park and erection of new purpose built, build to rent residential units, with shared amenity spaces, ancillary/support accommodation, car parking and landscaping. Approved 11 th June 2019.												
3.2	LA04/2023/3635/RM - Redevelopment of existing surface level car park for erection of residential development comprising of 205 No. units, car parking, landscaping and all associated site works. Current application (undecided)												

4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • SP1a Managing growth and supporting infrastructure delivery • SP2 Sustainable development • SP3 Improving health and wellbeing • SP5 Positive placemaking • SP6 Environmental resilience • SP7 Connectivity • SP8 Green and blue infrastructure network • HOU11 Intensive Housing Nodes • HOU12 Large Scale Purpose Built Student Accommodation • RD1 New Residential Developments • DES1 Principles of Urban Design • DES2 Masterplanning approach for Major development • DES 3 Tall Buildings • BH1 Listed Buildings • SD3 City Centre • CC1 Development Opportunity Sites • TRAN 1 Active Travel • TRAN 2 Creating an Accessible Environment • TRAN 4 Travel Plan • TRAN 6 Access to Public Roads • TRAN 8 Car Parking and Servicing Arrangements • TRAN 9 Parking Standards within areas of parking restraint • ENV1 Environmental Quality • ENV2 Mitigating Environmental Change • ENV3 Adapting to Environmental Change • ENV5 Sustainable Drainage System • OS3 Ancillary Open Space
4.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area

	plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps ("Departmental Development Plan), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
4.6	In the BUAP, the application site is located on unzoned whiteland within the City Centre. In dBMAP (v2004), the site is also within the City Centre and defined as a Development Opportunity Site (CC060). In dBMAP (v2014), the site is un-zoned whiteland within the City Centre and Shaftsbury Square Character Area (CC013).
4.7	<u>Regional planning policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Creating Places
4.8	<u>Other Relevant Policies</u> PBMSA in Belfast – Planning and Place Advice Note Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework
5.0	Statutory Consultees DFI Roads – objection on grounds of lack of dedicated disabled parking DAERA – approval subject to conditions DFI Rivers – no objections Belfast City Airport – no objection Shared Environmental Services – no objection
6.0	Non-Statutory Consultees BCC Environmental Health – response outstanding BCC Urban Design Officer – no Objection BCC City Regeneration and Development Team – no objection BCC Place and Economy Team – no objection
7.0	Representations 166 objections have been received to date as well as a petition against the proposal with 271 signatures. Concerns are raised include the following: <ul style="list-style-type: none"> • Need for Social Housing in the area for local people instead • Restoration of family homes more beneficial <i>Officer response – the site is unzoned and the Council must consider the application before it. There is no policy requirement for social/ affordable housing for PBMSA applications.</i> • PBMSA inappropriate adjacent to family homes <i>Officer response – this is reflected in the recommendation to refuse. It is considered that the proposal is an inappropriate form of development within an established residential area.</i> • Proliferation of Student Accommodation in the area <i>Officer response – this is not a specific planning concern and the applicant has demonstrated a need for the proposal</i>

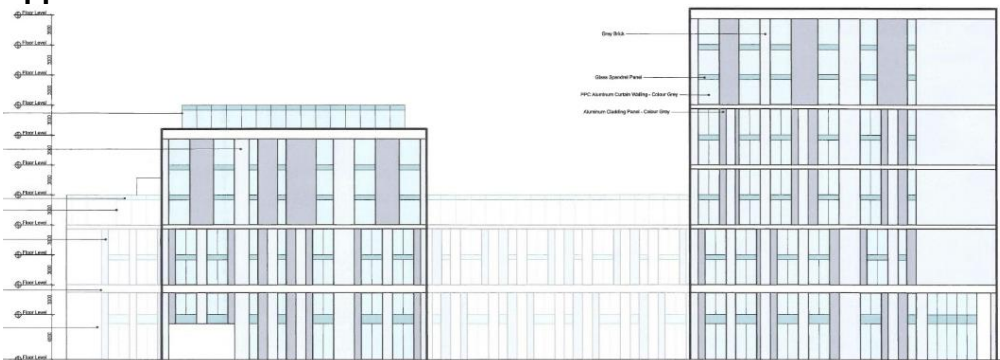

	<ul style="list-style-type: none"> • Potential for Anti-Social Behaviour <i>Officer response – an Outline Student Management Plan has been provided. Nevertheless, there are concerns about the inappropriateness of PBMSA within an established residential area and this is reflected in the refusal reason.</i> • Private Development in the area has not benefitted the community • <i>Officer response – development proposals must be assessed having regard to the Development Plan and material considerations. Community benefits are specifically recognised as not being material considerations.</i> • Scale and massing out of keeping with area <i>Officer response – the scale and massing of the proposal will be discussed later in the report. The scale of the building is consistent with the current outline approval for residential development and considered acceptable.</i> • Loss of privacy/ loss of light <i>Officer response – this will be addressed in detail in the report under ‘Impact on amenity’. It is inevitable that introducing a building of this scale will lead to some impact on amenity for residents in adjacent housing and apartment blocks. However, for the reasons set out, it is considered that any impact on amenity would not be considered significant in this high density inner city environment.</i> • Impact on amenity during construction <i>Officer response – although the proposal is being recommended for approval, should approval be forthcoming a construction environmental management plan would be conditioned to ensure nearby properties would not experience significant loss of amenity during the construction phase.</i> • Increase in traffic <i>Officer response – this is a zero parking scheme in an area of parking restraint. Given the proximity of the city centre public transport network along with the provision of a Travel Plan promoting alternatives to the private car, with minimal levels of on-street parking should significantly reduce levels of car usage to and from the site.</i> • History of parking problems in the area <i>Officer response – this is a zero parking scheme with only two disabled car parking spaces proposed on-street. DFI Roads are satisfied that PBMSA proposals within the city centre and areas of parking restraint do not require specific parking.</i>
8.0	ASSESSMENT
8.1	<p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> • Principle of development • Scale, Massing and Design • Climate change • Open Space Provision • Impact on Built Heritage • Traffic and Parking • Impact on Amenity • Contamination • Impact on Air Quality • Noise • Drainage and Flooding, Wastewater infrastructure • Waste Management • Developer Contributions/Section 76 Agreement • Pre-application Community Consultation

	<p>Principle of Development</p>
8.2	<p>Policy HOU12 of the PS relates to the provision of PBMSA. It states that planning permission will only be granted for large-scale purpose-built student accommodation where five criteria are met, a-e.</p> <p><i>a. The proposal is easily accessible to higher education Institution campuses by sustainable transport modes and is not within an established residential area</i></p>
8.3	<p>The site is conveniently located close to active travel infrastructure and public transport network. The campuses of Queen's and Ulster Universities are approximately 10-20 minutes walking distance of the site.</p>
8.4	<p>However, the site is considered to be within a "residential area" where PBMSA proposals are precluded. Appendix B of the Plan Strategy defines an established residential area as having the following characteristics: -</p> <ul style="list-style-type: none"> • Normally taken to mean residential neighbourhoods dominated by a recognisable form of housing styles with associated private amenity space or gardens; • Contains buildings in commercial, retail or leisure services use usually clustered together or proportionate in scale to the size of the neighbourhood being served; • Areas which display a clear spatial structure; • Building forms, plot sizes and shapes are similar with a well-defined pattern of local development; and • Have an overall spatial structure is often delineated by a clear network of streets and roads.
8.5	<p>The Planning Service's Plans and Policy unit advises that:</p> <p><i>'The site is located within an Established Residential Area, as defined in Appendix B of the Plan Strategy. Although it is not a 'residential neighbourhood' in the traditional sense, it is bound to the south, east and west by residential uses, with the traditional Sandy Row community consisting of two storey, red brick terraced housing immediately to the south and stretching to the south and west of the site with a clear spatial structure comparable building form, well defined pattern of streets and common design styles, etc.'</i> There is a recognition within Policy HOU12 that although the increasing number of students within the city can contribute to the economy and present opportunities, the rapid expansion of student numbers over the last two decades has also led to negative side effects. These effects can include pressures on housing, local amenities and other environmental impacts. Para. 7.1.78 states that <i>'student housing provision needs to be well planned and appropriately managed to ensure that there is a more positive integration with any existing communities.'</i></p>
8.6	<p>The Plans and Policy unit goes onto acknowledge that although the site itself is separated from more traditional housing to the west by a large apartment development between Glenalpin Street and Charles Street South, <i>'this is still a significant residential development that helps provide a transition between the smaller scale residential housing to the west and the larger, more commercial scale development fronting onto Great Victoria Street. Across Norwood Street to the East, a second significant apartment development at 97 Great Victoria Street fronts onto the site, ensuring that the predominant residential character spans the site.'</i></p>
8.7	<p>The surface level car park to the immediate north, owned by NIHE, could well come forward as housing in the future, meaning that the site would be surrounded by housing on all four sides.</p>

8.8	<p>Reference is also made to paragraph 7.1.78 of the PS, which emphasises the need for PBMSA development to achieve “positive integrations with any existing communities” and while adherence with design policies will help minimise visual impacts, the presence of balconies overlooking the site in the case of both apartment blocks to the east and west of the site increases the likelihood of noise and disturbance being caused by the presence of such a large student presence within an established residential area.</p> <p><i>b. The development consists of a minimum of 200 occupants. This will not preclude proposals for small incremental extensions or consolidations of existing halls of residence and phased development of larger schemes.</i></p>
8.9	<p>The proposal is for 354 units and so this criterion is satisfied.</p> <p><i>c. The development provides a quality residential environment for students in accordance with the space standards for HMO’s set out in Appendix C.</i></p>
8.10	<p>The proposal complies with the residential space standards provided at Appendix C of the PS and so this criterion is satisfied.</p> <p><i>d. 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.</i></p>
8.11	<p>The application is supported by an Outline Student Management Plan. The plan provides the management strategy to be adopted by the future operator of the development, and identifies the key principles by which the building will be managed. The plan would need to be secured by means of a Section 76 planning agreement were the application to be approved. Nevertheless, this is considered an inappropriate location in principle for purpose built student accommodation.</p> <p><i>e. The development meets an identified need for the type of accommodation proposed, demonstrated through submission of a statement of student housing need.</i></p>
8.12	<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>
8.13	<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>
8.14	<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>
8.15	<p>The QUB accommodation website states the following:</p>

	<p><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. 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>
8.16	<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: <i>‘In 2022/2023 we are working in partnership with external providers (LIV Belfast, Student Roost and Novel Student) to provide additional accommodation for first year students.’</i></p>
8.17	<p>On 7th December 2022, representatives from QUB and UU gave a joint presentation to Belfast City Council’s City Growth & Regeneration Committee. The following points were recorded in Belfast City Council’s official minute of the meeting:</p> <ul style="list-style-type: none"> • <i>Student Accommodation in both Purpose built (PBMSA) and private rental sector was currently at capacity and a view of future demand had highlighted the city needed a further 6,000 rooms for students by 2028-30;</i> • <i>There was a growing demand for PBMSA over Private rental sector accommodation and insufficient rooms in planning or being built to address this shortfall; and</i> • <i>PBMSA opened since 2018 had successfully integrated with local communities and brought business and economic opportunities in the area.</i> • <i>QUB’s plans to increase its student accommodation by 40% from 3,400 to approx. 6,000 rooms.... highlighted that Ulster University’s independent review on accommodation demand indicated a need for a minimum of 1,700 beds in Belfast to meet demand for first-year guarantee, with additional beds required to meet increasing demand from returning and international students studying in our new Belfast campus. It was reported that UU currently had 700 beds under nominations agreements with PBMSA adjacent to the Belfast campus, which would increase in 2023-24. UU also provided accommodation for 600 students at Jordanstown Student Village and were currently considering long-term options in the city that increases student accommodation provision adjacent to Belfast campus.</i>
8.18	<p>Based on data compiled by the planning agent in relation the recent planning approvals for PBMSA, circa 7,000 PBMSA bed spaces have been granted planning permission and approximately 5,000 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 the applicant contents that there remains a significant need for PBMSA to meet the shortfall.</p>
8.19	<p>Demand and need for accommodation were the focus of the universities’ presentation to Belfast City Council City Growth & Regeneration Committee in December 2022.</p>
8.20	<p>The applicant understands that PBMSA Supplier, Student Roost, has four buildings in Belfast with 1,634 beds, which are fully let for the 22/23 year, with waiting lists in place. The Swanston House and John Bell House developments are already fully let for the 23/24 academic year. This is on the back of increased demand for accommodation across Belfast from both universities with a backdrop of strong application numbers, acceptances and higher proportion of international students.</p>

8.21	The application has been supported by a detailed Statement of Student Need. The purpose of the statement is to demonstrate the increasing need for student accommodation within the city centre, with reference to relevant Corporate Plans published by Belfast's further and higher education institutions. The statement identifies that even though 7,000 student rooms have been developed between 2015 and 2021, there continues to be a strong need for PBMSA in Belfast with an estimated need for 6,000 additional rooms for students by 2028-2030.
8.22	To further demonstrate the need for a PBMSA scheme, the applicant has undertaken an assessment of the current take up of student accommodation in the city ahead of the new academic year which is due to start in the coming weeks. This has found that there are a small number of rooms still available and they are likely to be full before the academic year starts.
8.23	The proposal will contribute to helping achieve this target of 6,000 additional rooms through the provision of 354 additional units. This criterion is satisfied.
8.24	<p>The proposal has also been assessed against the Council's document '<i>Purpose Built Managed Student Accommodation in Belfast – Planning and Place Advice Note</i>'. 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, with some overlap with Policy HOU12 discussed above:</p> <p><i>A. The development should be at a location which is easily accessible to university/college campuses by sustainable transport modes;</i> <i>B. Policy designations specific to the City Centre;</i> <i>C. Layout, design and facilities provided within the development are of high standards;</i> <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> <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> <i>F. The development meets and identified need for the type of accommodation proposed.</i></p> <p>Criteria B, C and D are considered below (the other criteria have already been addressed).</p> <p><u>Criterion B</u></p> <p>8.25 Requires assessment of the proposal in relation to policy designations specific to the city centre. The site is located on un-zoned 'whiteland' within the city centre and outside any conservation area of area of townscape character.</p> <p><u>Criterion C</u></p> <p>8.26 As discussed in greater detail below, the design of the building is considered in keeping with the existing built form in the immediate area in terms of overall massing, form and finishes, taking a cue in terms of heights and overall massing from the modern apartments blocks to either side and stepping down to the more domestic scale of the residential properties to the south. In terms of the specified space standards, the smallest units have a floor area of 15sqm with the larger rooms having an area of 18sqm, both above the 9 square metres standard for 1-2 person rooms. A small number of larger units (20 in total), and wheelchair accessible, have an area of approximately 24sqm.</p> <p><u>Criterion D</u></p> <p>8.27 The impact on amenity will be discussed in detail below under 'Impact on amenity'.</p>

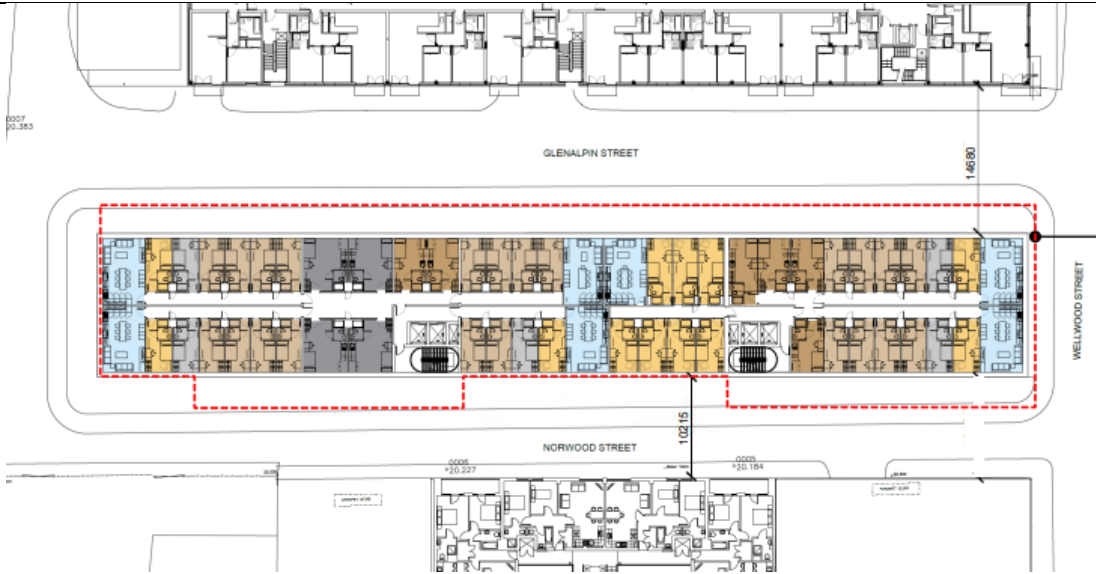
	Scale, Massing and Design
8.28	<p>The proposal has been assessed against the SPPS and Policies HOU12, RD1, DES2 and DES3 of the PS. Regard is had to the extant outline planning permission for a similar scale residential development.</p>
8.29	<p>In terms of built character, the area displays a variety of forms between the two storey domestic scale of the terraced dwellings off Sandy Row to the south and the high rise apartment and mixed use schemes to either side of the site. The site is sandwiched between a 12-storey building to the west and a 9 storey building to the east. The proposed building steps down from north to south with the highest element to front sitting somewhere between the highest part of Victoria Place building to the west and the highest part of 97 Great Victoria Street to the east. The built form steps down to the more domestic scales evident in the housing to the south. As such it fulfils the requirements of Policy DES3 (a) in that it is of a scale that is sensitive to the context of its surroundings and proportionate to its location.</p>
8.30	<p>These heights were influential in terms of justifying the overall scale and massing of the approved outline permission for a residential development on the site. Indeed, a building of almost identical scale was approved as part of this outline planning permission for circa 200 residential units. Conceptual elevations formed part of this approval which set height parameters of the block, stepping down from north to south.</p>
8.31	<p>For comparison the approved and proposed long elevations are set out below:</p>
	<p>Approved Elevation</p>  <p>Proposed Elevation</p> 
8.32	<p>The proposed building would have a maximum height of approximately 35.5m (11 storeys), 38m including rooftop plant, facing onto Wellwood Street. This drops to 17m (5 storeys), before rising and dropping again to 25m (8 storeys) and 17m to the rear of the site backing onto the dwellings in St. Georges Gardens.</p>

8.33	It is apparent from the elevations above that the scale and massing of the proposal is consistent with the conceptual elevations approved under the outline permission, albeit for residential development as opposed to PBMSA. A condition was attached to the outline approval requiring that the shoulder heights should not exceed those shown on the indicative plans. These conceptual shoulder heights have been respected in the current proposal.
8.34	Whilst several small steps in form have effectively been squared off and the height of the central five storey section raised slightly to accommodate an enclosure around a rooftop recreational space, these changes are considered relatively minor. It is also noted that the building is narrower in planform than previously approved (by around 6.0m) due to a 3.0m deep paving/planting buffer around the full extent of the eastern, western and southern elevations.
8.35	As the building height exceeds 35m it is considered a 'tall building' for the purposes of Policy DES 3. However as set out above, the general scale, height and massing of the current proposal aligns with that of the previous outline approval as illustrated in the comparative elevations above and is considered justified.
8.36	The Senior Urban Design Officer has acknowledged that the proposal is considered on balance to be <i>'in keeping with the scale of its immediate surroundings'</i> .
8.37	In terms of architectural treatment, the fenestration is vertically emphasised, with an appropriate solid to void ratio for a building of its scale and represents a contemporary style in keeping with many of the recently built student blocks within the city centre.
8.38	Regarding materials, the proposed palette, which is predominantly brick, is considered contextually appropriate.
	Climate change
8.39	The proposal has been assessed against Policy ENV2 and ENV3. Policy ENV2 seeks to incorporate measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development.
8.40	The Plan Strategy Statement (PPS) submitted in support of the proposal includes a short section entitled 'climate change'. It states that sustainability is at the forefront of developing the detailed design of the proposal. It states that sustainable measures include a 'fabric first' approach - prioritising energy efficiency of the building envelope in relation to materials used; BREEAM excellent is being targeted; windows proportioned to optimise daylight; and PV panels on the roof level. Air source heat pumps are also shown at roof level. Sustainable active travel options are also proposed for the development through introduction of cycle racks/storage and it notes that the site is well served by all forms of public and active transport options. These measures could be secured by condition were the application to be approved.
8.41	The proposal has been assessed against Policy ENV3. This policy states that developments should incorporate measures to adapt to environmental change. These primarily relate to the resilience of the development to cope with current and future climate.
8.42	The PSS notes that PV panels will provide renewable energy and reduce dependence on other energy supplies and that the orientation of rooms will minimise solar impact and overheating with introduction of high performance solar controlled curtain walling. The PSS also states that landscaping and amenity space are provided and the plans indicate some street level landscaping and a hard and soft landscaped communal area on the fifth

	<p>floor. Hard landscaped strips are proposed around the perimeter of the building and the fifth floor area includes paving, raised planters and artificial grass. These measures could be secured by condition were the application to be approved.</p>
8.43	<p>The proposal has been assessed against Policy ENV5, which requires incorporate of SuDS. The PSS states that a Drainage Assessment has been undertaken to support the application. This indicates the use of hard SuDS to attenuate surface water, primarily through over-sized pipes and a hydro-brake system to limit discharge rate to approximately greenfield flow. No significant soft SuDS measures are proposed and this is justified by the applicant by reference to 'the constrained urban location' and 'limited space on the site'. However, appropriate SuDS measures can be secured by condition were the application to be approved.</p>
8.44	<p>Open Space Provision</p> <p>The proposal has been assessed against Policies OS3 and RD1 (d) and regional guidance, 'Creating Places'. The external courtyard at fifth floor level provides an amenity space of approximately 400 sqm. Other external amenity areas include an enclosed communal strip of open space at ground floor level totalling approximately 600 sqm and ground floor break out area with an area of approximately 200sqm. The total amount of internal and external amenity space equates to approximately 1,200 sqm. It should be noted that the ground floor gym has not been included in these calculations.</p>
8.45	<p>Cumulatively the internal and external open space/ amenity areas provide approximately 3.3 sqm of amenity space per unit. This is well below the 10sqm per unit requirement in 'Creating Places', however, given the nature of the proposal, the site's inner city context and a total of 40 communal areas (each with an area of 30 sqm) on each floor, on balance, this level of provision is considered acceptable.</p>
8.46	<p>Impact on Built Heritage</p> <p>DfC Historic Environment Division (HED) has advised that the proposal has the potential to impact upon the setting of a number of listed buildings. These include:</p> <ul style="list-style-type: none"> a. Presbyterian Church, Great Victoria Street Grade B2 b. Shaftsbury Square Hospital, Great Victoria Street Grade B1
8.47	<p>However, HED has considered the impacts of the proposal on the setting of these Listed Buildings and is content that the proposal is compliant with the SPPS and Policies BH1 and DES3 (b) of the Plan Strategy. It is considered that these policies are satisfied.</p>
8.48	<p>Traffic and Parking</p> <p>The proposal does not include car parking. DfI Roads considers PBMSA proposals to be residential. As the development proposal is within an area of Parking Restraint, a parking reduction is applicable. However, DfI Roads has stated that consideration should be given to accommodating dedicated disabled car users in the form of in-curtilage parking.</p>
8.49	<p>DfI Roads acknowledges the proposal for two disabled spaces in a layby on Norwood Street. It has not identified a need for on-street parking at this location and so would be disinclined to adopt this part of the carriageway. However, DfI Roads does recognise that in the absence of disabled parking road markings in the layby, commuter parking will not be deterred and consideration should be given to marking this area as a 'loading only'. It should be noted that the layby will be subject to public consultation and legislative requirements.</p>

8.50	Notwithstanding, DfI Roads goes on to advise that the offer of two disabled layby spaces does not meet the parking requirements within the Council's own policies as well its legal duty to have due regard to the need to promote equality of opportunity.
8.51	However, there is no specific quantum of disabled parking required by Policy TRAN8 or associated guidance, simply 'a proportion of the spaces to be provided. In this case, there are no car parking spaces provided. The applicant's proposal for two disabled lay-by spaces is on balance considered acceptable.
8.52	The site is a sustainable and accessible location with level access provided to the building, and close to the Europa Bus, Transport Hub and City Centre core.
8.53	The proposal also includes 128 No. cycle spaces, located within an internal storage area at ground floor level.
8.54	In order to capitalise on the city centre location of the application site, the Travel Plan that accompanies the application includes a number of measures to encourage the use of non-car modes of travel. A Travel Plan Co-ordinator would be appointed by senior management to oversee the implementation and operation of the Travel Plan and would be responsible for the promotion of cycling, walking and public transport amongst residents, staff, and visitors. The Travel Plan would be secured by condition were the application to be approved.
8.55	The principle of a "zero parking" scheme is essentially accepted, and other PBMSA proposals have been approved with zero parking in the city centre.
8.56	No objections are raised in terms of highway safety. The proposal is on balance considered acceptable and in line with the SPPS and relevant PS policies.
	Health impact
8.57	The proposal has been assessed against Policy HC1 this policy requires that a Health Impact Assessment (HIA) is undertaken for all new major development. It seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. The PSS does not include a discrete HIA, but rather relies on responses to a number of other policy matters.
8.58	The PSS states that overall, the development will result in a quality and sustainable residential environment in a highly sustainable location that regenerates an underutilised site. It states that the provision of student accommodation at this location addresses an identified need and will contribute significantly to the vibrancy of this part of the City Centre making it a positive place to live and enjoy.
8.59	The proposal is in a sustainable location and would encourage walking and cycling. Communal areas and amenity space would be provided to promote positive mental health. The proposal is considered compliant with Policy HC1.
	Impact on amenity
8.60	The proposal has been assessed against the SPPS (paras 4.11 and 4.12) and Policies RD1, DES 1, DES3 and HOU12.
8.61	Policies DES1, DES3, RD1 and HOU12 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments.

8.62	With a PBMSA building of this scale set within a tight urban fabric, there will be inevitable impacts upon nearby premises, particularly those immediately adjacent to the site with residential properties located to the south, east and west of the proposal. Having said this, given the high-rise nature of the Victoria Place and 97 Great Victoria Street, with apartments located at lower levels, it would be unreasonable, in what is an inner urban context, to expect no impact to be experienced should a similar scale of building be proposed.
8.63	In relation to the amenity of the apartments at either side, as was the case with the residential scheme given outline permission (LA04/2019/0127/O), the proposal responds to this relationship by dropping from 11 storeys to the front to 5 storeys towards the middle of the site. This 5 storey element sits between an 11 storey height in Victoria Place and the 9 storey residential block in 97 Great Victoria Street. This would significantly reduce the potential overbearing/ overshadowing onto these adjacent units. It would also enable light to flow through to the residential units at either side, particularly in the morning and the evenings.
8.64	The built form then steps up to 8 storeys. There is no residential development to the immediate east of this block on Norwood Street. To the western side this block sits a 6-8 storey element of Victoria Place, approximately 15m away. It should be noted that this part of the proposal is of a similar scale and massing as the part of Victoria Place which sits opposite. Arguably 17-18 external balconies on the adjacent development would be affected by this part of the proposal. Having said this a separation distance of 15m should ensure that although some overlooking will be inevitable, the overbearing/dominance should not be such as to create an unduly significant hemmed in feeling within the apartments in Victoria Place, given what is a high density tight urban grain.
8.65	The massing of the proposal then drops again to 5 storeys to the south, in order to address the reduction in scale onto the four terraced dwellings in St. Georges Gardens. These dwellings are located approximately 20m from the rear of the proposed building, with a separation distance of approximately 14m to the boundary of these properties. There is no doubt that a building of this scale would impact upon the amenity of the dwellings, however in what is a high density inner urban context a separation distance of approximately 20m should ensure there is no significant loss of light or overbearing experienced to the rear of the dwellings. In terms of overlooking onto these properties, floor plans show two communal rooms on each of the floors on the southern (rear) elevation. The transient nature in which these rooms are likely to be used will minimise the potential for overlooking and given the generous separation distance on balance this is not considered to be a significant amenity issue.
8.66	The plan overleaf shows the separation distances to the closest neighbouring residential units. It is also worth noting the increased separation distances when compared to the residential block given outline planning permission in 2019 particularly onto Victoria Place. This is due to the building having a narrower footprint as that approved (shown as a red dashed line in the plan below).
8.67	In terms of overall dominance and loss of light the Daylight and Sunlight Impact on neighbouring properties report concludes that impacts to neighbouring properties are reduced when comparing the approval to this proposal and the proposed development is considered to be within the intention and flexible application of the BRE Guidelines and considered acceptable from a daylight and sunlight perspective.

	 <p>Amenity of Prospective Residents</p> <p>8.68 The daylight and sunlight 'Internal daylight, sunlight and overshadowing report' concluded that 176 (50%) of the 354 student rooms met or exceeded BRE recommendation for bedsits. An additional 41 rooms (11.5%) achieved the recommendation of 100 lux for bedrooms which the report considered was an acceptable level of light within this urban context. The remaining 137 rooms (38.5%) that would see lower levels of light were for the most part located on lower floors which were subject to higher levels of obstruction from surrounding buildings. Out of the 44 communal living areas, 36 (82%) exceeded BRE's target of 200 lux with the remaining eight areas again being located on those lower floors which were subject to higher levels of obstruction from surrounding buildings. The report concluded that on balance the proposal will provide acceptable levels of daylight and sunlight to the majority of future occupants.</p> <p>Management</p> <p>8.69 The application is supported by an Outline Student Management Plan. The plan provides the management strategy to be adopted by the future operator of the development, and identifies the key principles by which the building will be managed. The Plan outlines aspects of Student Management including tenancy agreements, secure access (fob controlled), CCTV, monitoring and reporting of noise incidents and time restrictions on use of outdoor amenity areas (8am-11pm).</p> <p>8.70 The plan would need to be secured by means of a Section 76 planning agreement were the application to be approved. A draft Section 76 agreement has been submitted and includes an obligation that a final management plan must be agreed prior to occupation.</p> <p>Contamination</p> <p>8.71 A Preliminary Risk Assessment (PRA) has been provided by RSK Ireland Ltd in support of this planning application. The PRA summarises the site history and environmental site situation including investigations and risk assessment undertaken in 2014 by RSK. The site has not had any alternatives usage since 2014 and remains a ground level car park.</p> <p>8.72 No unacceptable risks to environmental receptors have been identified for the development. NIEA Regulation Unit and Groundwater Team and Environmental Health Service have offered no objections.</p>
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	<p>Air Quality</p> <p>Operational Phase</p>
8.73	<p>A qualitative assessment of operational phase road vehicle exhaust emissions has been undertaken by comparing the development against the screening criteria outlined in Environmental Protection UK and the Institute of Air Quality Management, Land-use Planning & Development Control: Planning for Air Quality (January 2017) guidance. Irwin Carr consultants have advised that the development-led traffic is not to generate a significant change in flows on local roads with relevant receptors. Furthermore, Irwin Carr have advised that background pollutant concentrations surrounding the Proposed Development and locality are well below the respective air quality objectives.</p>
8.74	<p>The proposal would be a zero-parking scheme and there would be no vehicle access to the site. Accordingly, development would lead to a net reduction in vehicle trips at the site when compared with the extant site use (car park).</p>
8.75	<p>Consequently, Environmental Health Service is able to conclude that estimated transport emissions, as a result of the proposed development, are likely to have a negligible impact on nitrogen dioxide and particulate matter concentrations in the local area.</p>
8.76	<p>However, Environmental Health notes that no information concerning heating and hot water provisions (centralised combustion plant) has been provided within the submitted Air Quality Impact Assessment. These elements could be controlled by condition were permission to be granted.</p>
	<p>Noise</p>
8.77	<p>This Noise Impact Assessment (NIA) includes a daytime and night-time noise monitoring survey carried out on 28th June to 4th July 2019 at 1.5m height at the approximately the location of the proposed apartments front façade. The Noise Impact Assessment highlights that subjectively the noise environment is dominated by traffic noise to the front of the proposed property.</p>
8.78	<p>The noise assessment has determined that the proposed site falls within the Medium to High Risk Category for daytime and night-time, as the internal noise level guidelines during both daytime and night-time, would exceed British Standards. The NIA recommends mitigation measures requiring a high specification of acoustic double glazing as well as a high performing proprietary acoustically attenuated ventilation system to ensure adequate background ventilation to allow windows to be kept shut for noise insulation purposes.</p>
8.79	<p>The NIA predicted noise level at the external amenity area on the 5th Floor to be 54.5dB LAeq during daytime hours. The predicted noise levels are just below the upper limit of 55dB LAeq.</p>
8.80	<p>In section 7.0 of the NIA assessed the impact from the ground floor HWS plant room, HV Sub, Gen, and Laundry to the bedrooms above and recommended that the separating floor and walls between the ground floor and the first floor to be at least 200mm in depth, capable of providing appropriate sound reduction.</p>
8.81	<p>NIA also assessed the impact from the ground floor gym to bedrooms above. The report recommended separating walls and flooring between these rooms and a 200mm concrete floor slab that provides a sound reduction index of 59dB.</p>
8.82	<p>Environmental Health requested that a number of points of clarification was provided in relation to Meteorological data, air source heat pumps, roller shutter doors and overheating concerns within rooms. Further information was submitted to address these</p>

	<p>issues and Environmental Health were subsequently reconsulted. A response remains outstanding. Delegated authority is sought to finalise this position.</p> <p>Drainage and Flooding</p>
8.83	The proposal has been assessed against the SPPS Policy ENV4.
8.84	Flood Maps (NI) indicates that the development does not lay within the 1 in 100 year climate change fluvial or 1 in 200 year climate change coastal flood plain.
8.85	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 watercourses of which DfI Rivers has no record.
8.86	Flood Maps (NI) indicates that portions of the eastern boundary lay within an area of predicted pluvial flooding.
8.87	DfI Rivers has reviewed the Drainage Assessment by Kevin McShane Ltd., document number 23-001, Rev C dated 15th August 2023 and acknowledges the submitted Schedule 6 consent to discharge, dated 24th July 2023 from DfI Rivers Area Office.
8.88	DfI Rivers, while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. It offers no objection to the proposal
	Waste Management
8.89	The Waste Management Plan has confirmed that waste for the proposed building will be stored in communal waste storage areas at ground floor level. Bins will be brought out to the designated bin collection area on Wellwood Street.
8.90	It is expected that 21,180 litres of waste will be generated at the site weekly, and space has been allocated within the bin storage area to accommodate this capacity.
8.91	<p>Waste collections for the development are anticipated as follows:</p> <ul style="list-style-type: none"> c. Frequency – Weekly for each type of waste therefore 3-4 collections per week; d. Timing – To be arranged with Belfast City Council. Preferably early morning collection, pre 11am.
8.92	It is recommended within the Management Plan that waste collection from the development site will occur at the same time as residential developments in the surrounding area. Both mixed refuse and recyclable waste will be collected weekly.
8.93	<p>In accordance with the 'Purpose-Built Managed Student Accommodation (PBMSA) in Belfast: supplementary guidance on waste storage' the proposed development is anticipated to generate four main types of waste:</p> <ul style="list-style-type: none"> • General Waste; • Dry Recyclable Waste; • Glass Waste; and • Food Waste
8.94	Waste management has been incorporated into the development design. Within each residential unit, segregated bins are available. These bins allow residents to separate waste at the source for recycling.

8.95	The proposal includes an enclosed communal bin store, 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.
8.96	The Management Company will delegate waste management duties to a member or members of the maintenance staff. These member/members will be responsible for ensuring all streams of waste bins are individually accessible at the waste store.
8.97	The Management Company will be responsible for the upkeep and cleanliness of the public area.
	Waste Water Capacity
8.98	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. 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.
8.99	However, 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 on the site (approval LA04/2019/0127/O), will not come forward at once.
8.100	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 and the extant permission on the site. 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.
	Other Environmental Matters
8.101	DAERA Water Management Unit is concerned that the sewage loading associated with the proposal has the potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Works (WWTW).
8.102	As NIW has advised it is not possible to connect the proposed development to mains sewer then alternative arrangements will be required should approval be forthcoming, and a Discharge Consent issued under the terms of the Water (NI) Order 1999 will be required for the discharge of sewage effluent from the proposed development.
8.103	The Planning Service has also engaged Shared Environmental Services (SES) in relation to the Habitats Regulations. Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, SES advises that the proposal would unlikely have a significant effect on the integrity of any European site either alone or in combination with other plans or projects.
	Developer Contributions/ Section 76 Agreement
8.104	Were the application to be approved, a Section 76 planning agreement would be necessary to secure the student management plan and Construction Employability and Skills Plan advised by the Economic Development Unit. A draft planning agreement was

	submitted with the application and included an obligation that a management plan is agreed with the Council prior to occupation of the development.
8.105	BCC Place and Economy Team has recommended that the Section 76 includes a clause relating to employability and skills during the construction phase.
8.106	The planning agreement has not been finalised at this time and so the proposal fails to accord with the requirements of Policy HOU12 and the Developer Contribution Framework.
8.107	The application site “red line” of the application extends to the edge of the public footpath. Public realm improvements, required by the Developer Contribution Framework, could be secured by condition were the application to be approved.
8.108	<p>Pre-application Community Consultation</p> <p>For applications that fall within the Major development category, the regulations place a statutory duty on applicant to consult the community in advance of submitting the planning application.</p>
8.109	The regulations require that a prospective applicant, prior to submitting a major application must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A PAN was submitted to the Council on 22 nd December 2022.
8.110	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.
8.111	<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"> • A public information event was held on Tuesday 28th February 2023 at the Sandy Row Community Centre • Notification of the public exhibition were advertised in the Belfast Telegraph on 21st February 2023 • The PAN was circulated to a number of Councillors and MLAs on 23rd December 2022. • Dedicated website and phone number established. • Leaflets were distributed to approximately 500 properties within 150m of the site • A total of 122 people attended the public event. The website received 367 views. In total 287 individuals actively took part in the exercise.
8.112	181 people provided feedback at the event, via the website and by post.
8.114	Only 1% of the feedback indicated general support for a PBMSA proposal on the site.
8.115	Concerns were expressed about the need for social housing in the area and impact on residential amenity.
8.116	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.

10.0	Recommendation
10.1	Having regard to the development plan and other material considerations, the proposed development is considered unacceptable as the site is located within an established residential area and as such is contrary to Policy HOU12 of the Plan Strategy. Moreover, at this current time, there is not a completed Section 76 planning agreement in place to secure the management plan and Employability and Skills Plan necessary to make the development acceptable.
10.2	It is therefore recommended that planning permission is refused. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons.
11.0	Draft Refusal Reasons: <ol style="list-style-type: none"> 3. The proposal is contrary to Policies RD1 (a) and HOU12 (a) of the Belfast Local Development Plan: Plan Strategy 2035 as the site is located within an Established Residential Area. The proposal would place undue pressures on housing and local amenities. Moreover, the proposal would not be complimentary to surrounding residential uses and would be an incompatible form of development given the introduction of a significant number of students within existing housing. 4. A Section 76 planning agreement is not in place at this time to secure the provision of a student management plan and a Construction Employability and Skills Plan, both required to make the proposal acceptable. The proposal is in contravention with Policy HOU12 of the Belfast Local Development Plan: Plan Strategy 2035 and Belfast City Council's Developer Contributions Framework 2020 and is unacceptable.
13.0	Representations from elected members: Three received (Cllr Poots, Cllr Kelly, Cllr McKeown)

ANNEX	
Date Valid	23 rd March 2023
Date First Advertised	14 th April 2023
Date Last Advertised	14 th April 2023
Date of Last Neighbour Notification	7 th August 2023
Date of EIA Determination	N/A
ES Requested	No

Addendum Report 2	
Application ID: LA04/2022/0118/F	Date of Committee: 12 th December 2023
Proposal: The proposed erection of 46No.apartment units of traditional construction over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (Amended plans received 21.9.23)	Location: 146 Parkgate Avenue Strandtown Belfast BT4 1JD.
Referral Route: Paragraph 3.8.2 (a) (i) of the Scheme of Delegation (proposal of more than 12 units with the original recommendation to refuse and representations in support).	
Recommendation: No change of opinion	
Applicant Name and Address: Parkgate Property Developments Ltd 17 Mound Road Dromore BT25 1DL	Agent Name and Address: Rolston Architects 49 Lisleen Road Belfast BT5 7SU
Background <ol style="list-style-type: none"> 1. This application was approved by the Planning Committee at its 17th October 2023 meeting. Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 planning agreement. 2. In subsequent discussions with the applicant, it become apparent that the applicant does not own all the land to the west and south-west proposed as open space. Accordingly, the applicant can therefore only provide a reduced area of open space in association with the proposed development. An amended site location plan is shown below, with lands outlined blue within the applicant's ownership. An amended site layout is provided overleaf. 	

Amended Site Layout:

3. The application site (outlined red) is approximately 3,271 sqm. As set out in the previous Committee report, appended, Policy OS3 requires that a minimum of 10% of the site area should be provided as open space, equating to a requirement of 327 sqm. The adjacent land as confirmed as being in the applicant's control, and proposed as open space, is 1,050 sqm – equating to 32% of the application site and well above the 10% minimum. This reduced level of additional open space is still considered to off-set the concerns about the lack of useable quality amenity space within the main development (red line)
4. The remaining roughly triangular portion of land to the south west is approximately 1,485sqm in size and would have made an additional substantial contribution to open space/amenity provision for the development. However, that land is outside the applicant's control and it is not within their gift to bring forward and maintain as open space.
5. However, the applicant is committed to bringing forward and maintaining the land within their control (blue line) as open space. This would be secured by means of the Section 76 planning agreement.

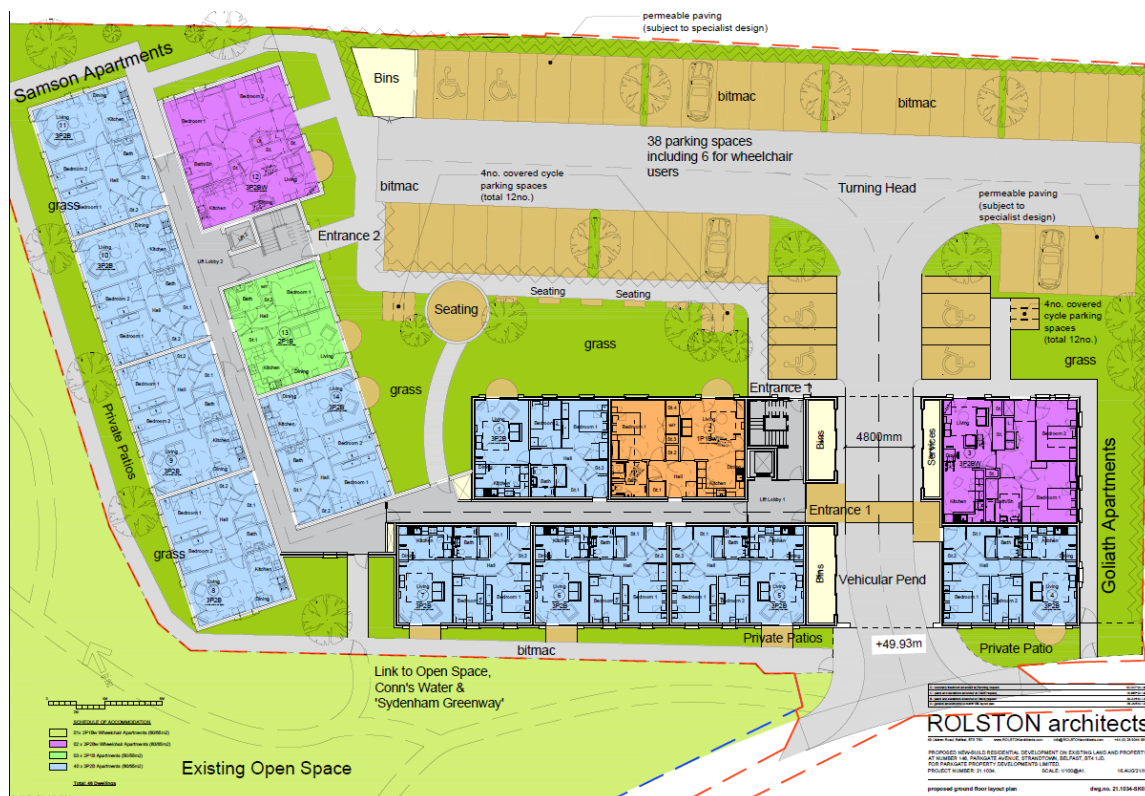
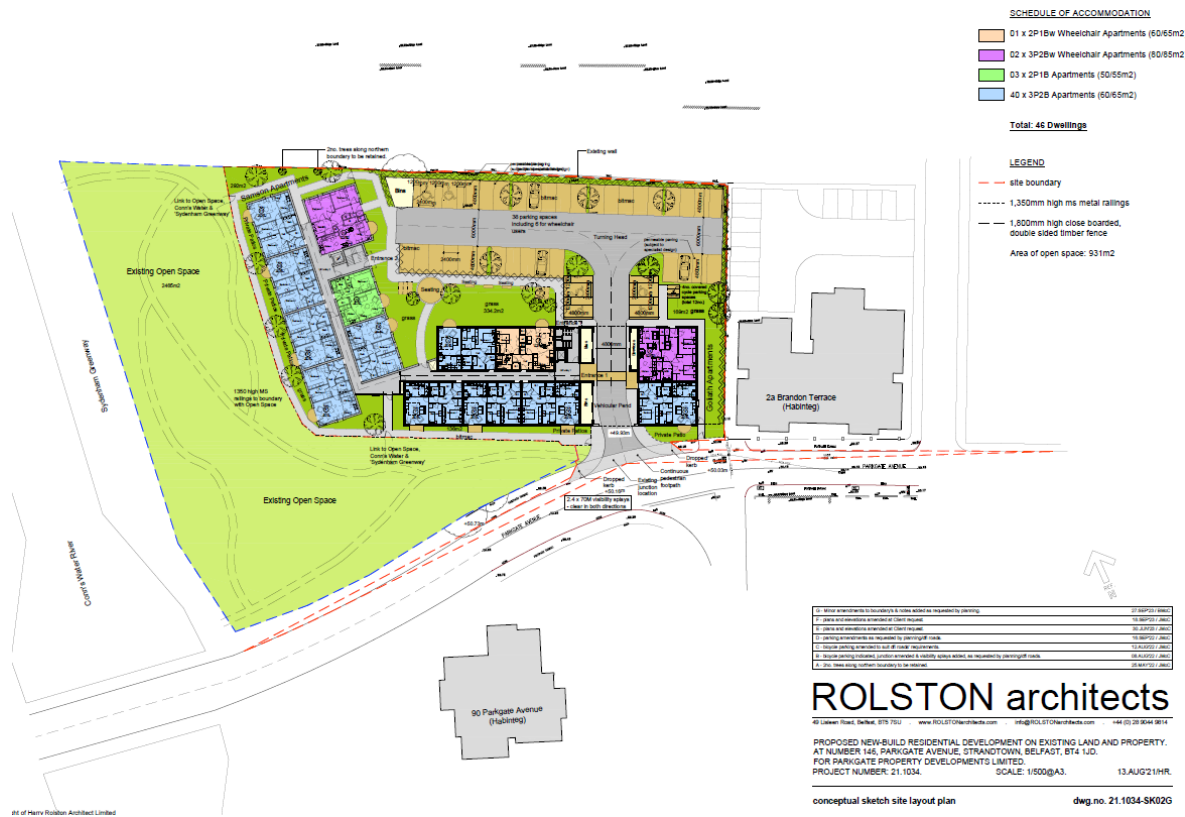
Conclusion

6. The Committee is asked to re-confirm its decision to approve the application, giving delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 planning agreement, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

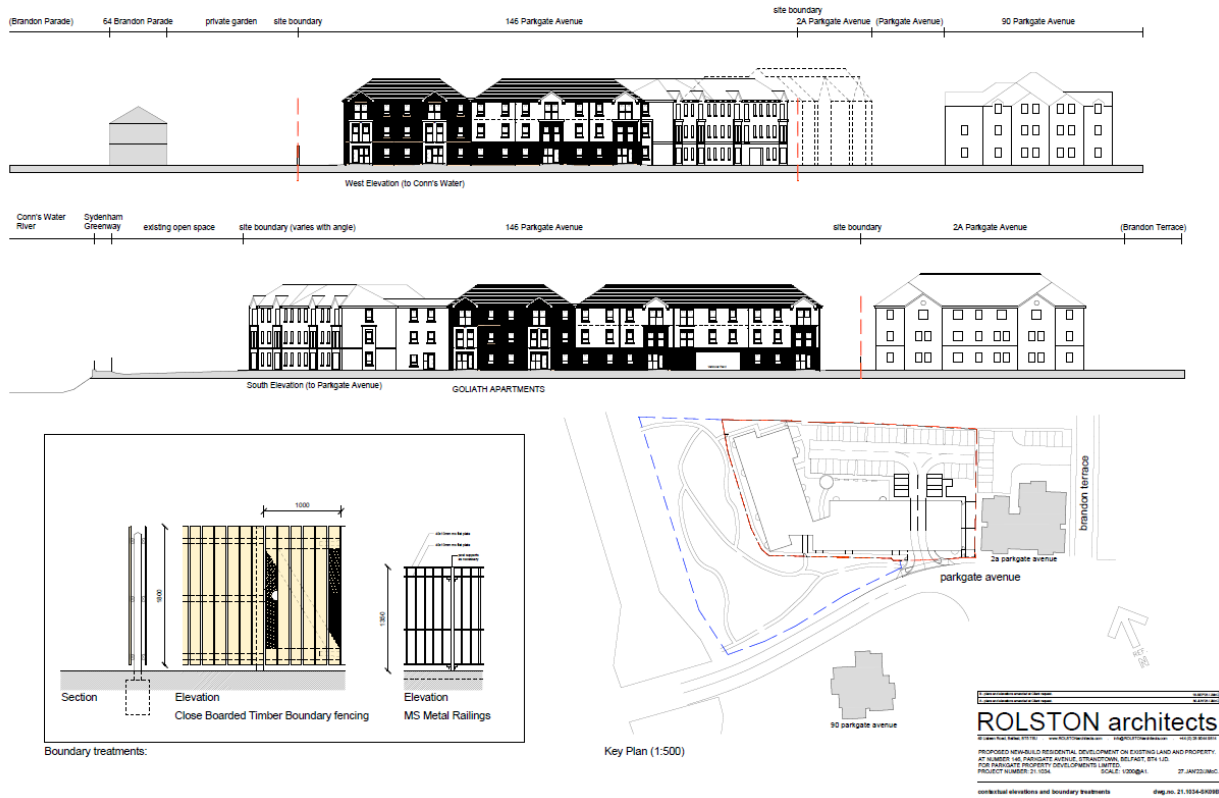
Addendum Report 1

Application ID: LA04/2022/0118/F	Date of Committee: 17 th October 2023
Proposal: The proposed erection of 46No.apartment units of traditional construction over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access. (Amended plans received 21.9.23)	Location: 146 Parkgate Avenue Strandtown Belfast BT4 1JD.
Referral Route: Paragraph 3.8.2 (a) (i) of the Scheme of Delegation (proposal of more than 12 units with the original recommendation to refuse and representations in support).	
Recommendation: Approval subject to conditions and s76 planning agreement	
Applicant Name and Address: Parkgate Property Developments Ltd 17 Mound Road Dromore BT25 1DL	Agent Name and Address: Rolston Architects 49 Lisleen Road Belfast BT5 7SU
<p>Addendum Report:</p> <p>Background</p> <p>7. This application was previously reported to the 29th June 2023 Planning Committee. The application was deferred so that <i>'further engagement takes place between officers and applicant to attempt to resolve the issues. The Committee also agreed to hold a Committee Site Visit.'</i></p> <p>8. Two sets of amended plans have been submitted since the previous Committee meeting: amendments voluntarily submitted in August 2023 then amendments September 2023 following a meeting with officers. The most recent amended plans have been subject to Neighbour Notification and are available on the NI Planning Portal. Extracts from the plans are reproduced below.</p> <p>9. The Committee Site visit took place on 3rd October 2023.</p> <p>10. This addendum report should be read in conjunction with the original report to the 29th June 2023 committee, appended.</p> <p>11. The following updated assessment of the application is provided.</p>	

Amended Site Layout:



Contextual Elevations:



CGI:



146 Parkgate Avenue, Belfast

COLLINS_ROLSTON
CHARTERED ARCHITECTS PROJECT MANAGERS

Updated Assessment

Late items reported to the 29th June Committee

12. The following late items were verbally reported to the previous Committee meeting.

Letter from Connswaters Housing Association:

- Reiterated housing need in the area.
- Rationale provided for not providing housing mix as per Policy HOU6 which includes difficulties in letting 3 and 4 bedroom apartments and there is a need for smaller families and singles.
- Development mix is in accordance with the those on NIHE waiting lists.
- Rationale for shortfall in wheelchair units is that they have experienced difficulties in acquiring suitable tenants which results in the need to re-fit of units to general needs standards.
- NIHE has carried out up to date Housing Market Analysis (HMA) and annual HNAs in order to confirm the need in this area.

Letter from applicant:

- Provided a rebuttal to the original Committee report (appended).
- Reiterated that the proposal is for 100% social housing and is content for this to be conditioned (officers advised that a s76 planning agreement would be required).
- Dismissed the need for a housing mix tenure and claimed that this can be provided at other locations.
- Potential to amend the layout to increase wheelchair units if there is demand.
- Overlooking could be designed out (officers advised that amended plans would be required).
- SuDS is provided. Other issues can be resolved by condition.
- A management plan can be put in place.

Further consultations and representations

13. SES offers no objection subject to conditions.

14. An email was received from a resident on 21st September 2023, stating that they wished to object to the proposal. No details of any objection nor an address of the individual were provided.

Impact on the character and appearance of the area

15. The applicant has amended the design of the proposed apartments, introducing hipped roofs and a greater variety of materials (render and brick rather than all render). The western block has also been repositioned approximately 2 metres westwards.
16. Hipped roofs have been incorporated within the main body of each block to reduce the visual impact of the scheme and avoid a “monolithic” type of massing, which was a criticism of the previous scheme. The design incorporates vertical shifts in the elevations through variation of brick and render walling materials to help break up the long elevations.

17. Following the repositioning of the western block and introduction of oriel windows to restrict views, the building is now considered to be adequately separated from existing houses along Brandon Parade. These changes have improved overall amenity of future tenants and existing residents.
18. The proposal is supported by a detailed boundary treatments plan which shows metal railings and 1.8m high close boarded double sided timber fencing. The proposal features parcels of grass lawn, hedging and several trees. There are no details given to the detailing of any retained vegetation or proposed planting, although the planning statement states that the apartments will feature hedge planting and low-level shrub planting to create attractive spaces with seasonal variation. If approved, landscaping conditions would be required to secure necessary details and management arrangements.
19. On balance, the design changes are considered to address the original Refusal Reason 1 and the proposal is considered to comply with Policies DES 1 and RD1.

Impact on amenity

Quality residential environment

20. A number of changes have been made to improve the quality of residential environment for occupants of the proposed development.
 - Windows between the blocks have been removed to avoid inter-overlooking within the development itself. It is noted that the main living spaces of Units 14, 30, 46 would overlook the central open landscaped area with only secondary rooms (bedrooms) looking toward the gable end of the other building volume. In addition, moving the western block westwards by around 2m has increased available separation to the gable wall.
 - Gable windows have been introduced to the east gable of the eastern block to improve light to those rooms (the windows will be required to be obscure glazed by condition to protect the privacy of the adjacent apartment block to the east).
 - Relocation of the bin store approximately 2m further from the nearest apartments, screened with additional landscaping which softens its impact.
 - Slight increase in amenity space within the development (see below).
 - The land in the applicant's control to the west and south-west will be delivered and maintained as open space for residents of the development (see below).
21. The amenity space within the development and adjacent open space would be required to be managed by the applicant as an obligation of a Section 76 planning agreement. The applicant has agreed to these requirements in principle. This would address the original Refusal Reason 5.
22. On balance, the amendments are considered to address the original Refusal Reason 2 and the proposal accords with Policy RD1.

Impact on neighbours

23. The change in roof design would reduce the visual impact and dominance of the development on neighbouring properties.
24. The introduction of oriel windows on the nearside apartments closest to the north rear boundary would mitigate concerns relating to the loss of privacy to the rear gardens of the existing neighbours on Brandon Parade.

Amenity and Open Space

25. The western block has been moved approximately 2 metres to the west. This increases the available communal amenity space within the central portion of the site by 66 sqm to 400 sqm. This moderately improves the quality of amenity space within the development, maintaining over 10% open space on the site (total of 931 sqm). However, criticism of the useability of this space remains.
26. To offset these concerns, the applicant has confirmed that they agree to deliver the land in their control to the immediate west and south-west, which was previously open space, as open space to serve the development. This area measures approximately 2,465 sqm and is currently overgrown with shrubs, hedging and saplings. The open space would be required to be properly laid out, delivered and maintained through a Section 76 planning agreement, including its proper landscaping. Subject to this provision, it is considered that the original Refusal Reason 2 has been addressed and that the proposal is compliant with Policies RD1 and OS 3.

Affordable housing

27. To recap, Policy HOU5 requires sites greater than 0.1 hectares and schemes containing 5 or more dwelling units to provide a minimum of 20% affordable housing. The applicant's "affordable housing form" states that the scheme would provide 100% social housing. However, the previous Committee report expressed concern about all 43 apartments coming forward as a mono-tenure social housing scheme.

28. Officers raised this issue with the applicant at the meeting in September, asking them to explore a greater tenure mix including potential provision of some intermediate housing units. The applicant has responded to the concerns about the mono-tenure social housing with correspondence from Connswater Homes, which reiterates its commitment to delivering a 100% social housing scheme:

'At all locations and in-line with DfC's Affordable Housing and Intermediate Rent Policies, Connswater Homes explored opportunity to increase housing supply whilst ensuring delivery of high-quality homes at an affordable rent level. At March 2022 there were 12,237 applicants on the waiting list for Belfast City Council area, 9,307 of whom were in housing stress. Given the significant waiting list figures, a social housing model was deemed appropriate at Parkgate Avenue East Belfast.'

29. The Affordable Housing and Housing Mix SPG advises that '... larger areas of mono-tenure social housing are not deemed to deliver sustainable communities.' and 'Proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances.'

30. Paragraph 4.4.12 of the SPG goes onto state that:

'In all cases, whether or not a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by-case basis using the following factors:

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

31. In terms of the above guidance, NIHE has confirmed the need for proposed social housing. Whilst it is understood that the existing apartment blocks to the east and south are social housing, other housing in the immediate area is private which means that there would continue to be mix of residential tenures in the locality. The applicant has been asked if the proposal can come forward as 'shared housing'. Connswater Housing assert that the housing would be provided on a basis of need as opposed to a selection-based criteria (i.e., on religion, political beliefs, ethnicity, race, or nationality).
32. Whilst the proposal is in conflict with Policy HOU5 and the SPG, given that two of the above three criteria are satisfied and also having regard to the longevity of the application which was submitted in January 2022, on balance, the approach to affordable housing is considered acceptable and the original Refusal Reason 6 can be removed.

Housing mix

33. To recap, Policy HOU6 requires an appropriate housing mix on sites greater than 0.1ha or schemes containing 5 residential units or more. The policy goes on to state that the requirement for a mix of house types will not apply to single apartment developments. In such cases the housing mix will be considered acceptable through greater variety in the size of units. The proposed accommodation schedule comprises 1 x 2Person 1Bed (wheelchair), 2 x 3Person 2Bed (wheelchair), 3 x 2Person 1Bed, and 40 x 3Person 2Bed units. The breakdown of units is approximately 7% 2P1B and 93% 2P2B.
34. The Plans and Policy Unit has advised that more 3 and 4 bed apartments should be encouraged within the scheme, to meet the requirement for increased size, whilst promoting choice and facilitating the creation of balanced neighbourhoods. However, the applicant has not made any changes to the housing mix, stating that Connswater Homes have larger family homes available in the vicinity at other developments.
35. Having regard to the support for the scheme from NIHE and the longevity of the application, the housing mix is on balance considered acceptable. Original Refusal Reason 7 can be removed.

Adaptable and accessible accommodation

36. Policy HOU7 requires 10% of the units to be identified as wheelchair accessible. For the proposal, 5 units would need to be wheelchair accessible to comply. However, only three units have been identified as wheelchair accessible accommodation following the applicant's discussion with NIHE.
37. Officers advise that the requirements of NIHE do not negate the need to conform with Policy HOU7. The applicant has outlined that the Housing Association can undertake additional work to amend units should additional disabled units be required. However, the criteria, as set out in HOU7 for wheelchair accessible units, would require specific space standards, which might not be able to be retrofitted. However, in view of the provision of a high number of affordable housing for which there is a recognised need, and the longevity of the application, the failure of the proposal to fully comply with Policy HOU7 is on balance acceptable. Original Refusal Reason 8 can be removed.

Climate change

38. Officers had previously raised concerns about conflict with Policies ENV 2, ENV3 and ENV5. Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.
39. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. Policy ENV5 states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere.
40. The applicant has provided a Climate Change Statement, which indicates that the proposed development embraces sustainable principles and aims to mitigate the impacts of climate change by prioritising energy efficiency, sustainable materials, water conservation, and waste management. It lists measures taken to reduce energy demand, measures to limit carbon through sustainable materials and construction practices and flood mitigation. It is considered that the final detail can be secured by condition. Regarding SuDS, the amended plans include 290 sqm of permeable paving within the car parking area of the site. The amount of green space within the site has also marginally been increased. The land to the west and south west would be retained as green open space.
41. Whilst further commitments to mitigating and managing climate change could have been made, in view of the commitment to delivering 100% social housing and having regard to the longevity of the application, the approach is considered on balance acceptable.

Natural heritage

42. Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for carrying out 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.
43. 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 may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NIEA.

44. In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised that following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, the proposal would not likely have a significant environmental effect on the integrity of any European site either alone or in combination with other plans or projects. This is subject to mitigation by way of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. This condition is considered necessary if planning permission is granted.
45. DAERA Water Management Unit has advised that it has no objection to the proposal in principle, however, it has the potential to have an adverse impact effect on the aquatic environment. They have recommended a similar condition to SES requiring method of sewage disposal to be agreed prior to commencement.
46. In conclusion, it is considered that the proposal would not have any adverse ecological effects subject to conditions. In this regard, the proposal complies with Policy NH1.

Section 76 planning agreement

47. Should the application be approved, a Section 76 planning agreement would be required to secure the following:
- 100% social housing – to off-set issues around the housing mix and commitments to managing and mitigating climate change;
 - Delivery and maintenance of the open space on the land to the west and south west, as well as amenity areas within the site; and
 - Implementation of the travel plan and appropriate green travel measures.

Recommendation

48. On balance, following amendments and further information, the previous refusal reasons set out in the original Committee report, appended, have been addressed.
49. It is recommended that planning permission is granted.
50. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 planning agreement, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 29 th June 2023	
Application ID: LA04/2022/0118/F	
Proposal: The proposed erection of 46No.apartment units of traditional construction over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access.	Location: 146 Parkgate Avenue, Strandtown, Belfast BT4 1JD.
Referral Route: Paragraph 3.8.2 (a) (i) of the Scheme of Delegation (scheme of more than 12 units with recommendation to refuse and representations in support having been received).	
Recommendation:	Refusal
Applicant Name and Address: Parkgate Property Developments Ltd 17 Mound Road Dromore BT25 1DL	Agent Name and Address: Rolston Architects 49 Lisleen Road Belfast BT5 7SU
Executive Summary: This application seeks full planning permission for the erection of 46No.apartment units over three storeys, with associated car parking site and landscaping works and the alteration of an existing vehicular access. The key issues are: <ul style="list-style-type: none"> Principle of development Affordable housing and housing mix Adaptable and accessible accommodation Design, layout and impact on the character and appearance of the area Scale, Height, Massing, Design and Layout Access, Traffic and Parking Environmental Health Drainage and Flood Risk / Infrastructure Capacity Impact on the natural environment Ecological Impacts Climate change Recommendation Having regard to the Development Plan and all other relevant material considerations, the proposal is considered unacceptable in that the need for social housing does not outweigh the layout, design, amenity and policy issues as set out in the below assessment., and refusal is recommended for the reasons set out in the case officer report. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the refusal reasons and resolve outstanding consultations.	

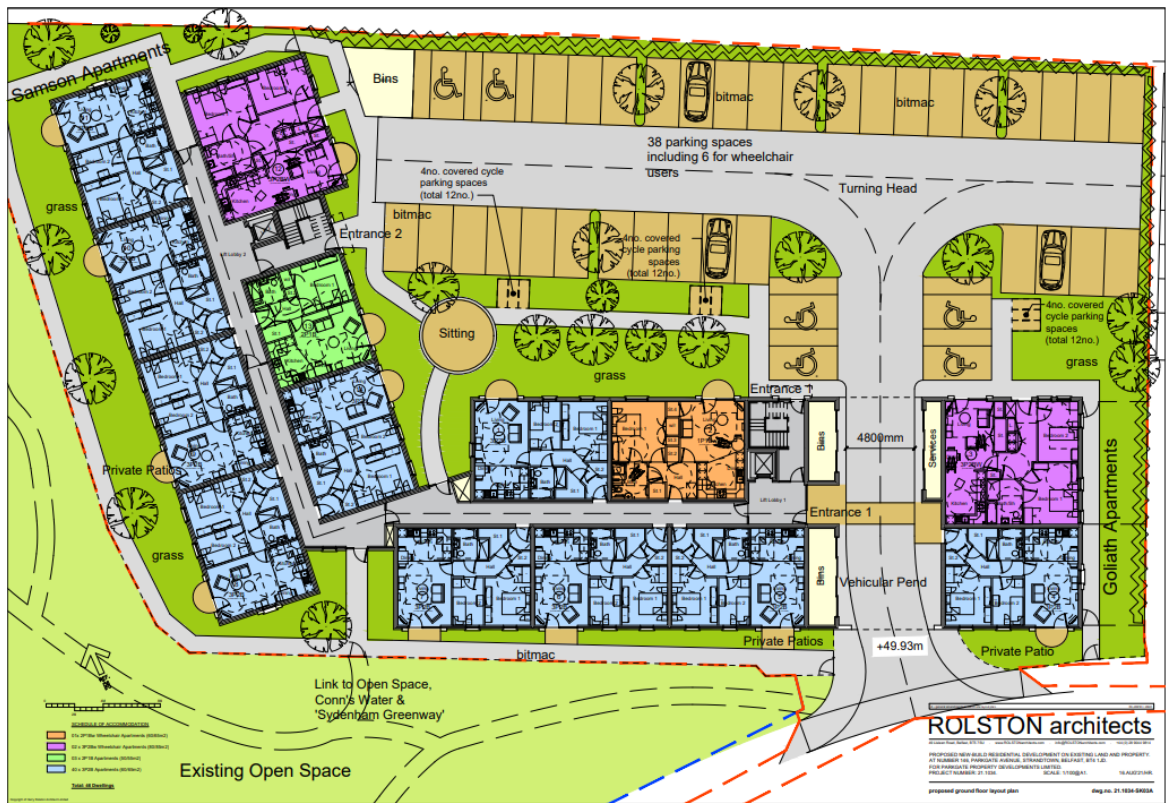
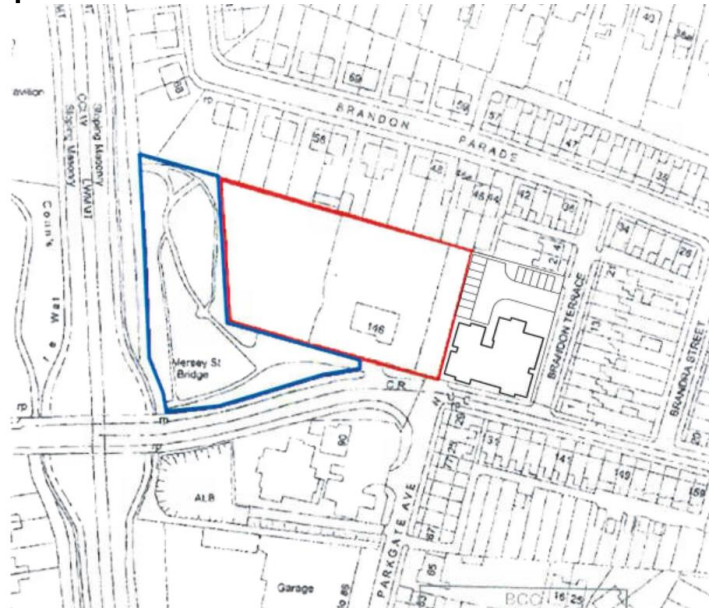
Planning Report

1.0

Drawings

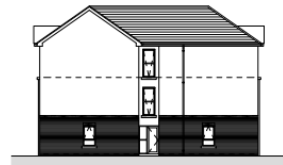
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Site Location Map:





North Elevation



South East Gable Elevation



Section AA



North West Gable Elevation

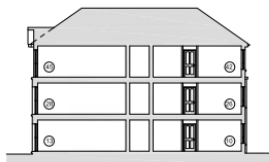


South Elevation (to Parkgate Avenue)

ROLSTON architects

PROPOSED NEW BUILD RESIDENTIAL DEVELOPMENT ON EXISTING LAND AND PROPER AT NUMBER 146, PARKGATE AVENUE, STRANDTOWN, BELFAST, BT4 1JD.
FOR PARKGATE PROPERTY DEVELOPMENTS LIMITED.

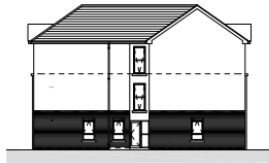
GOLIATH APARTMENTS



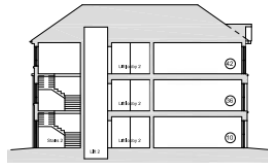
Section CC



East Elevation



North Gable Elevation



Section BB



South Gable Elevation



West Elevation (to Conn's Water)

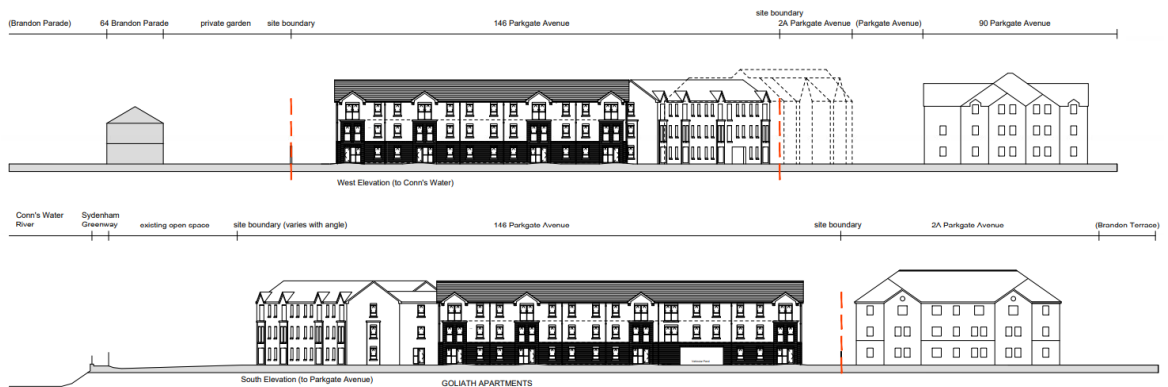
CUTLINE SPECIFICATION

- thick concrete lips
- thick concrete side-slab raised verge
- thick PVC up-water goods
- rendered sidewalk
- red clay facing brick
- thick grey concrete
- red brick pavers
- precast concrete
- composite double glass storm doors

ROLSTON architect

PROPOSED NEIGHBOURHOOD RESIDENTIAL DEVELOPMENT ON EXISTING LAND AND PROPER
AT NEARBY 140, PARKGATE AVENUE, STRANDBOY, BELFAST, BT4 1JL,
FOR FUTURE PROPERTY DEVELOPMENTS LIMITED.

SAMPSON APARTMENTS



2.0	Characteristics of the Site and Area
2.1	The occupies approximately 0.334 hectares of land located at 146 Parkgate Avenue, Belfast. The site is unoccupied and is covered in parts by hardstanding and scrub grass. The site has an existing access point onto Parkgate Avenue. the site is relatively flat and is bounded to the East by a 1.8m high vertical timber boarded fence, to the West by a green 2.1m high paladin fence and planting to Sydenham Greenway and the Connswater river, to the south in part by a railing and wall with piers. The boundary to the North is formed by a 2.4m high blockwork wall. There are a number of trees around the perimeter of the site.
2.2	The agent indicated that the site was previously occupied by a former residential building that had also been used commercial purposes. Any buildings which were present have been demolished and cleared from the site. The immediate area is primarily characterised by residential developments consisting of terraced and semi-detached dwellings. There are also two apartment developments adjacent and opposite the site. Building heights are predominately two storeys in height. The site is bounded to the East by a three-storey apartment building at 2a Brandon Terrace, to the West by Sydenham Greenway and the Connswater river, to the south by a three-storey apartment building across Parkgate Avenue. The boundary to the North is formed by the rear boundary of a row of houses along Brandon Parade. The site is accessed primarily from the south off Parkgate Avenue and from the West on foot from Sydenham Greenway.
3.0	Description of Proposal
3.1	The erection of 46No.apartment units of traditional construction over three stories, with associated car parking site and landscaping works and the alteration of an existing vehicular access.
4.0	Planning Policy and Other Material Considerations
4.1	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.2	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.3	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.4	Supplementary Planning Guidance Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Sustainable Urban Drainage Systems Transportation Trees and Development
4.5	Other Policies Belfast Agenda Creating Places (DfI)

4.6	<p>Relevant Planning History</p> <p><u>Application Site:</u> Ref ID: Z/2006/0087/F Proposal: Proposed housing development of townhouses and apartments (24 no units) Address: 146 Parkgate Avenue, Strandtown, Belfast, BT04 1JD Decision: Permission Granted Decision Date: 16.12.2008</p> <p><u>Surrounding Land:</u> Ref ID: Z/2006/1556/F Proposal: 18 no. apartments (elderly residential development) Address: 148-150 Parkgate Avenue, Strandtown, Belfast, BT04 1JD Decision: Permission Granted Decision Date: 11.04.2007</p> <p>Ref ID: Z/2008/0795/F Proposal: Variation of conditions 5 and 6 of planning approval Z/2007/0350/F - Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Hollywood Arches and installation of weir infrastructure at entrance to Victoria Park- an extension to the time period for the preparation of baseline surveys and an ecological management plan for the connswater community greenway. Address: Lands extending from Victoria Pk to Cregagh Glen inc. parts of Cregagh Rd, Castlereagh College, Loop River Pk, Castlereagh Rd, Beersbridge Rd, Newtownards Rd, Sydenham Bypass, & lands in between. Also inc. lands extending from Beersbridge Rd Decision: Permission Granted Decision Date: 28.10.2008</p> <p>Ref ID: Z/2007/0350/F Proposal: Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Hollywood Arches and installation of weir infrastructure at entrance to Victoria Park. Address: Lands extending from Victoria Pk to Cregagh Glen inc. parts of Cregagh Rd, Castlereagh College, Loop River Pk, Castlereagh Rd, Beersbridge Rd, Newtownards Rd, Sydenham Bypass, & lands in between. Also inc. lands extending from Beersbridge Rd Decision: Permission Granted Decision Date: 26.07.2007</p>
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5.0	Consultations and Representations
5.1	Statutory Consultations <p>DfI Roads- No objection NI Water- Refusal recommended – network capacity issues. DAERA NIEA- No objection in relation to contamination issues. Awaiting response from further consultation in relation to Natural Environment and Water Management following NIW response. Rivers- The agent has submitted correspondence uploaded on the 15-3-23 regarding a Consent to Discharge letter from DFI Rivers. Request to Rivers to verify and confirm that this is acceptable. Awaiting response. SES - response outstanding, DEARA response required prior to responding. NIHE- In support of the proposal</p>
5.2	Non-Statutory Consultations <p>BCC Environmental Health – Content subject to conditions BCC Plan Team- Environment: given the scale and location of the proposal, further details of sustainable design features of the development should be sought to demonstrate full compliance with ENV2. There is no demonstration of full compliance with ENV3. The submission has not demonstrated adequate compliance with Policy ENV5. <i>Housing:</i> The proposal for 46 units cannot be considered small scale and therefore a greater mix of tenures is encouraged to satisfy the requirements of Policy HOU5. • To help aid choice, more 3 and 4 bed apartments should be encouraged in the proposed scheme. • Given that the total number of units proposed is 46, the Policy requirement under Policy HOU7 is that five units should be wheelchair accessible.</p>
5.3	<p>Whilst some consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require those consultees to re-evaluate the proposal in the context of the Plan Strategy. No further consultations have therefore been issued.</p>
5.4	Representations <p>The application has been advertised and neighbours notified. The Council has received three representations. The Council has received one representation objecting to the proposal. Concerns from the resident at 2a Brandon Terrace include the height of the apartment development, loss of light and the proliferation of Japanese knotweed.</p> <p>Two representations were submitted in support of the proposal. Connswater Homes Housing Association stated that they are in support of this application and can confirm that there is an urgent need for social housing. They comment that the proposed building has been designed in accordance with Department for Communities guidance, to meet specific requirements in terms of the mix of housing accommodation types, parking and open space provision. Matthew Spiers submitted a representation of support from Gavin Robinson's office (DUP) citing the need for social housing in the area.</p> <p>Matters raised in the representations will be assessed later in the report.</p>
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the</p>

	determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SP1A – Managing growth and supporting infrastructure delivery</p> <p>Policy SP2 – Sustainable development</p> <p>Policy SP3 – Improving health and wellbeing</p> <p>Policy SP5 – Positive placemaking</p> <p>Policy SP6 – Environmental resilience</p> <p>Policy SP7 – Connectivity</p> <p>Policy SD1 – Settlement hierarchy</p> <p>Policy SD2 – Settlement Areas</p> <p>Policy HOU1-Accommodating new homes</p> <p>Policy HOU 2- Windfall housing</p> <p>Policy HOU 4- Density of residential development</p> <p>Policy HOU 5-Affordable Housing</p> <p>Policy HOU6- Housing mix</p> <p>Policy HOU7-Adaptable and accessible accommodation</p> <p>Policy DES1- Principles of Urban Design</p> <p>Policy RD1- New residential developments</p> <p>Policy TRAN3- Transport Assessment</p> <p>Policy TRAN4- Travel Plan</p> <p>Policy TRAN 8- Car Parking and Servicing Arrangements</p> <p>Policy TRAN 9- Design of Car Parking</p> <p>Policy ENV1- Environmental quality</p> <p>Policy ENV 2- Mitigating Against Environmental Change</p> <p>Policy ENV 3- Adapting to Environmental Change</p> <p>Policy ENV5- Sustainable drainage systems (SuDS)</p>

	<p>Policy GB1- Green and blue infrastructure network Policy OS3-Ancillary open space Policy NH1- Protection of natural heritage resources Policy TRE1 – Trees</p>
6.7	<p>Key Issues</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and housing mix • Adaptable and accessible accommodation • Design, layout and impact on the character and appearance of the area • Scale, Height, Massing, Design and Layout • Access, Traffic and Parking • Environmental Health • Drainage and Flood Risk / Infrastructure Capacity • Impact on the natural environment • Ecological Impacts • Climate change
6.8	<p><u>Additional Information</u></p> <p>Officers have requested that the applicant provides a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has submitted an adaptable and accessible accommodation statement, affordable housing form, climate change statement and a housing mix statement.</p>
6.9	<p><u>Principle of development</u></p> <p>Within the adopted BUAP, the site is located within the settlement development limit and is unzoned within ‘whiteland’. Under the provisions of both versions of BMAP (dBMAP v2004) and (dBMAP v2015), the site is located within ‘whiteland’ in the Settlement Development Limit and the site is adjacent to a community greenway and a LLPA (Local Landscape Policy Area). The site was subject to a residential approval for 24 units under Z/2006/0087/F which has expired.</p>
6.10	<p>The proposed principle of the use does not conflict with the development plan or planning policy context and is considered acceptable in principle. Further assessment of the proposal details is set out below.</p>
6.11	<p><u>Density</u></p> <p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements. BCC LDP team advise that the site is located within the inner city and therefore in terms of Policy HOU4 the assigned average density band of 75-150dph for Inner city Belfast Character Area applies. In this context and taking account of the site area it is expected that a proposed scheme should accommodate between 25 (75dph) and 50 (150dph) units. The current application indicates that the number of residential units to be accommodated within the proposed scheme totals 46. Given the site area, the proposed density equates to around 138dph which is near the top end of the average density band for Inner city Belfast Character Area. The proposed density is therefore considered appropriate in context but could also be reduced if required to enable an improved mix of unit sizes, whilst still remaining within the broad density requirements. HOU4 clearly states</p>

	that density bands are to be used as a guide to inform proposed development, and is subject to meeting all other policy requirements with the LDP.
6.12	<p><u>Affordable housing</u></p> <p>Policy HOU 5 requires sites greater than 0.1 hectares and/or containing 5 or more dwelling units where a minimum of 20% of units are provided as affordable housing. The application form does not refer to social housing. The affordable housing form states that the scheme is 100% social housing. The submission states that the 43 no. apartments are for 'general needs' and 3no. are 'wheelchair' apartments. The applicant is a private limited company and claims to have engaged with Connswater Housing on the development. A letter was received from Connswater Housing Association which stated that the proposal received support from NIHE. NIHE commented that they are in support of the proposal. Gavin Robinson MP stated that there is a clear need for social housing in the area and the Housing association is keen to progress. Q4 of the affordable housing application form asks for affordable housing requirement numbers/proportion. The agent has responded "N/A" (non-applicable). They have indicated that the scheme is 100% social housing. Policy HOU 5 requires that affordable housing should contain a mix of social rented housing and/or intermediate housing. There is no indication if the units are for rent or sale. BCC Planning Housing team advise that a greater mix of tenures is required to satisfy the requirements of Policy HOU5. All units are within the space standards applicable in Appendix C of the Plan Strategy.</p>
6.13	<p><u>Housing mix</u></p> <p>Policy HOU6 of the Plan relates to provision of appropriate housing mix on sites greater than 0.1ha and/or containing 5 or more dwelling units. The policy goes on to state that the requirement for a mix of house types will not apply to single apartment developments. In such cases the housing mix will be considered acceptable through greater variety in the size of units. The proposed accommodation schedule comprises 1 x 2Person 1Bed (wheelchair), 2 x 3Person 2Bed (wheelchair), 3 x 2Person 1Bed, and 40 x 3Person 2Bed units. The percentage breakdown of units is approximately 7% 2P1B and 93% 2P2B.</p>
6.14	<p>BCC LDP advise that more 3 and 4 bed apartments should be encouraged in the proposed scheme, to meet the requirement for increased size, whilst promoting choice and facilitating the creation of balanced neighbourhoods. In addition, greater clarity should be sought from NIHE in relation to the breakdown of the size and type of households on the housing waiting list for the relevant housing need area and how this could be transferred into a more varied mix of house types and sizes. NIHE advise that there is social housing new build need of 284 in Inner East for 2022- 2027. At December 2022 there were 713 households in Housing Stress. They have not provided guidance on housing mix in their response.</p> <p>Having regard to the response from the LDP team, the proposed housing mix is considered unacceptable and contrary to Policy HOU6 of the Plan.</p>
6.15	<p><u>Adaptable and accessible accommodation</u></p> <p>Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible and provides an additional nine criteria (g. to o.) with which the wheelchair accessible units should accord. The applicant has provided evidence that 3 units will be dedicated as wheelchair accessible units. They state that the figure is based on need following discussions with NIHE and a housing association. The applicant states that the apartments will be built to Lifetime Homes standards and constructed to Housing Association Guide</p>

	(HAG) standards. This will enable conversion to wheelchair apartments should the need arise in the area.
6.16	The breakdown of apartment units indicates that three wheelchair accessible units are proposed. BCC LDP team advise that given that the total number of units proposed is 46, this represents only 6.5%. The 10% requirement under Policy HOU7 is that five units should be wheelchair accessible. While it may be that NIHE have only confirmed a need for three bespoke wheelchair units with respect to the waiting list in the locality, whether or not there is a specific, bespoke wheelchair housing unit required within the social housing does not negate the requirement to conform with the Policy HOU7. Therefore, there is an under provision within the proposals and it is not considered to satisfy the accessibility requirements of Policy HOU7.
6.17	<p><u>Design, layout and impact on the character and appearance of the area</u></p> <p>Policy RD 1- New residential developments states that planning permission will only be granted where it is demonstrated that the proposal is in accordance with general urban design policies and where it is demonstrated that it promotes a quality residential development that creates a place which is attractive, locally distinctive and appropriate to the surroundings.</p>
6.18	The policy further states that in established residential areas housing development will not be permitted where they would result in unacceptable damage to the local character or residential amenity of these areas. The policy sets out 14 criteria which all residential developments are expected to meet. The proposal is assessed against each of the criteria below. It is noted that amended plans were received in January 2023 after officers indicated that the proposal was contrary to planning policy and would be recommend for refusal. The amendments do not overcome the issues raised by officers as set out in the assessment below.
6.19	<p><u>Scale, Height, Massing, Design and Layout</u></p> <p>The layout proposes to create two linked apartment buildings of 21 units (Samson) and 25 units ('Goliath') comprising a total of 46 units. The breakdown of the units consists of 1 No. 2 Person 1 Bedroom Wheelchair Apartments, 2 No. 3 Person 2 Bedroom Wheelchair Apartments, 3 No. 2 Person 1 Bedroom 'General Needs' Apartments and 40 No. 3 Person 2 Bedroom 'General Needs' Apartments.</p>
6.20	The accommodation is located to the south and west of the site and is arranged within two linear elements. The south facing facade of the building will address Parkgate Avenue. This facade is in line with the existing building line created by neighbouring 2a Brandon Terrace to the east and is parallel to the facade of 90 Parkgate avenue to the south. The west facing facade of the building is parallel to, and addresses, the Connswater River / Sydenham Greenway'. The linear arrangement of the accommodation visually screens proposed parking to the rear which is accessed via a pend/passageway through the building.
6.21	The proposed apartments are three storey buildings with a height of 11.1m. The Goliath building is 48m in length and 16.3m wide. The Samson building is 38.5m in length and extends to a maximum width of 17.9m. The design of the buildings in terms of their form, roof shape, materials and fenestration are similar though the Goliath building has a passageway through the off centre of the building at ground level to provide access to the rear of the development.

6.22	<p>The immediate area is primarily characterised by residential developments consisting of typical two storey terraced and semi-detached dwellings with associated yard/garden areas to the rear. There are also two apartment developments adjacent and opposite the site. Building heights are predominately two storeys. The site is bounded to the East by a three-storey apartment building at 2a Brandon Terrace, to the West by Sydenham Greenway and the Connswater river, to the south by a three-storey apartment building across Parkgate Avenue. The apartment buildings are atypical of the surrounding context. The boundary to the North is formed by the rear boundary of a row of semi-detached houses along Brandon Parade.</p>
6.23	<p>The two buildings range between approximately 38m and 48m in length. This design approach would result in a monolithic type of massing which is out of character with the area and contextually inappropriate. The scale of the buildings, in combination with the proportions and massing, fails to respect the existing streetscape. The applicant has argued that the proposal fits comfortably within the context of the area and neighbouring buildings, however, it is considered that the length and massing is inappropriate to the scale of the street. Whilst the area contains several apartment developments they are not of a similar scale in terms of length and resulting massing. When read as an entity a proposal of this scale in the local context is an indicator of overdevelopment. The extensive length and massing of the proposal is considered to represent significant overdevelopment of the site. Whilst three storey building height is present in the area, these buildings have restricted plots resulting in limited visual impacts and do not therefore support the design approach of the proposal. Amenity provision space is substandard and will be assessed later in the report. The proposal is contrary to the SPPS, Policy DES1 (a), (j) and (k) and Policy RD1 (a), (b), (d), (g) of the LDP Plan Strategy 2035 in that the development does not respect the surrounding context and is inappropriate to the character of the locality in terms of layout, scale, proportions, massing and appearance of buildings and if permitted would result in overdevelopment of the site.</p>
6.24	<p><u>Impact on Amenity</u></p> <p>Whilst a 3 storey height forms part of the character of the area, the design and layout of the proposal in proximity to an existing apartment development at No. 2a Brandon Parade creates an unacceptable relationship and will have a detrimental impact on the residential amenity of existing residents. The 3-storey element and roof height create dominant bulk and massing due to its close proximity to the apartment development at No.2a Brandon Terrace. It would appear as a dominant and overbearing feature creating overshadowing due to its height in the street scene which is indicative of overdevelopment, and it would impact on the neighbouring residential amenity of neighbouring properties. However, the separation distance between the two buildings would be 6m, and the dominance created would be unacceptable.</p>
6.25	<p>The inter relationship of apartments between units Nos 1 and 14, 15 and 30, 31 and 46 would result in direct overlooking and intervisibility due to the orientation of the building, the positioning of windows and the limited separation distance. This is considered unacceptable and would compromise the amenity of prospective residents.</p>
6.26	<p>The protection of amenity of existing residents is a requirement under Policy RD1 of the LDP. The amended plans show the omission of gable windows to prevent overlooking to 2a Brandon Terrace, however the revisions do not go far enough to address the issue. Due to the layout, arrangement and height of the buildings, the proposal would result in overlooking, and the perception thereof, from access stairwells and habitable rooms of apartments at first and second floor, in particular nos 27, 28, 43, 44 of the 'Samson' block, and 15-18, 31-34 inclusive, to the rear garden/amenity areas of existing residents at Brandon Parade abutting the site. The separation distances of the proposed blocks to</p>

	existing built form and associated boundary treatments are insufficient to adequately mitigate the impacts.
6.27	The impact on residential amenity for occupiers and neighbours is unacceptable and is an indicator that the proposal is overdevelopment in its current format. The proposal is likely to create residential amenity issues in the form of dominance, overlooking, overshadowing and poor outlook and as a result the proposal is contrary to the SPPS and Policy DES1 (a), (j) and (k) and Policy RD1 (a), (b), (d), (g) of the LDP Plan Strategy 2035.
6.28	<p><u>Outlook</u></p> <p>Six ground floor apartments, seven first floor apartments and seven second floor apartments are located wholly to the rear of the development without direct access to the public street. Outlook from these apartments would be unattractive, particularly for unit Nos 3, 12, 17, 18, 28, 33, 34 and 44 as they mainly front onto hard standing car parking and access areas and the bin storage area and as such would be contrary to Policy RD 1(g) of the LDP Plan Strategy 2035. The poor outlook is an indicator of overdevelopment of the site.</p>
6.29	<p><u>Space standards</u></p> <p>The proposed development includes a mix of 46 units. The units range from 50sqm to 85sqm which are in keeping with the space standards as per Policy RD1 (f).</p>
6.30	<p><u>Materials</u></p> <p>The proposal includes a varied materials palette which is reflective of other developments within the immediate locality. The proposal includes a mix of painted render facades along with clay facing brick projections and surroundings to openings. The apartment building features a clay facing brick 'plinth' to the full height of the ground floor level, with painted render facades to first and second floor levels. Two storey projected surroundings to openings are to be constructed in brick.</p>
6.31	<p><u>Landscaping</u></p> <p>The proposal has also been supported by a detailed boundary treatments plan which consist of metal railings and 1.8m high close boarded double sided timber fencing. The proposal features parcels of grass lawn, hedging and several trees. There are no details given to the detailing of any retained vegetation or proposed planting, though the planning statement stated that the apartments will feature hedge planting and low-level shrub planting to create attractive spaces with seasonal variation. If the proposal were to be approved, landscaping conditions would be required to secure necessary details and management arrangements.</p>
6.32	<p><u>Amenity Space</u></p> <p>It is considered that the scheme fails to provide quality amenity and landscaped space. The proposed is inadequate and inappropriate and is therefore contrary to the SPPS and Policy RD1 (d) and Policy OS3 Ancillary open space of the LDP Plan Strategy 2035 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.</p>
6.33	Creating Places provides guidance as to the level of <i>Private open space</i> provision and with respect to apartments on urban infill sites advises private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens with a minimum provision of 10sqm per unit. Policy OS 3 states that proposals will only be permitted for residential development of more than 25 units where <i>public open space</i> is provided as an integral part of the development. The normal expectation is at least 10% of the site area.

6.34

This figure would equate to 342sqm as the site area is 3,342sqm and proposes 46 apartment units. The minimum space provision of 10sqm per unit would equate to 460sqm.

The agent indicated on a site layout plan that 931sqm of communal open space has been provided within the site as illustrated in the first image below (Image 1). The agent later claimed that 1,993sqm of open space was being offered through the development (Image 2). This included car parking areas and is not considered to be an accurate reflection of the quantum of communal open space. A figure of approximately 931sqm of communal open space is considered to be accurate.

Image1:

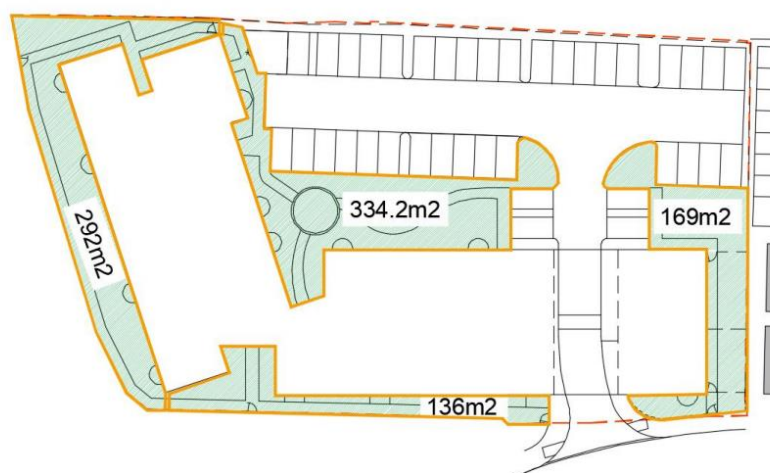


Figure 1 – Breakdown of areas of communal open space around proposed apartment building with access by residents only.

Image 2:

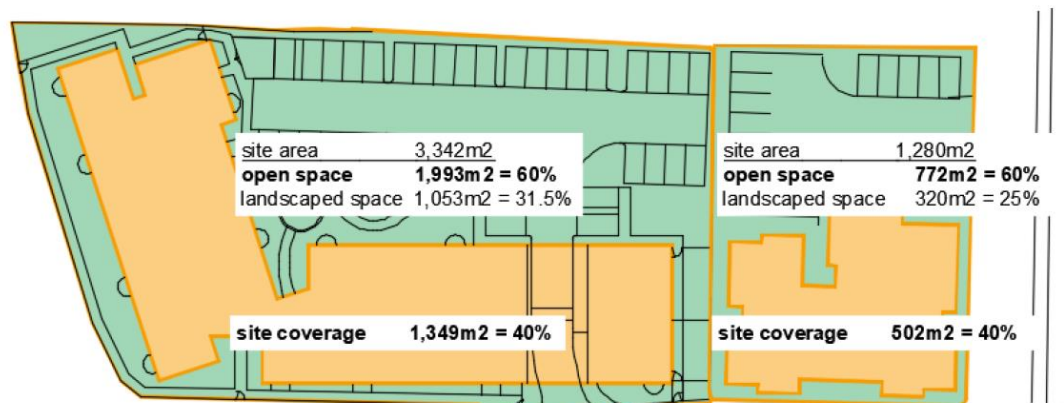


Fig.5 – site plan – open space comparison with neighbouring development.

6.35

The primary open space area is located to the rear of the apartment buildings. There are several additional smaller pockets of amenity space to the front and sides of the buildings. However, when examining the quality of the provision it is evident that there are concerns with the quality and typology of amenity space. Pockets of amenity space are dotted across the site. Whilst they offer visual relief, other than two areas to the rear marked as 334sqm and 169sqm they are limited in quality and usability. In addition, the figures are inaccurate as they include pathways into and around the development and cycle parking areas. Amenity space is required to provide for passive recreational activity such as sitting out,

	for active recreational activity and should be adequate as play space for children. Amenity space should be of a shape and size which can practically accommodate the activities for which they are intended and should be practical and level where possible and designed in accordance with Creating Places Supplementary Planning Guidance. Amenity areas are either too small and narrow or located in areas which would be completely overshadowed such as the space located between the Goliath apartments and 2a Brandon Terrace. This area will be hemmed in by the two adjacent buildings which doesn't represent a quality design.
6.36	A significant number of areas identified as amenity act as landscape buffers softening the boundaries and parking areas as opposed to functioning as areas of communal private space. In essence the quantum and quality of space is poor and represents overdevelopment of the site. Private amenity space within the site is limited to a number of ground floor units and no dedicated provision is included for apartments at first and second floor.
6.37	The applicant commented that the scheme benefits from access to a generous area of landscaped public open space to the west. This area is accessed via pedestrian gates within the boundary railing that defines and encloses the apartment development. This area of land is not within the red line of this proposal and therefore cannot be considered as usable amenity space for the purposes of this application. It is acknowledged that the proposed site is adjacent to the Sydenham Greenway and is within 500 meters of Victoria Park and King George playing fields, however considering the Eia Street planning appeal decision 2018/A0070 it was considered that existing other public spaces were not an acceptable substitute for the deficit of private and communal space in quantitative and qualitative terms.
6.38	The overall amount and quality of amenity space is indicative of a poor design and overdevelopment of the site. It is considered that the proposal is contrary to Policy RD1 criterion (d) and Policy OS 3.
6.39	<p>Waste Management</p> <p>The applicant's service management strategy states that bins for both Samson and Goliath buildings will be brought by management staff from bin store enclosures to the main site entrance for collection. The layout illustrates three separate bin storage areas. Two are incorporated within the Goliath apartment building close to the entrance point. A third bin storage area is located within the north-western corner of the car parking area to the rear of the development. These will serve the residents within the Samson apartment building. This waste area is located directly opposite the front of apartment No12 on the ground floor which will result in poor outlook. The bin area is less than 2.8 meters from the windows of the apartment. This arrangement is unacceptable and contrary to Policy DES1 (k)</p>
6.40	<p>Access, Traffic and Parking</p> <p>Vehicular and pedestrian access is available from the south off Parkgate Avenue, with pedestrian access also available from the 'Sydenham Greenway. The site has good public transport provision and is close to main arterial bus routes. The scheme includes for 38 no. car parking spaces for the apartment's residents, including 6no. wider disabled parking spaces. Parking areas are connected to apartment entrances via 2m wide footpaths. Cycle parking is located to the rear of the development. DFI Roads have offered no objections to the proposal. It is considered the proposals comply with the traffic, access and parking policy provisions within the SPPS and the LDP Pan Strategy 2035.</p>

6.41	<p>Environmental Health</p> <p>EHO provided comment in relation to the proposed development in terms of noise, air pollution, ambient air quality, contaminated land and other considerations. EHO have considered Contamination Assessments submitted in support of the application and recommended appropriate conditions. It is considered the proposals comply with Policy ENV1 Environmental Quality of the LDP Plan Strategy 2035 and the SPSS.</p>
6.42	<p>Drainage and Flood Risk / Infrastructure Capacity</p> <p>Rivers Agency provided comments on the proposal. They highlighted that FLD 3 Development and Surface Water is applicable. A Drainage Assessment has been submitted with this application. DfI Rivers commented that in order to fully assess the drainage the Drainage Assessment that the applicant provides a Schedule 6 approval response from DfI Rivers area office consenting to the discharge of a total maximum of 5.8l/s of storm run-off into the proposed Conn's Water River. (As indicated in the DA). The applicant has submitted correspondence to support this, and the Council are awaiting a response from DfI Rivers. Should DfI Rivers confirm the proposed arrangements are acceptable, then the application would be compliant with relevant LDP considerations.</p>
6.43	<p>NI Water recommended refusal. They commented that while there is available capacity at the WWTW, due to issues with the surrounding network a wastewater impact assessment application is required to find a potential solution. This part of Belfast catchment is constrained by an External Flooding Overloaded Sewer and 2 downstream Unsatisfactory Intermittent Discharges (UID's) at (1) Sydenham Park Avenue TPS and (2) Inverary Drive CSO. (1 & 2) discharge to Belfast Harbour. NI Water is currently processing a Wastewater Impact Assessment (DS50888) in respect of this proposal. Planning Authority should issue a reconsultation as soon as recommended WWIA Report solution has been adopted and on-site checks confirm its feasibility. Subject to a successful outcome and re-consultation, NI may reconsider its recommendation. There are a significant number of extant and unimplemented planning permissions across the city for housing, commercial and other uses including over 20,000 new homes. Given NI Water's duty to connect to those developments and that it has not provided detailed evidence to support its objection to this application, it would be unreasonable for the Council to refuse planning permission on these grounds.</p>
6.44	<p>Impact on the natural environment</p> <p>NIEA were consulted on the proposal and requested further information relating to contamination and the water environment. NIEA Water Management Unit is concerned that the sewage loading associated with the above proposal has the potential to cause an environmental impact if transferred to Kinnegar Wastewater Treatment Works (WWTW). Water Management Unit would therefore recommend that the Planning Case Officer consult with Northern Ireland Water Limited (NIW) to determine if both the WWTW and associated sewer network will be able to cope with the additional load or whether they would need to be upgraded. If NIW indicate that the WWTW and associated sewer network can accept the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unit would have no objection to this aspect of the proposal.</p>
6.45	<p>NIEA Regulation Unit requested a Generic Quantitative Risk Assessment (GQRA) informed by targeted intrusive site investigation including groundwater assessment. They offer no objections to the proposal.</p>
6.46	<p>NIEA offered no objections on natural heritage matters nor did they raise any concerns regarding Japanese Knotweed as per letter of objection from Brandon Terrace. The proposal offers landscaping including several trees are to be retained along the perimeter. Furthermore, the additional tree planting indicated represents a net gain of 13 additional</p>

	trees, further ability for the proposal to mitigate and adapt to climate change and complying with Policy TRE1 within the LDP.
6.47	<p>Ecological impacts</p> <p>Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
6.48	<p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p>
6.49	<p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. This conclusion is subject to mitigation in the form of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water.</p>
6.50	<p>Shared Environmental Services, DAERA Environment, Marine and Fisheries Group & NIEA responses relating to comments received from NI Water. remain outstanding. Delegated authority to resolve any matters arising including finalising refusal reasons if appropriate.</p>
6.51	<p><u>Climate change</u></p> <p>Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.</p>
6.52	<p>The applicant provided a Climate Change statement which refers to an address at 22-30 Hopefield Avenue, and is taken as a typographical error. The statement indicates that the proposed development embraces sustainable principles and aims to mitigate the impacts of climate change by prioritising energy efficiency, sustainable materials, water conservation, and waste management. It lists measures taken to reduce energy demand, measures to limit carbon through sustainable materials and construction practices and flood mitigation. The Council’s LDP team provided commentary on the Plan Strategy</p>

	<p>Statement (PSS) stating that there is a general lack of detail and commitment to many of the measures listed and little on wider sustainable design measures. It is considered that, given the scale and location of the proposal, further details of sustainable design features of the development should be sought to demonstrate full compliance with ENV2.</p> <p>The Planning Supporting Statement (PSS) provides limited commentary on ENV3 (adapting to environmental change), primarily relating water usage efficiency and current flood risk. It is noted from DfI Rivers Flood Maps that this is an area of surface water flood risk. Whilst the applicant's response is of some relevance to dealing with climate change, the submission does not adequately address the objectives of the policy, which primarily relate to future resilience of the development, including in relation to the built fabric and the comfort/safety of its occupiers. Therefore, there is no demonstration of full compliance with ENV3.</p>
6.53	<p><u>Sustainable Urban Drainage Systems (SuDS)</u></p> <p>Policy ENV5 of the Plan Strategy states that all built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere. The PSS response mentions SuDS measures and relies on the open space landscaped areas to act as SuDS features. Given the scale and location of the proposal, this is not considered adequate, both in terms of scope of measures and detailed proposals. The applicant should further consider appropriate SuDS measures throughout the site – the SPG on SuDS provides a range of features that could be incorporated in this development. The submission has not demonstrated adequate compliance with Policy ENV5.</p>
6.54	<p><u>Representations</u></p> <p>The Council has received three representations. The Council has received one representation objecting to the proposal. Concerns from the resident at 2a Brandon Terrace include the height of the apartment development, loss of light and the proliferation of Japanese knotweed. These matters have been considered in the above assessment.</p>
6.55	<p>Two representations were submitted in support of the proposal. Connswater Homes Housing Association stated that they are in support of this application and can confirm that there is an urgent need for social housing. They comment that the proposed building has been designed in accordance with Department for Communities guidance, to meet specific requirements in terms of the mix of housing accommodation types, parking and open space provision. Matthew Spiers submitted a representation of support from Gavin Robinson's office (DUP) citing the need for social housing in the area.</p>
6.56	<p>Notwithstanding the submissions of support, the need for social housing is not considered to outweigh the layout, design, amenity and policy issues as set out in the above assessment.</p>
7.0	Recommendation
7.1	<p>Having regard to the development plan and other material considerations, the proposal is unacceptable for the reasons set out above and at 8.0 below. It is recommended that planning permission is refused.</p>
7.2	<p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the refusal reasons and resolve any matters arising from outstanding consultations.</p>

8.0 Reasons for Refusal:

1: The proposal is contrary to the SPPS, Policy DES1 (a), (j) and (k) and Policy RD1 (a), (b), (d), (g) of the LDP Plan Strategy 2035 in that the development does not respect the surrounding context and is inappropriate to the character of the locality in terms of layout, scale, proportions, massing and appearance of buildings and poor outlook and if permitted would result in overdevelopment of the site.

2: The proposal is contrary to the SPPS and Policy RD1 (d) and Policy OS3 Ancillary open space of the LDP Plan Strategy 2035 in that the development would, if permitted create undesirable living conditions for prospective residents due to inadequate provision of quality amenity space.

3: The proposal is contrary to Policy RD1 (b) of the LDP Plan Strategy 2035 in that the development would, if permitted, adversely impact on the amenity of neighbouring properties in terms of overlooking, overshadowing, and overdominance due to its' inappropriate scale, form, massing and design.

4: The proposal is contrary to Policy ENV2, ENV3 and ENV 5 of the LDP Plan Strategy 2035 in that the development would, if permitted, not address matters associated with Climate Change, adapting to the environment and SuDS thus being harmful to the local environment.

5: The proposal is contrary to the SPPS, Policy RD1 (i) and (n) of the LDP Plan Strategy 2035 in that the development does not provide adequate management arrangements to ensure a positive and safe living environment for occupants and does not provide adequate communal facilities.

6: The proposal is contrary to Policy HOU 5 of the LDP Strategy 2035, in that the development fails to provide an appropriate mix of tenures.

7: The proposal is contrary to Policy HOU 6 of the LDP Strategy 2035, in that the development fails to provide an adequate range of apartment sizes in order to meet the requirements for increased size, promoting choice, and facilitating the creation of balanced neighbourhoods.

8: The proposal is contrary to Policy HOU 7 of the LDP Strategy 2035, in that the development fails to make sufficient provision for wheelchair accessible units.

ANNEX	
Date Valid	13/01/22
Date First Advertised	28/01/22
Date Last Advertised	28/01/22

Details of Neighbour Notification

Flat 8, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Apartment 7, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 70 Brandon Parade, Belfast, Down, BT4 1JH
 Apartment 18, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 62 Brandon Parade, Belfast, Down, BT4 1JH
 Apartment 1, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Apartment 5, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Flat 10, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Apartment 14, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 64 Brandon Parade, Belfast, Down, BT4 1JH
 46 Brandon Parade, Belfast, Down, BT4 1JH
 Flat 7, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Flat 5, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Apartment 15, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 2 Brandon Terrace, Belfast, Down, BT4 1JF
 Apartment 16, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 148 Parkgate Avenue, Belfast, Down, BT4 1JD
 Apartment 13, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Garfield House, 146 Parkgate Avenue, Belfast, Down, BT4 1JD
 Garfield House, 146 Parkgate Avenue, Belfast, Down, BT4 1JD
 Flat 4, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 52 Brandon Parade, Belfast, Down, BT4 1JH
 46a, Brandon Parade, Belfast, Down, BT4 1JH
 Apartment 4, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Flat 11, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Apartment 9, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Apartment 17, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Apartment 2, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Flat 12, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Flat 9, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 48 Brandon Parade, Belfast, Down, BT4 1JH
 Apartment 3, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 4 Brandon Terrace, Belfast, Down, BT4 1JF
 68 Brandon Parade, Belfast, Down, BT4 1JH
 129 Parkgate Avenue, Belfast, Down, BT4 1JB
 44 Brandon Parade, Belfast, Down, BT4 1JH
 Apartment 12, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 60 Brandon Parade, Belfast, Down, BT4 1JH
 150 Parkgate Avenue, Belfast, Down, BT4 1JD
 50 Brandon Parade, Belfast, Down, BT4 1JH
 Apartment 8, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Flat 3, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 Flat 6, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 56 Brandon Parade, Belfast, Down, BT4 1JH
 Flat 2, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 66 Brandon Parade, Belfast, Down, BT4 1JH
 58 Brandon Parade, Belfast, Down, BT4 1JH
 54 Brandon Parade, Belfast, Down, BT4 1JH
 Flat 1, Parkgate House, 90 Parkgate Avenue, Belfast, Down, BT4 1JB
 92 Parkgate Avenue, Belfast, Down, BT4 1JB
 Apartment 6, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Apartment 11, 2a, Brandon Terrace, Belfast, Down, BT4 1JF
 Apartment 10, 2a, Brandon Terrace, Belfast, Down, BT4 1JF

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Addendum Report 2	
Application ID: LA04/2022/1203/F	Date of Committee: 12 th December 2023
Proposal: Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings)	Location: Glenriver Lands adjacent to 78 Cloona Park Belfast.
Referral Route: Referred to the Planning Committee under Section 3.8.7 of the Scheme of Delegation (i.e. at the discretion of the Director of Planning and Building Control given the balanced consideration of the issues and level of public interest in the application)	
Recommendation: Approval with conditions	
Applicant Name and Address: Glenriver Lands adjacent to 78 Cloona Park Belfast	Agent Name and Address: C. McIlvar Ltd Unit 7 Cookstown Enterprise Centre Sandholes Road Cookstown BT80 9LU
<p>Background</p> <p>This application was due to be considered by the Committee at its October 2022 meeting. However, the application was deferred for a Committee site visit. The site visit took place on Monday 13th November 2022. The application was then due to be discussed at the November 2022 Committee meeting. However, the application was deferred for a further Committee site visit because Members could not access the land on the previous site visit. The further site visit is scheduled for Friday 8th December,</p> <p>This addendum report should be read in conjunction with the original report to the Committee and Addendum Report 1, appended. The officer assessment and recommendation remain as per the October 2023 Committee report.</p> <p>Additional representation</p> <p>A further objection has been received from Cloona Park/Helenswood Residents Association, summarised below.</p> <ul style="list-style-type: none"> • The additional information from the applicant received in January 2023 was only uploaded to the Planning Portal in November 2023. • The proposed building is not ancillary. • The officer recommendation contradicts the comments of the BCC Landscape and Development team and Plans and Policy unit. • Contrary to the applicant's assertion, letters of support have not been provided from Colinglen Trust and Colin Neighbourhood Partnership Board. • It has not been clearing established that the proposal will bring a substantial community benefit that would outweigh landscape impacts nor loss of open space. Concerns about loss of landscape wedge and adverse landscape impact. • The applicant has not liased with Colin Neighbourhood Board to include the facility in the board's proposed community hub. 	

Officers advise that the substantive planning issues are addressed in the original report to the 17th October 2023 Planning Committee, appended.

Recommendation

Having regard to the Development Plan and relevant material considerations above, the proposal is, on balance, considered acceptable. It is recommended that planning permission is granted.

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

Addendum Report 1	
Application ID: LA04/2022/1203/F	Date of Committee: 14 th November 2023
Proposal: Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings)	Location: Glenriver Lands adjacent to 78 Cloona Park Belfast.
Referral Route: Referred to the Planning Committee under Section 3.8.7 of the Scheme of Delegation (i.e. at the discretion of the Director of Planning and Building Control given the balanced consideration of the issues and level of public interest in the application)	
Recommendation: Approval with conditions	
Applicant Name and Address: Glenriver Lands adjacent to 78 Cloona Park Belfast	Agent Name and Address: C. McIlvar Ltd Unit 7 Cookstown Enterprise Centre Sandholes Road Cookstown BT80 9LU
Background This application was due to be considered by the Committee at its October 2022 meeting. However, the application was deferred for a Committee site visit. The site visit is scheduled for Monday 13 th November 2022. This addendum report should be read in conjunction with the original report to the Committee, appended. The officer assessment and recommendation remain as per that report. Recommendation Having regard to the Development Plan and relevant material considerations above, the proposal is, on balance, considered acceptable. It is recommended that planning permission is granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.	

Committee Report

Development Management Report	
Application ID: LA04/2022/1203/F	Date of Committee: 17 th October 2023
Proposal: Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings)	Location: Glenriver Lands adjacent to 78 Cloona Park Belfast.
Referral Route: Referred to the Planning Committee under Section 3.8.7 of the Scheme of Delegation (i.e. at the discretion of the Director of Planning and Building Control given the balanced consideration of the issues and level of public interest in the application)	
Recommendation: Approval with conditions	
Applicant Name and Address: Glenriver Lands adjacent to 78 Cloona Park Belfast	Agent Name and Address: C. McIlvar Ltd Unit 7 Cookstown Enterprise Centre Sandholes Road Cookstown BT80 9LU
Executive Summary: <p>The application seeks full planning permission for a single storey day care building, allotments and sensory garden with associated car parking. The applicant is a private healthcare group who intend to use the site as a support hub for the care of vulnerable young adults.</p> <p>Access to the site would be through sliding gates via Cloona Park to the south. The gates open onto a car park in the corner of the site.</p> <p>The site is mostly open space with overgrown grassland. Most of the trees in the site are along its boundaries. Site levels generally fall to the south-east of the site.</p> <p>To the west and south of the site is a residential area. To the east of the site is open space which is part of Colin Glen and Suffolk Community Centre.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Impact on the character and appearance of the area • Compatibility with adjacent uses • Impact on Built heritage • Access and parking • Drainage • Waste-water infrastructure • Contamination • Noise, odour and other environmental impacts • Climate change • Natural heritage 	

In terms of the Development Plan, in the BUAP 2001, the site is zoned for Landscape, Amenity or Recreation Use. In dBMAP (v2014), the site is within the Colin Glen (Lisburn) Urban Landscape Wedge, designated as ML 21. In dBMAP (v2004), the site is within the Colin Glen (Lisburn) Urban Landscape Wedge, designated as ML 23.

The site area is 0.31ha. The majority of the site (0.17ha) has previous approval for allotments and an ancillary storage/changing facility/kitchenette (permission LA04/2020/0042/F).

There are no objections from statutory consultees. The Plans and Policy Unit has raised issues regarding protection of the landscape wedge. The Council's Landscape and Development team has raised concerns about landscape impact.

433 objections have been received as detailed in the main report.

The proposal would encroach upon the landscape wedge. This has to be weighed alongside the significant community benefits that the scheme would bring in terms of providing a day care facility, allotments and sensory garden for vulnerable young people.

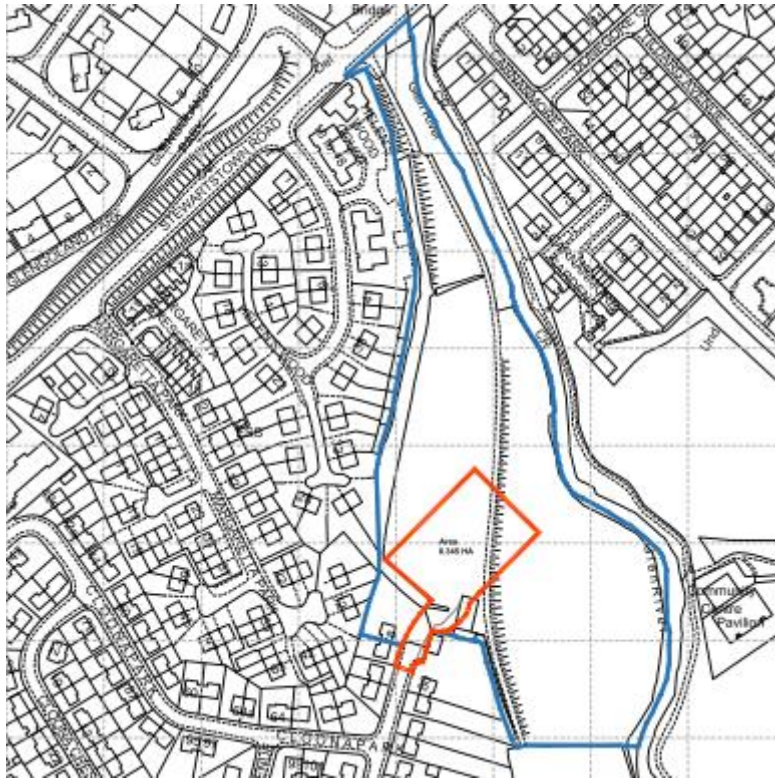
Recommendation

Having regard to the Development Plan and relevant material considerations above, the proposal is considered, on balance, acceptable. It is recommended that planning permission be granted.

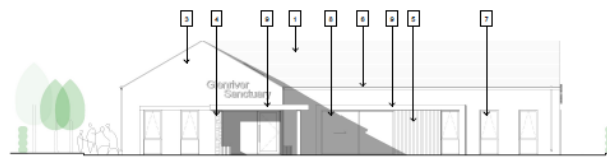
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

Case Officer Report

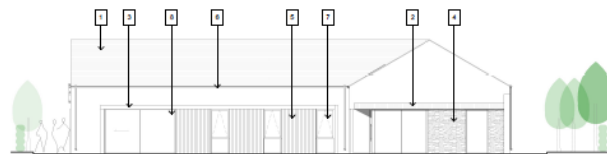
Site Location Plan and Site Layout



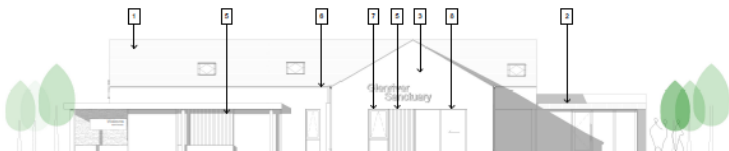
Floor Plans and Elevations



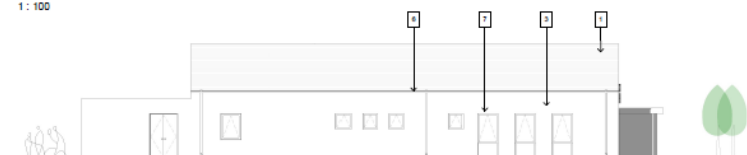
Proposed Front Elevation
1 : 100



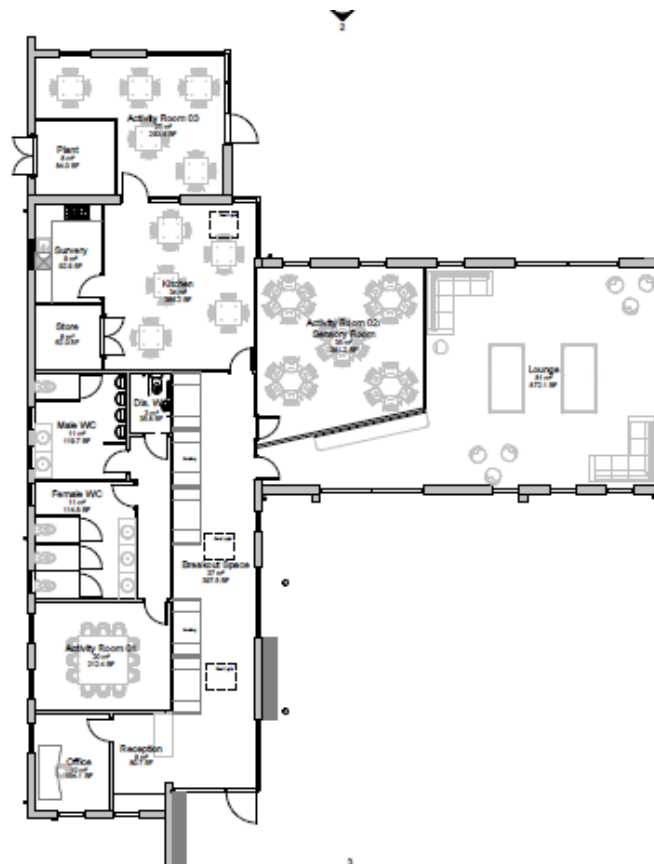
Proposed Rear Elevation
1 : 100



Proposed Side Elevation
1 : 100



Proposed Side Elevation.
1 : 100



Proposed Floor Plan
1 : 100



- PHD: Dissertation submitted
- PHD: Dissertation submitted
- PHD: Thesis received and read
- PHD: Thesis received and read
- PHD: Thesis received and read

CGI Views



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks full planning permission for a single storey day care building, allotments and sensory garden with associated car parking. The applicant is a private healthcare group who intend to use the site as a support hub for the care of vulnerable young adults. The applicant states that the building would be used by no more than 10/15 visiting adults at a time with an additional 5no. trained, support staff and transport being provided primarily by the trust minibus. The operating hours would be Monday to Friday 9 until 5.30pm and occasionally at weekends for one-off events.
1.2	Access to the site would be through sliding gates via Cloona Park to the south. The gates open onto a car park in the corner of the site.
1.3	The proposed building would have activity rooms, a lounge, kitchen, office and changing facilities. It would be finished in smooth render, natural stone and timber cladding. There would be 13no. allotments along the northern and eastern site boundaries. A sensory garden would be situated immediately adjacent the northern elevation of the building.
1.4	The site would have native hedgerows planted along its boundaries, with additional trees planted along the northern boundary and the corners of the site. A 2.4m high mesh green panel fence would enclose the whole site.
2.0	Description of Site
2.1	The site is located at land north of No. 78 Cloona Park. It is located at the end of a residential cul-de-sac, rectangular in shape and 0.31 ha in size. The site was grassed and contained a number of trees but has since been cleared. The majority of the site (0.17 ha) has previous approval for allotments and an ancillary storage/changing facility/kitchenette, approved under application LA04/2020/0042/F.
2.2	To the west and south of the site is a residential area comprised of detached and semi-detached dwellings. Three dwellings were approved to the south of the site under the reference LA04/2018/2072/F and an amendment to the road layout approved under the reference LA04/2020/0178/F. To the east of the site is open space which is part of Colin Glen and Suffolk Community Centre.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	<p><u>Application Number: LA04/2020/0042/F</u> Decision: Permission Granted</p> <p>Proposal: Proposed 5no. allotments, with associated parking and ancillary accommodation (storage/kitchenette and changing area/toilets), adjacent to no.78 Cloona Park, Belfast.</p> <p>Decision Date: 07 December 2021</p> <p>Surrounding Site History</p> <p><u>Application Number: LA04/2018/2072/F</u> Decision: Permission Granted</p>
3.2	<p>Adjacent to, 78 Cloona Park, Dunmurry, BT17 0HF, 3 new dwellings with associated vehicular access, parking and landscaping. (amended plan).</p> <p>Decision Date: 24 May 2019</p>

3.3	<p>Application Number: LA04/2020/0178/F Decision: Permission Granted</p> <p>Amendment to planning approval LA04/2018/2072/F for 3 dwellings, to provide alterations to the road layout and visitor parking.</p> <p>Decision Date: 7 December 2021</p>
4.0	Policy Framework
4.1	<p>Development Plan – operational policies</p> <p>Belfast Local Development Plan, Plan Strategy 2035.</p> <ul style="list-style-type: none"> • SP1A Managing growth and supporting infrastructure delivery • DES1 Principles of urban design • HC1 Promoting healthy communities • CI1 Community infrastructure • BH5 Archaeology • TRAN1 Active travel - walking and cycling • TRAN6 Access to public roads • TRAN8 Car parking and servicing arrangements • TRAN10 Design of car parking • ENV1 Environmental quality • ENV2 Mitigating environmental change • ENV3 Adapting to environmental change • ENV4 Flood risk • ENV5 Sustainable drainage systems (SuDS) • OS1 Protection of open space • NH1 Protection of natural heritage resources • TRE1 Trees • LC1 Landscape • LC1D Landscape wedges • TRE1 Trees
4.2	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Material Considerations</p> <p>Creating Places Belfast Agenda (Community Plan)</p>
4.5	<p>Any other supplementary guidance</p> <p>Sustainable Urban Drainage Systems Trees and Development</p>

5.0	Statutory Consultees Responses DfI Roads – No objection (advises conditions) DfC Historic Environment Division (HED) – No objection (advises conditions) NI Water – No objection DAERA NIEA (NED) – No objection Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.
6.0	Non-Statutory Consultees Responses BCC Environmental Health – no objection (advises conditions) BCC Tree Officer – no objection (advises conditions) BCC Landscape and Development – policy issues raised (see main report) BCC Plans & Policy team – concerns raised (see main report)
7.0	Publicity and Representations 7.1 The application has been advertised and neighbours notified. 7.2 The Council has received 433 (including 2no. petitions). Concerns raised include: <ul style="list-style-type: none"> • Nature and scale of the development • Importance of the Urban Landscape Wedge • Loss of Open Space • Impact on the environment • Impact on amenity (noise) • Measurements in the Contamination Assessment • Traffic and Road Safety 7.3 These issues are addressed in the main report.
8.0	Assessment
8.1	Development Plan Context
8.1.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
8.1.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
8.1.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.

8.1.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
8.1.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
8.1.6	<u>Belfast Urban Area Plan 2001 (BUAP)</u> The site is located on land zoned for ‘Landscape, Amenity or Recreation Use’ within the development limits of Belfast.
8.1.7	<u>Draft BMAP (v2004 and v2014) designations</u> In draft BMAP (v2004), the site is zoned as an Urban Landscape Wedge (Zoning ML23). In draft BMAP (v2014), the site is also zoned as an Urban Landscape Wedge (Zoning ML21).
8.2	Principle of development <i>Description of the proposal</i>
8.2.1	The application site is located at the end of a residential cul-de-sac and 0.31 ha in size. The majority of the site (0.17 ha) has previous approval for allotments and an ancillary storage/changing facility/kitchenette under permission LA04/2020/0042/F. The principal of allotments, ancillary storage and car parking has been established on just over half of the application site.
8.2.2	The current proposal would extend the site area by 0.14a with a larger day centre building rather than ancillary storage. The number of allotments would also be increased from 5 to 13. Given the scale and function of the proposed building, it is not considered ancillary to the use of the land but an operative community use in its own right in conjunction with the proposed allotments and sensory garden.
8.2.3	The proposed building would have a floorspace of approximately 380 sqm, covering around 11% of the overall site. The site is larger than that under the previous permission and would have an additional 8 no. allotments and more substantial landscaping scheme than before. The allotments would cover around 39% of the site. <i>Loss of open space</i>
8.2.4	The site is zoned for landscape, amenity and recreation use in the BUAP. It is zoned an urban landscape wedge in both versions of draft BMAP 2015. The site currently comprises green open space, which is protected by Policy OS1 of the Plan Strategy. The total area of existing open space which would be lost as a result of the proposed development is approximately 0.31 ha (or net loss of 0.14 ha when taking account of the previous planning permission).
8.2.5	Policy OS1 states that the council will support the retention and improvement of existing open space throughout the district area. There will be a general presumption in favour of retaining all such lands and uses, including protecting any character and amenity value, whether specifically identified in the LDP or not, unless the lands are identified in the LDP for an alternative use. Development resulting in the loss of open space on

	lands specifically identified for these uses in the LDP and/or the council's Open Spaces Strategy and/or GBIP will only be considered in exceptional circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space.
8.2.6	The applicant is a private healthcare group who intend to use the site as a support hub for the care of vulnerable young adults. The building would support the therapeutic aspect of the allotments, especially in poor weather. The applicant states that they have experience of operating a similar facility for people with learning difficulties and autism at Kilcreggan, Magherafelt. At that location, people have the opportunity to spend their day in a therapeutic outdoors setting, with associated support buildings. The applicant says this is the aim of the proposal and such a facility would be a significant community benefit for West Belfast.
8.2.7	The applicant goes on to state that the proposed allotments re-purpose the existing open space to allow access for those with learning disabilities. Allotments themselves are defined as open space, therefore, the applicant argues that there would not be a loss of open space overall.
8.2.8	Officers recognise that the proposal could provide a facility of significant value to the local community. The applicant's statement sets out why the site was selected (quiet, secure location with open space for allotments and sensory gardens) and that no alternative suitable sites were found.
8.2.9	It is considered that the proposal would bring about substantial community benefits that decisively outweigh the loss of open space in providing a unique facility and amenity for vulnerable young people. Regard is also had to the existing permission for allotments and the open space elements of the proposed use. In these regards, the proposal is considered compliant with Policy OS1.
8.2.10	Regard is also had to Policy CI1, which seeks to provides development opportunities for the community, health and educational facilities based on the local need in line with the projected population over the plan period. Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of any proposals. All proposals shall ensure that there is no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements are provided for access for all, including for pedestrians, cyclists and public transport. These detailed requirements are considered in more detail in the following sections of the report.
8.3	Impact on the character and appearance of the area
8.3.1	The site is located at land north of 78 Cloona Park, at the end of a residential cul-de-sac. The site consists of overgrown grassed and contained a number of trees but has since been cleared. To the west and south of the site is a residential area comprised of detached and semidetached dwellings. To the north and east of the site is open space.
8.3.2	The proposed building would be finished in smooth render, natural stone and timber cladding. There would be 13no. allotments along the northern and eastern boundaries. A sensory garden would be immediately adjacent the northern elevation of the building. The site would have native hedgerows planted along its boundaries, with additional trees planted along the northern boundary and the corners of the site. A 2.4m high mesh panel fence would enclose the whole site. Access to the site would be through sliding gates via Cloona Park to the south. The gates would open onto a car park in the corner of the site.

8.3.3	The site is zoned an Urban Landscape Wedge in both versions of dBMAP 2015. Policy LC1 of the Plan Strategy (Landscape) states that new development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. The policy goes on to say the council will adopt the precautionary approach in assessing development proposals in any designated landscape and lists eight policy considerations/requirements.
8.3.4	<p>Policy LC1D (Landscape wedges) also applies. It states that in addition to complying with the above requirements, within designated urban and rural landscape wedges, planning permission will only normally be granted for outdoor recreational uses and only provided all the following criteria are met:</p> <ul style="list-style-type: none"> a) the open nature of the landscape is retained and no coalescence of urban areas results; b) buildings are ancillary to the open space/ recreational use and are integrated into the landscape; and c) long and short range views are protected.
8.3.5	BCC Landscape and Development team has concerns that the proposal could have a significant adverse landscape impact on the character and features of the Urban Landscape Wedge. They believe that the building is a significant intrusion of the semi-naturalised, relatively open landscape and has the potential to impact adversely on the amenity and biodiversity value of the designated landscape.
8.3.6	The Plans and Policy unit also had concerns that building would be of a significant scale and not considered to be wholly ancillary to the outdoor use and would therefore undermine the objectives of the landscape wedge to prevent urban coalescence at this location.
8.3.7	Whilst the proposal would encroach upon the landscape wedge to a greater degree than the previously approved scheme – which comprised a smaller site area with smaller building – it is considered that the impact would not be significant nor excessive, when balanced alongside the community benefits derived from the proposal as previously described in the report.
8.3.8	The site would be bounded by a natural hedge with tree planting on the north-east boundary. This would help to soften its visual impact. The proposed building would be single storey, finished in render with stone and timber cladding elements, again assisting to reduce its visual dominance. Final materials would be controlled by means of condition. The principal landscape impacts would be from the north and the CGI shows that the proposed building and site would nestle into its landscape setting. It is considered that the landscape can accommodate this change without overriding visual harm to the urban landscape wedge.
8.3.9	Approximately 10 of 60 existing trees are proposed to be removed. These are noted as being in poor or in fair health within the tree survey and report. The proposed landscaping plan proposes replacement planting which would further soften the visual impact of the proposal. The Tree Officer was consulted and offers no objection. They recommended mitigation measures to protect existing trees during construction and this can be secured by appropriate conditions. In these regards, the proposal is considered to satisfy Policy TRE1.
8.3.10	In conclusion, whilst the proposal is in conflict with Policies LC1 and LC1D, the overall landscape impact is not considered to be significant and are outweighed by the substantial community benefits that the proposal would provide.

8.4	Compatibility with adjacent uses
8.4.1	The proposed layout of the allotments would be sensitive to the surrounding residential area. The building is approximately 6 metres high, but the proposed landscaping would create a visual buffer and screen the site from public views.
8.4.2	Environmental Health has been consulted and offers no objection to the proposal.
8.4.3	It is recommended that the use of the building and land is controlled by condition.
8.4.4	The proposed use is considered compatible with its surroundings including adjacent residential area. The proposal is considered to comply with Policies DES1 and ENV1.
8.5	Impact on Built heritage
8.5.1	The site contains a former beetling mill (IHR 07415) and its associated millrace. DfC HED has been consulted and offers no objection, advising conditions.
8.5.2	In this regard, the proposal is considered to comply with Policy BH5 (archaeology).
8.6	Access and parking
8.6.1	The proposed development is to be accessed off the turning head at the end of the residential cul-de-sac. There are similar access arrangements under the previous permission. Nine parking spaces are proposed including one disabled space. DfI Roads offers no objection to the proposal subject to conditions.
8.6.2	The proposed access and parking arrangements are considered acceptable. The proposal is considered compliant with Policies TRAN4, TRAN6, TRAN8 and TRAN10 of the Plan Strategy.
8.7	Drainage
8.7.1	The Glen River is to the east of the site. The site is bounded at the south-west by an undesignated watercourse. The site is not shown as being an area at risk of flooding in the flood maps. NIW and NIEA have not objected to the proposal.
8.8	Waste-water infrastructure
8.8.1	NI Water has offered no objection to the proposal, therefore, the proposal is considered acceptable having regard to Policy SP1A.
8.9	Land Contamination
8.9.1	A Contamination Assessment and Remediation Strategy has been submitted. Environmental Health recommend measures to manage the risk from ground gas and from contaminated soils in allotment areas. These can be dealt with by planning conditions. The proposal will not have an unacceptable effect regarding the risks around contaminated land. The proposal complies with Policy ENV1.
8.10	Noise, odour and other environmental impacts
8.10.1	Environmental Health offers no objections in terms of potential environmental or amenity impacts. Similarly, NIEA has offered no objections in terms of ground water impacts. In these regards, the proposal is considered compliant with Policy ENV1.

8.11	Climate change
8.11.1	Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.
8.11.2	Whilst the building is orientated to optimise solar gain, the proposal does not include other sustainable design features listed in ENV2 (Mitigating environmental change). However, in view of the longevity of the application and nature of the proposal, it is considered that suitable design measures can be secured by condition.
8.11.3	In terms of SuDS and adapting to climate change, the proposal includes allotments, tree planting scheme and other vegetation throughout the site. Further specific SuDS measures can be controlled by condition. The proposal is considered acceptable having regard to Policies ENV3 and ENV5.
8.12	Natural heritage
8.12.1	An Ecological Appraisal and site surveys have been submitted. DAERA NIEA offers no objection. It is considered that the proposal would not have an unacceptable effect on natural heritage and that the proposal accords with Policy NH1.
9.0	Summary and Recommendation
9.1	The proposal would encroach upon the urban green wedge and have an adverse impact on the landscape. However, the proposal would provide an important facility for vulnerable adults, which would potentially have substantial benefits for the community. In the planning balance, the proposal is considered acceptable.
9.2	Having regard to the Development Plan and relevant material considerations above, the proposal is considered, on balance, acceptable. It is recommended that planning permission be granted.
9.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.
10.0	Draft Conditions
1.	The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted. Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011.
2.	The building and use of the land hereby approved shall be restricted to day care facilities for vulnerable young people as defined in the applicant's supporting statement provided with the application, and shall not be used for any other purpose. Reason: The development has been approved on the basis of it providing a valuable community facility which decisively outweighs other planning concerns.

	<p>3. No development shall commence until details of energy conservation and other measures to mitigate and adapt to climate change including SuDS have been submitted to and approved in writing by the Council. The building shall not be constructed unless in accordance with the approved details.</p> <p>Reason: To ensure that the development mitigates and adapts to climate change.</p> <p>4. Notwithstanding the submitted details, no construction shall take place until details and samples of the external finishes including walls, roofs and fenestration have been submitted to and approved in writing by the Council. The material samples shall be provided on site and shall remain in situ for the duration of the construction. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To minimise landscape impact and ensure that the proposal is in keeping with the character and appearance of the area.</p> <p>5. No part of the development hereby permitted shall become operational until the roadworks shown on drawing 03d have been completed.</p> <p>Reason: To ensure adequate vehicular access to the adopted road network.</p> <p>6. The access gradient to the approved building shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>7. The building hereby approved shall not be occupied until the vehicular parking spaces have been provided in accordance with the approved drawings. The approved vehicle parking spaces shall not be used other than for the parking of vehicles associated with the development and shall be retained at all times.</p> <p>Reason: To provide sufficient parking to support the development.</p> <p>8. No development or works shall commence on site (other than that required to fulfil this condition) unless a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Council.</p> <p>Reason: To ensure that archaeological remains and features are preserved in situ. Approval is required upfront because archaeological remains and features could be damaged or permanently lost.</p> <p>9. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 8. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 3 months of the completion of archaeological programme of works.</p> <p>Reason: To ensure that the archaeological remains and features are properly analysed and recorded.</p>
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10. Prior to the occupation of the proposed development, a Remediation Verification Report shall be submitted to and approved in writing by the Council. This must demonstrate that the remediation measures outlined in the Pentland McDonald report entitled 'Updated Contamination Assessment and Remediation Strategy Proposed Allotments and Day Care Centre, Cloona Park, Dunmurry for Brooklands Healthcare Ltd Planning Ref: LA04/2022/1203/F Pentland Macdonald Ltd Report No. PM23-1001. Dated February 2023'.

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

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

Reason: In the interests of visual amenity

12. Prior to any work commencing, protective barriers (fencing) and ground protection shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on and around any trees / hedging to be retained within the site. The 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.

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

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

14. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires shall take place within the Root Protection Areas of trees within the site and adjacent lands during the construction period.

Reason: To avoid damage to trees.

15. 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.

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

	<p>Informatives</p> <ol style="list-style-type: none"> 1. This decision relates to the following approved drawing numbers: 01b, 02d, 03d, 04d, 05, 06, Mda Glenriver Landscape Plan 23 10 100 1, Mda Glenriver Landscape Plan 23 10 101 1b 2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.
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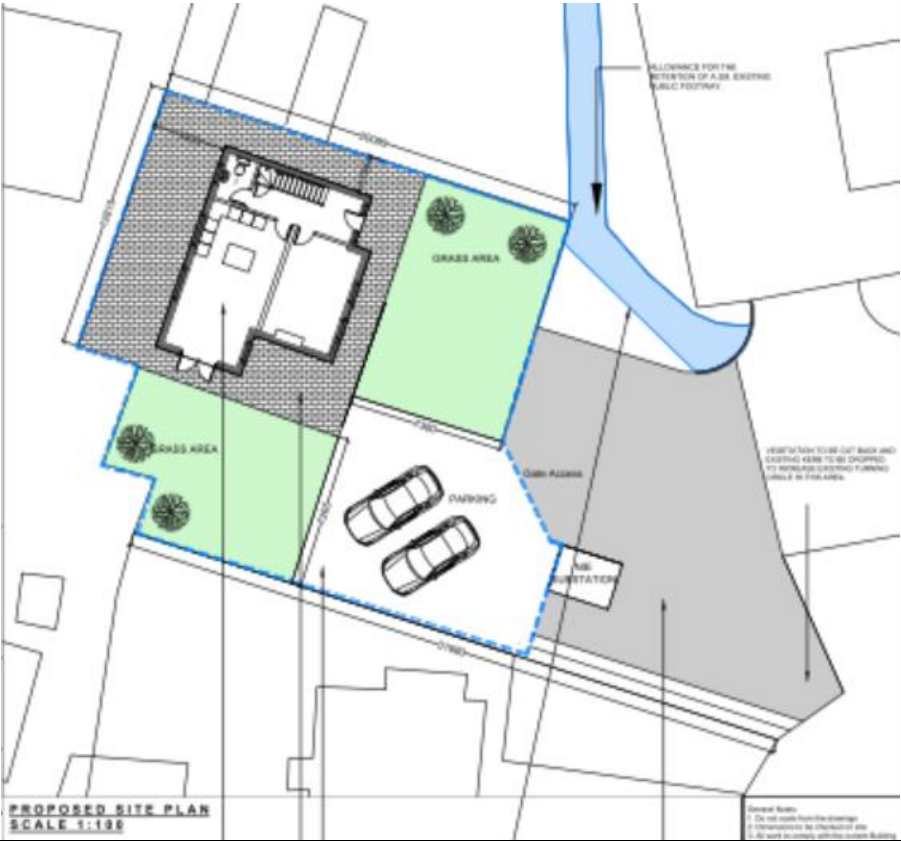
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Development Management Officer Report Committee Application

Addendum Report	
Application ID: LA04/2020/2285/O	Date of Committee: 12 th December 2023
Proposal: Two Storey detached dwelling with garden and associated parking.	Location: Land adjacent to 39 & 40 Stirling Road, Belfast, BT6 9LX
Referral Route: Request to be presented to Planning Committee by Elected Member	
Recommendation: Approve with conditions	
Applicant Name and Address: David Rowan 27 William Street Belfast BT23 4EH	Agent Name and Address: Simon Beattie 46 Oakdale, Ballygowan, BT23 5TT
<p><u>Addendum Report</u></p> <p>This full application was presented to Planning Committee on Tuesday 14th November 2023 and was deferred to allow members of the Committee to visit the site. The site visit takes place on Friday 8th December.</p> <p>Recommendation</p> <p>The case officer recommendation is unchanged, the proposal is recommended for approval with delegated power given to the Director of Planning and Building Control to finalise conditions. It is considered that the proposed development complies with the relevant policy.</p>	

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2020/2285/O	Committee Meeting Date: 14 November 2023
Proposal: Two Storey detached dwelling with garden and associated parking.	Location: Land adjacent to 39 & 40 Stirling Road, Belfast, BT6 9LX
Referral Route: Paragraph 3.8.1 of the Scheme of Delegation (request from an Elected Member)	
Recommendation: Approve with conditions	
Applicant Name and Address: David Rowan 27 William Street Belfast BT23 4EH	Agent Name and Address: Simon Beattie 46 Oakdale, Ballygowan, BT23 5TT
Executive Summary: This application seeks Outline planning permission, for a Two Storey detached dwelling with garden and associated parking. The site is Land adjacent to 39 & 40 Stirling Road, Belfast, BT6 9LX The site is located at the end of Stirling Road on an area of existing hardstanding. Stirling Road is characterised by semi-detached dwellings finished with render. To the rear of the site and to the North and South there are a mixture of residential properties including 3 storey apartment blocks to the North and to the rear and semi-detached dwellings to the South. The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> Principle of development Impact on Amenity Impact on Character and Appearance Flood Risk Access and parking DfI Roads, DfI Rivers, NIEA, Shared Environmental Services, NIE and BCC Environmental Health offer no objection to the proposal. Issues raised by Environmental Health and NI Water have been addressed with conditions and are discussed further in the main report. The Council has received 11 representations for the proposal. This includes 10 letters of objection and one letter of support. The objections and officer response to the issues raised are set out in the main report. Recommendation Having regard to the development plan and other material considerations the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided they are not substantive.	

Officer Report	
1.0	Drawings
1.1	<div><div>Site Location Map:</div></div> <div><div>Proposed Site Plan</div></div>

	<p>Proposed Plans and Elevations</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <p>PROPOSED GROUND FLOOR PLAN - SCALE 1:50</p> </div> <div style="width: 50%;"> <p>PROPOSED FIRST FLOOR PLAN - SCALE 1:50</p> </div> <div style="width: 50%;"> <p>PROPOSED FRONTELEVATION - SCALE 1:50</p> </div> <div style="width: 50%;"> <p>PROPOSED REAR ELEVATION - SCALE 1:50</p> </div> <div style="width: 50%;"> <p>PROPOSED SIDE ELEVATION - SCALE 1:50</p> </div> <div style="width: 50%;"> <p>PROPOSED SIDE ELEVATION - SCALE 1:50</p> </div> </div>
2.0	Characteristics of the Site and Area
2.1	The application site is located at Land adjacent to 39 & 40 Stirling Road, Belfast. The site is an existing area of hardstanding located at the end of Stirling Road. The site is enclosed to the sides and rear by a mixture of metal fence and red brick wall approx. 2m in height.
2.2	To the north and West of the site are 2no three storey apartment blocks. To the South of the site there is a mixture of terrace and semi-detached dwellings. The site is bounded by a metal security fence at approximately 2m high to the North and South, with a 2m red brick wall enclosing the rear of the site to the West. Stirling Road is characterised by existing residential dwellings predominantly semi detached and finished in render. The dwellings typically have small amenity areas to the front of the dwelling, in the form of a small garden or a paved area. To the rear private amenity space is provided.
3.0	Description of Proposal
3.1	This application seeks Outline planning permission, for a Two Storey detached dwelling with garden and associated parking. The site is Land adjacent to 39 & 40 Stirling Road, Belfast, BT6 9LX
3.2	The proposal includes 2 grass amenity areas as well as an area of hardstanding for in curtilage parking.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies
4.2	<p>Belfast Local Development Plan, Plan Strategy 2035</p> <ul style="list-style-type: none"> • Policy HOU1 • Policy HOU2

	<ul style="list-style-type: none"> • Policy HOU4 • Policy HOU7 • Policy DES1 • Policy RD1 • Policy HC1 • Policy TRAN8 • Policy ENV1 • Policy ENV2 • PolicyENV3 • PolicyENV4 • PolicyENV5 • TRE1
4.3	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.4	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Relevant Planning History No relevant planning history
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – no objection. DFI Rivers – no objection NIE – no objection NIEA – no objection NI Water - objection
5.2	Non-Statutory Consultations BCC Environmental Health – requested a contaminated land risk assessment. This matter has been addressed in the main body of the report. Shared Environmental Services – No objection
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.
5.4	Representations The application has been advertised and neighbours notified.
5.5	The Council has received 11 representations of objections against the proposal. A summary of the objections with officer response to the issues raised is set out in the report below. One letter of support was also received.
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context
6.2	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the

	determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
6.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.6	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
	Key issues
6.7	The main issues relevant to consideration of the application are set out below. <ul style="list-style-type: none"> • Principle of development • Impact on Amenity • Impact on Character and Appearance • Flood Risk • Access and parking
6.8	Principle of development The site is located on whiteland within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014).
6.9	The site is a sustainable location for new housing with good access to amenities, shops, services, employment, public transport, walking and cycling infrastructure. The proposed development is of an appropriate density to its location and context and makes effective use of previously developed land. Therefore the principle of development is acceptable subject to other material considerations.
6.10	The SPSS requires development to cause no demonstrable harm to interests of acknowledged importance. Interests of acknowledged importance in this case are the surrounding character of the area; neighbouring amenity, and traffic, access and parking.

6.11	Character of the area and design
6.12	This application seeks Outline planning permission, for a Two Storey detached dwelling with garden and associated parking. The detailed design of the elevations will be subject to a separate reserved matters application. However, proposed elevations have been submitted with the application for a two storey dwelling finished in white render with a hipped roof.
6.13	The proposed development, by reason of its form, scale, layout, design and materials, is in keeping with the site and its surrounding area. The dwelling is approx. 10m in width and has a depth of 8.3m. The overall height of the dwelling is 7.3m. This is considered an appropriate scale that will not be out of keeping with the surrounding area.
6.14	Whilst most of the dwellings in the surrounding area are semi-detached the proposal is located on a spacious plot and is deemed acceptable for a larger detached dwelling. The site will provide sufficient amenity space in the form of 2no gardens as well as in curtilage parking.
6.15	The character and appearance of the area would be preserved by way of the scale, layout and design of the dwelling. The dwelling is to be finished predominantly in white render, this would be in keeping with the character and appearance of the surrounding area. The hipped roof would also be in keeping with the roof profile of most dwellings along Stirling Road. There is also a single storey element to the front and side of the dwelling which will be finished with a flat roof. This is not considered a dominant feature that will impact the character of the area.
6.16	Appropriate open space is provided within the site in the form of a large side garden and a garden to the front of the site. The proposal would provide a quality and sustainable residential environment.
6.17	Impact on amenity The proposal is compatible with adjacent land-uses. It would not harm the amenity of adjacent and nearby residential properties, including unacceptable overlooking, overshadowing, overbearing, loss of outlook or daylight.
6.18	There are 3no first floor windows on the rear elevation. 2no of these windows serve an ensuite and bathroom, therefore will be obscure glazed and cause no overlooking.
6.19	The other window will serve the master bedroom and will overlook an area to the front of the apartment block to the rear of the site, therefore not impacting on the private amenity of neighbouring properties.
6.20	There is also 1no first floor window on the side elevation of the property facing south. Due to an existing mature tree on the boundary of the site as well as the separation distance of approx. 7m to the side boundary there is not considered to be any significant overlooking of the private amenity of properties to the South of the site. Additional landscaping is proposed to further screen any potential overlooking from this window. The details of the landscaping plan will be established under the reserved matters application.
6.21	The existing boundary treatment to the side and rear of the site will ensure there will be no overlooking from the ground windows of the proposed dwelling.
6.22	<i>Internal living space:</i> The proposal will provide circa 102sqm of floor space for the three bedrooms and associated lounges and bathrooms as well as the main reception rooms. The space

	standards require a minimum of 80sqm for a 3 bedroom/ 4 person dwelling. The proposal will therefore provide sufficient living space for future occupants.
6.23	<p><i>External amenity provision:</i></p> <p>The level of private open amenity space is exceeding the 70sqm as recommended by Creating Places. The proposal will have a private amenity space in the form of a side garden, that will be approx. 65 sqm and an area of paving to the rear of the site approx. 40sqm.</p>
6.24	<p>Adaptable and accessible accommodation</p> <p>The housing has been designed in a flexible way to ensure that it is adaptable throughout all stages of life. In this regard, criteria a) to f) inclusive of Policy HOU7 of the Plan Strategy are met.</p>
6.25	<p>Climate change</p> <p>The proposal maximises opportunities to incorporate sustainable design features where feasible. Two large gardens are included to the front of the dwelling with 4no trees also proposed.</p>
6.26	The proposal incorporates measures to adapt to environmental change including criteria b) and f) of Policy ENV3. The proposal includes SuDS measures to effectively manage surface water using landscaping and permeable surfaces.
6.27	<p>Transport</p> <p>The means of access to the development would be safe. There is sufficient parking available having regard to the location and sustainability of the site.</p>
6.28	Drainage and Flood Risk
6.29	The application is accompanied by a Flood Risk Assessment. DfI Rivers has advised that it has no reason to disagree with the conclusions of the Flood Risk Assessment and concludes a drainage assessment is not required.
6.30	Having regard to the advice from DfI Rivers, the proposal is considered to accord with Policy ENV4 of the Plan Strategy.
6.31	<p>Waste water</p> <p>NI Water is recommending that no further connections should be made to this network or a condition should be incorporated which requires an alternative drainage/treatment solution for the proposed site. NI Water objects to the proposal. It advises that there is insufficient wastewater treatment capacity to support the proposed development. The public system cannot presently serve the proposal without significant risk of environmental harm. NI Water states that it has no plans within its current investment cycle to upgrade the wastewater system in this drainage area and is recommending connections to the system are curtailed.</p>
6.32	NI Water has advised the applicant to engage directly with it to ascertain whether an alternative drainage/treatment solution can be agreed. There does not appear to have been any engagement between the applicant and NIW however, no supporting data or information to evidence NI Water's concerns have been provided. There are a significant number of extant and un-implemented planning permissions across the city for housing, commercial and other uses including over 20,000 new homes. Given NI Water's duty to connect to those developments and that it has not provided detailed evidence to support its precise objection to this particular application, it would be unreasonable for the Council to refuse planning permission on these grounds.

6.33	The Council have consulted with NIEA and SES and offer no objection to the proposal subject to a condition. The Council therefore recommend approval subject to condition.
6.34	<p>Other issues</p> <p>Environmental Health requested a contaminated land risk assessment to be submitted. This has been conditioned to be submitted prior to any development taking place on site. As this is an outline application further reports can be submitted with the reserved matters application.</p>
6.35	Other environmental considerations, including tree planting, ecology, air quality, drainage and waste-water infrastructure, have been appropriately dealt with.
6.36	<p>Consideration of Representations</p> <p>The application has been neighbour notified and advertised in the local press. A total of 11 letters of representation have been received. 10 letters of objection and 1 letter of support have been received.</p>
6.37	<p>The objections raise concerns regarding; the loss of a turning head for residents, road safety, loss of local character, reduction of space within the street, impact on the character of the area, access to the site, increased traffic on the street, the neighbour notification process, street lighting and site safety during construction.</p> <p><u>The Loss of a Turning head</u></p> <p>The proposed site plan shows that a turning head will remain at the front of the site therefore residents on Stirling Road will still be able to turn their vehicles.</p> <p><u>Road Safety</u></p> <p>DFI Roads have been consulted and offer no objection therefore the proposal is not considered to impact on road safety. NIE have also been consulted and offer no objection to the proposal in terms of the impact of accessing the substation at the front of the site. As a result, the proposal is not considered to impact on Road Safety.</p> <p><u>Impact on character of the area/increased traffic on street</u></p> <p>The proposed dwelling is not considered to impact on the character and appearance of the area. The details of the design of the dwelling have been reserved to be finalised in the reserved matters application. In principle a dwelling in this location will not detract from the character of the area. It is not anticipated that the additional of 1no dwelling will significantly impact the level of traffic on the street. DFI Roads have no concerns with the proposed development. No street lighting has been shown on the plans and does not fall within the remit of planning.</p> <p><u>Neighbour notification Process</u></p> <p>The correct legislative process has been followed regarding neighbour notification and advertising of the application. It is only a requirement for the Council to neighbour notify properties that abut the site and are within 20m of the site boundary.</p>
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that Outline planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

DRAFT CONDITIONS:

1. The development hereby permitted must be begun by the following, whichever is the later. Five years from the date of this permission; or The expiration of two years from the date of approval of the last of the reserved matters

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. Application for approval of the reserved matters shall be made to the Council within three years from the date of this permission.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

3. No development shall commence on site unless details of the design, external appearance, means of access and landscaping (herein called "the reserved matters") have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

The reserved matters referred to above are defined as follows :-

Design – the two dimensional internal arrangement of the dwelling, the three dimensional form of the dwelling including height, massing, number of storeys and general external appearance;

External appearance of the dwelling – the architectural appearance and materials including the colour, texture and type of facing materials to be used for external walls and roofs;

Means of Access – the location and two dimensional design of any vehicular and pedestrian accesses to the site from the surrounding area and also access circulation, car parking: and

Landscaping – treatment of the remaining parts of the site not covered by the dwelling including both soft and hard landscaping where proposed. Where applicable, including the laying out of gardens and the provision of amenity space. Soft landscaping to include planting such as trees, hedges, shrubs and grassed areas. Hard landscaping to include laying of hard surface areas, the formation of banks, terraces or other earthworks and erection of walls, fencing and other built means of enclosure.

Reason: This permission is in outline only and further details of the development are required under section 4(1) of The Planning (General Development Procedure) Order (Northern Ireland) 2015.

4. The vehicular access shall be provided in general accordance with Drawing No.03C uploaded to the Public Register 15th June 2023, prior to the occupation of any other works or other development hereby permitted.

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

5. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in general accordance with Drawing No.03C uploaded to the Public Register 15th June 2023, to provide for the parking of 2No. cars within the curtilage of the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

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

6. A turning facility to be determined into the public road network shall be provided in general accordance with Drawing No.03C uploaded to the Public Register 15th June 2023, prior to the occupation of any other works or other development hereby permitted. Full details of the turning facility, to include a Private Streets Determination, shall be provided at Reserved Matters stage.

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

7. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition), until a Contaminated Land Risk Assessment has been submitted to and approved in writing by the Council. The assessment shall follow best practice and in the first instance contain the following information:

A Preliminary Risk Assessment that includes a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and an initial Conceptual Site Model outlining all potential Source-Pathway-Receptor contaminant linkages.

Should the Preliminary Risk Assessment demonstrate that potential contaminant linkages exist on the site, then a Quantitative Risk Assessment that addresses these issues shall be submitted. This must incorporate:

A detailed site investigation in line with BS 10175:2011+A2:2017 (or any standard that reproduces or replaces this standard). Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019 (or any standard that reproduces or replaces this standard). A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665 (or any standard that reproduces or replaces this standard).

Should the Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then a Remediation Strategy shall be submitted. The Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.

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

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

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

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

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
01A, 02B, 03C & 04C.

ANNEX	
Date Valid	18/11/2020
Neighbour Notified	02/12/2020
Date First Advertised	26/11/2020
Date Last Advertised	26/11/2020

Details of Neighbour Notification (all addresses)

34 Stirling Road
 21 Stirling Road
 6 Stirling road
 16 Stirling Road
 21 Stirling Road
 14 Stirling Road
 29 Stirling Road
 48 Sunderland Road,
 11 Downshire Parade,
 58 Sunderland Road,
 14b ,Downshire Parade,
 52 Sunderland Road,
 50 Sunderland Road,
 56 Sunderland Road,
 53 Sunderland Road,
 57 Sunderland Road,
 60 Sunderland Road,
 44 Sunderland Road,
 49 Sunderland Road,
 46 Sunderland Road,
 55 Sunderland Road,
 54 Sunderland Road,
 39 Stirling Road,
 51 Sunderland Road,
 59 Sunderland Road,
 9 Downshire Parade,
 14a ,Downshire Parade,
 61 Sunderland Road,
 61 Sunderland Road,
 45 Sunderland Road,
 36 Stirling Road
 37 Stirling Road
 63 Sunderland Road
 16 Stirling Road,

Development Management Report Committee Application

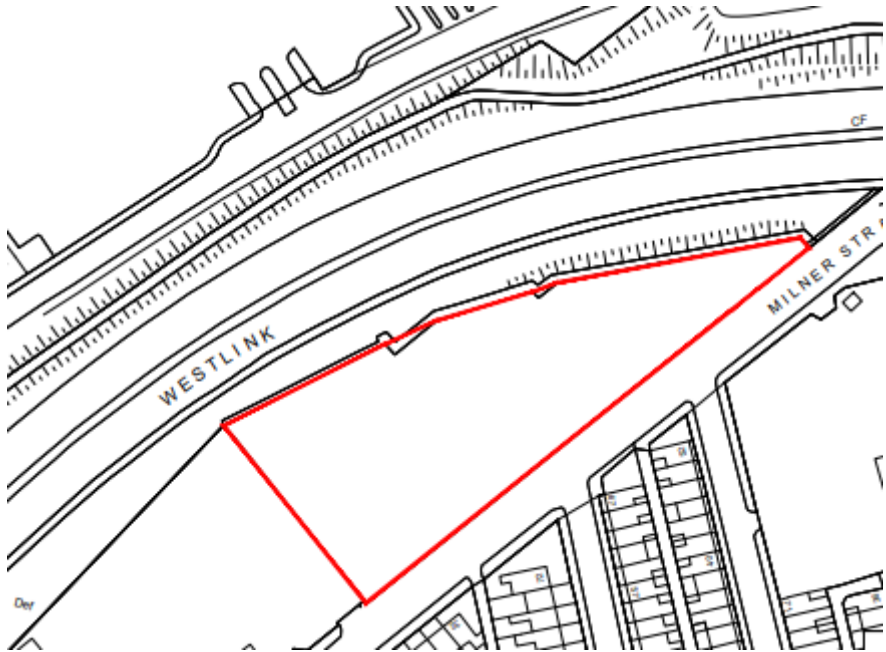

Summary	
Application ID: LA04/2021/2687/F	Committee Date: 12 th December 2023
Proposal: Residential development for 87 no. apartments (1 no. and 2 no. bedroom) of which 18no. units are affordable housing, internal car park, landscaped gardens/ terraces and all associated site works (amended description and plans).	Location: 3 Milner Street Belfast BT12 6GE.
Referral Route: Major Planning Application	
Recommendation:	Approval subject to conditions and a Section 76 Planning Agreement.
Applicant Name and Address: CYM Properties Ltd. 81 Templepatrick Road Doagh Ballyclare BT39 0RA	Agent Name and Address: MBA Planning 4 College House Belfast BT12 4HQ
<p>Executive Summary: This application seeks full planning permission for a residential development comprising 87 no. apartments (1no. and 2no. bedroom) of which 18no. units are social housing, internal car park, landscaped gardens/ terraces and all associated site works.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Design, scale, layout and impact upon the character and appearance of the area • Impact on Amenity • Affordable Housing and Housing Mix • Accessible and Adaptable Accommodation • Climate Change • Drainage • Traffic, Movement and Parking • Waste-water Infrastructure • Health Impact • Ecology • Contamination, Air Quality, Noise and other environmental impacts • Pre-application Community Consultation • Developer Contributions/Section 76 Agreement <p>The principle of apartments at this location is considered acceptable and has been previously established with an extant approval in place.</p> <p>There are no objections from statutory or non-statutory consultees.</p>	

25 no objections were received which are considered in the main body of the report. There have been no objections received since the most recent iteration of the scheme now containing 20% social housing was received and advertised/notified.

Recommendation

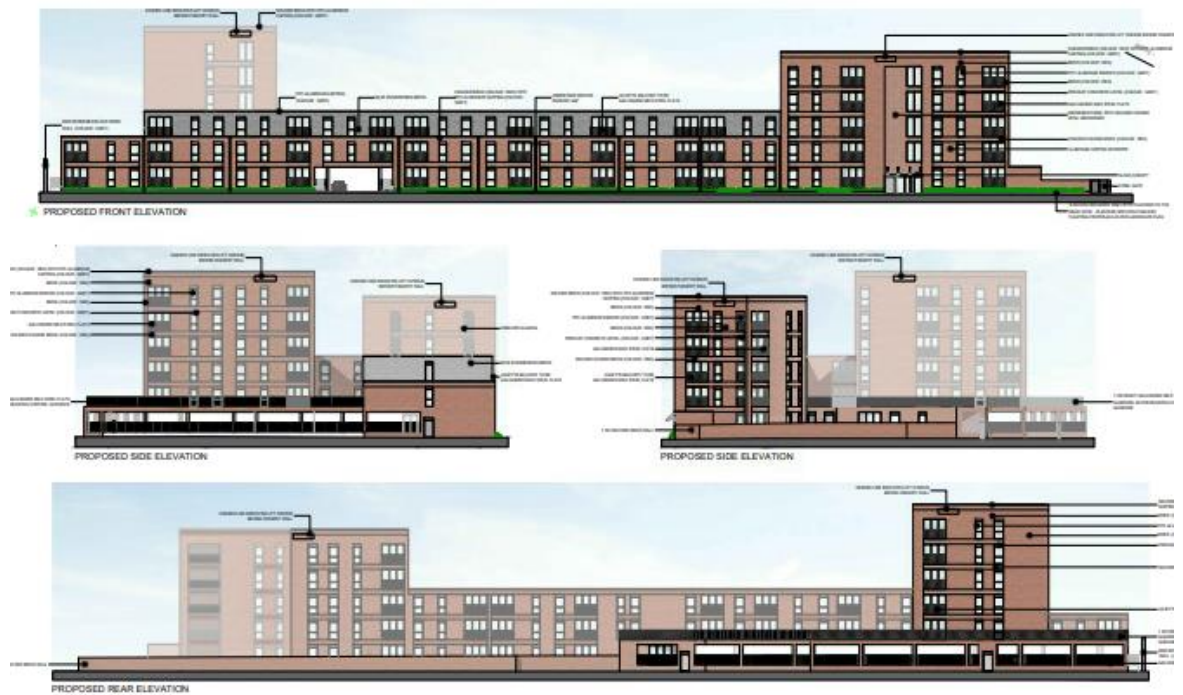
Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement being entered into to secure affordable housing, green travel measures and Employability and Skills provision.

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

Planning Report	
1.0	Drawings
1.1	<p>Fig 1. Site Location Plan</p>  <p>The diagram is a site location plan showing a proposed development site outlined in red. The site is bounded by Westlink to the west and Milner Str to the east. The plan shows surrounding roads, including Westlink and Milner Str, and existing buildings and infrastructure.</p>
1.2	<p>Fig.2 Proposed Site Layout</p>  <p>The diagram is a detailed proposed site layout plan. It shows the building footprints, parking areas, and landscaping. A key is provided for the plan, indicating levels and materials. A section of the new boundary wall is also shown.</p> <p>NOTE: PLEASE REFER TO ROAD CONSULTANTS SITE LAYOUT PLAN FOR VISIBILITY SPLAYS INFORMATION</p> <p>PLEASE REFER TO LANDSCAPE PLAN FOR LANDSCAPE TREATMENTS</p> <p>KEY:</p> <ul style="list-style-type: none"> +8.00 PROPOSED GROUND LEVEL +8.00 EXISTING GROUND LEVEL F.F.L +8.00 FINISHED FLOOR LEVEL VEHICULAR ACCESS ROAD / PARKING - TARMAC FOOTPATH - NATURAL TEGULA STONE PAVING NEW 4M HIGH BLOCK WORK WALL CONSTRUCTED FULL LENGTH OF WESTERN BOUNDARY <p>NEW BOUNDARY WALL ELEVATION & SECTION</p> <ul style="list-style-type: none"> SPALLED CONCRETE CORNER BLOCK WORK FINE FOR STREETLY DRIVING TRAC BLOCKWORK WALL WITH FINISH FRESH POLYURETHANE COAT

1.3

Fig 3. Elevations



1.4

CGIs





2.0	Characteristics of the Site and Area
2.1	The proposed development site is located on lands at 3 Milner Street Belfast. The area is predominately residential to the North of the site with terraced residential streets running down from Donegall Road. The area is also characterised by intermittent industrial uses adjacent to the Westlink which bounds the site to the south.
2.2	The site is covered in concrete and the oldest images on Google Streetview (2008) show the site as being vacant and disused for at least the past 15 years.
3.0	Description of Proposal
3.1	This application seeks full planning permission for a residential development comprising 87 no. apartments (1 no. and 2 no. bedroom) of which 18no. units are social housing, internal car park, landscaped gardens/ terraces and all associated site works.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History
4.6	LA04/2014/1053/F 3 Milner Street, Belfast, BT12 6GE Proposal: Construction of 48no. apartments (39 x 2bed and 9 x 1bed) in 8no. separate blocks with associated parking and communal amenity space. Decision: Permission Granted 11.01.2016
4.7	LA04/2023/3256/CLOPUD 3 Milner Street, Belfast, BT12 6GE Proposal: Lawful to erect block E granted permission under Z/2014/1053/F. Decision: Certificate of Proposed Lawfulness Granted 07.08.2023
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – Content subject to conditions DfI Rivers – Content subject to condition NI Water – Content subject to conditions NIEA – Content subject to conditions

5.2	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health – Content subject to conditions</p> <p>BCC Environment – Advice</p> <p>BCC Trees and Landscape Officer- Advice</p> <p>BCC Landscape Planning and Development - Content</p> <p>NIHE – Supportive of 20% social housing units at this location</p> <p>BCC Economic Development Team – recommend employability and skills clause for construction phase.</p>
5.3	<p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>
5.4	<p>Representations</p>
5.5	<p>The application has been advertised and neighbours notified. The Council has received 25 no representations. The application was most recently advertised and notified on 5th September 2023 and no further representations have been received since this time.</p>
5.6	<p>The representations raised the following issues:</p> <ul style="list-style-type: none"> • Loss of residential character • Increase in traffic and parking • Sewerage, drainage and flooding issues • Need for social and affordable housing • Housing for local people • Houses rather than apartments • Preference for industrial use • Pollution levels and air quality issues • Negative impact on nearby play park • Noise • Anti-social behaviour • Concern that apartments would be let out as short-term lets • Rodents
5.7	<p>These issues have been fully assessed within the planning assessment section of the report with the exception of potential short term lets. Any change of use from residential to short-term let accommodation would require a full planning application prior to any such change.</p>
5.8	<p>The application is considered acceptable for the reasons set out in the below assessment.</p>
6.0	<p>PLANNING ASSESSMENT</p>
	<p>Development Plan Context</p>
6.1	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>

6.3	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.6	<p>Relevant Planning Policies and Guidance</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p><i>Strategic Policies</i></p> <p>Policy SP1A – Managing Growth and Supporting Infrastructure Delivery</p> <p>Policy SP2 – Sustainable Development</p> <p>Policy SP3 – Improving Health and Wellbeing</p> <p>Policy SP5 – Positive Placemaking</p> <p>Policy SP6 – Environmental Resilience</p> <p>Policy SP7 – Connectivity</p> <p>Policy SP8 – Green and Blue Infrastructure Network</p> <p><i>Spatial Development Strategy</i></p> <p>Policy SD1 – Settlement Hierarchy</p> <p>Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i></p> <p>Policy HOU1 – Accommodating New Homes</p> <p>Policy HOU2 – Windfall Housing</p> <p>Policy HOU4 – Density of Residential Development</p> <p>Policy HOU5 – Affordable Housing</p> <p>Policy HOU6 – Housing Mix</p> <p>Policy HOU7 – Adaptable and Accessible Accommodation</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy RD1 – New Residential Developments</p> <p>Policy HC1 – Promoting Healthy Communities</p> <p><i>Transport</i></p> <p>Policy TRAN1 – Active travel – walking and cycling</p> <p>Policy TRAN 2 – Creating an Accessible Environment</p> <p>Policy TRAN4 – Travel Plan</p> <p>Policy TRAN6 – Access to Public Roads</p> <p>Policy TRAN8 – Car Parking and Servicing Arrangements</p>

	<p><i>Building a Smart Connected and Resilient Place</i></p> <p>Policy ENV1 – Environmental Quality</p> <p>Policy ENV2 – Mitigating Environmental Change</p> <p>Policy ENV3 – Adapting to Environmental Change</p> <p>Policy ENV4 – Flood Risk</p> <p>Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p><i>Promoting a Green and Active Place</i></p> <p>Policy OS3 – Ancillary Open Space</p> <p>Policy TRE1 – Trees</p> <p>Policy LC1 – Landscape</p>
6.7	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix</p> <p>Residential Design</p> <p>Placemaking and Urban Design</p> <p>Sustainable Urban Drainage Systems</p> <p>Transportation</p> <p>Trees and Development</p>
6.8	<p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Design, scale, layout and impact upon the character and appearance of the area • Impact on Amenity • Affordable Housing and Housing Mix • Accessible and Adaptable Accommodation • Climate Change • Drainage • Traffic, Movement and Parking • Waste-water Infrastructure • Noise, odour and other environmental impacts including contamination.
6.9	<p><u>Additional Information</u></p> <p>The adoption of the Plan Strategy (PS) required further information in the form of a “Plan Strategy Statement” requested by officers that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p>
6.10	<p>The Planning Service’s Plans and Policy team has been consulted on the applicant’s Plan Strategy. No further consultations have been considered necessary following adoption of the PS.</p>
6.11	<p><u>Principle of development</u></p> <p>The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The proposal site is identified as white land within BUAP 2001 and white land within both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations</p>

	detailed below.
6.12	The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in the Belfast City Council area. Policy HOU2, Windfall Housing is also met as the proposal is situated on previously developed land and is currently white land within the dBMAP 2004 and 2015 versions. The proposed scheme is a suitable site for an apartment scheme in principle, it is accessible and convenient to public transport and walking and cycling infrastructure. There is also an extant approval for an apartment scheme which was approved in 2016 and lawfully enacted.
6.13	<p><u>Design, scale, layout and impact upon the character and appearance of the area</u></p> <p>Policy RD1 seeks to promote quality residential development that creates places that are attractive, locally distinctive, and appropriate to their surroundings. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:</p> <p>a. <i>Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:</i></p> <p>The construction of an apartment scheme will not conflict with the adjacent residential use. There are some vacant sites nearby however residential use is appropriate for the host site. The scheme is considered to take account of the specific circumstances of the site, acknowledging the proximity of the Westlink and the scale of the terraced streets. The proposed development aims to reference the local housing typology with the design of the frontage onto Milner Street.</p>
6.14	The proposed finish of the apartments is red brick which aims to be sensitive to the existing residential context. The mix and contrast of finishes is considered to meet policy requirement DES1 part (b) in that the local distinctive features have been identified, incorporated, and enhanced where appropriate.
6.15	The proposed development, by reason of its form, scale, layout, design and materials, is in keeping with the site and its surrounding area.
6.16	<p>b. <i>Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:</i></p> <p>The layout/aspect of the building within the site is such that there will be no significant overlooking into neighbouring properties. There is no potential for overlooking with the dwellings directly opposite Milner Street however the dwellings at the end of Rydalmere and Empire Streets could have their amenity impacted as their gardens are at right angles to the proposal. Amendments were made to the layouts to ensure that any overlooking was minimised. In addition, there is sufficient separation distances to existing neighbouring properties at to ensure that dominance and overshadowing will not occur to an unacceptable degree.</p>
6.17	It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.
6.18	<p>c. <i>Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure</i></p> <p>Page 4 of the submitted Plan Strategy Statement outlines the proximity to public transport routes and local amenities as well as citing the location as being highly accessible to the new Transport Hub currently under construction. 32 bike racks are provided.</p>

6.19	<p><i>d. Provides adequate open space:</i></p> <p>The recommended amount of amenity space within Creating Places for apartment developments ranges from a minimum of 10sqm per unit to around 30sqm per unit. There is approximately 1655 sqm of private communal open space which equates to around 19 sqm per unit. This is in the form of communal green spaces provided at ground and first floor levels. This is in addition to private balconies which are provided for 79 of the 87 units. Most balcony sizes are 2.4 sqm with a small proportion having larger balconies/terraces.</p> <p>On balance, it is considered that there an appropriate amount of private and private communal space to create a quality residential environment and meets the requirements of Policy OS3.</p>
6.20	<p><i>e. Keeps hard surfacing to a minimum</i></p> <p>As the parking is undercroft, the hard standing of parking is protected from view. There are two large areas of landscaping included. The landscape plan shows a net gain of 32 trees.</p>
6.21	<p><i>f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.</i></p> <p>The proposed scheme is in keeping with the space standards as set out in appendix C. The proposed housing mix is as follows:</p> <ul style="list-style-type: none"> - 19 no 1-person, 1 bedroom apartments: approximately 40 sq m, - 68 no 2/3-person, 2 bedroom apartments approximately 60-65 sq m
6.22	<p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i></p> <p>All of the proposed apartments have been designed to be accessible with direct, safe and secure access from either the street or secure public open space within the development both of which are considered appropriate in terms of access and outlook.</p>
6.23	<p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i></p> <p>All apartments have been designed to ensure living rooms, kitchens and bedrooms have access to natural light.</p>
6.24	<p>The proposal responds positively to the local context and character through addressing matters such as height, scale, massing, proportion, plot width, building lines, rhythm, roofscape and materials. The proposed apartment building is considered to tie in with the immediate context and the surrounding residential dwellings. The massing addresses the contexts of 2-storey terraced dwellings and also the proximity to the Westlink in an appropriate manner. Additional design interventions were negotiated with the assistance of the Senior Urban Design Officer in order to ensure visual interest and remove potential for overlooking.</p>
6.25	<p>In conclusion, the proposal complies with the criteria set out in A-K of Policy DES 1-Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.</p>
6.26	<p><u>Climate change</u></p> <p>Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of</p>

	recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation.
6.27	<p>The applicant has submitted a Climate Change Statement setting out that the following features are incorporated into the design:</p> <ul style="list-style-type: none"> - LED Lighting; - Movement sensor activated lighting for low traffic areas - Information packs for occupants to highlight efficient use of heat and light systems; - High efficiency boilers will provide heat source for space heating and water heating all of which will operate under zoned thermostatic controls to avoid unnecessary energy usage; - All living and kitchen/dining areas are designed to have large, glazed areas to maximise natural day light to reduce reliance on artificial lighting; - Hallways equipped with independent heating systems with individual time/temperature controls; - High-performance insulation; - Energy-efficient windows; - Implementation of an efficient waste management system to include provisions for recycling, promoting waste reduction and diversion from landfill. - Low-flush toilets and dual (water-efficient toilets) flush toilets are specified for use in order to reduce water usage. - 'Spray' and 'low-flow' taps reduce the amount of water are specified for use in order to reduce water usage. - Bathroom accommodation contains only shower units, which consume less water than baths. - An in line 'water flow-meter' permitting metering of usage by occupants. The proposal envisages that individual residences would be metered, with residents being made aware of their individual usage. - Using recycled materials where possible and where not possible, bricks selected with full life cycle consideration given to ensure a low embodied energy (i.e. energy used in manufacture, transport, use and disposal); - Increasing surface temperatures, such as by the inclusion of insulation. - Avoiding cold bridges as a design standard.
6.28	The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. A pre-commencement condition is proposed to ensure delivery of the above measures and that soft landscaping within the site introduces SuDS measures to partially meet ENV3 and comply with ENV 5. This condition has been agreed with the applicant.
6.29	The Tree Officer notes that the site at present is derelict wasteland and that in terms of trees and landscaping there are no trees on the site worth retaining, any greenery on the site has been self-seeded unmanaged shrubs and overgrown weeds.
6.30	The site will have a net gain in permeable surfaces due to the introduction of green spaces throughout to replace existing hardstanding and there will a net gain of 32 trees. Therefore, on balance the proposal is considered to mitigate and adapt to climate change and comply with Policy TRE1.
6.31	<p><u>Density of Residential Development</u></p> <p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments</p>

	within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements.
6.32	Whilst the Settlement Areas are yet to be fully established in advance of the LPP, the site most logically falls within the 'City Corridor' category as it is within 50m of a designated city corridor (the Westlink) to which a density band of 100-175 dwellings per hectare (dph) would apply. In this context and taking account of the site area (determined as approximately 0.42ha of land) the provision of 87no. units represents a density of 207dph which is above the density parameters of Policy HOU4. Policy HOU4 states that bands are to be used as a guide to inform proposed developments within the relevant settlement areas and development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements. Given the location adjacent to the Westlink and the layout of the development which respects the 2-storey terraced streets and rises in height towards the Westlink, the density is considered, on balance, acceptable.
6.33	<u>Affordable housing and Housing Mix</u> HOU5- Affordable Housing of the of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing.
6.34	The proposed scheme includes 87 no apartments including 18 no affordable apartments. The scheme was amended following the adoption of the Plan Strategy to increase the provision from 10% to 20% to meet the HOU5 minimum policy requirement. Northern Ireland Housing Executive (NIHE) were consulted on the application and confirmed there is an identified need in the area. T
6.35	The proposal meets the requirements of Policy HOU5 as apartment scheme provides 18no. social housing units comprising 8 no. 2 bed apartments and 10no. 1 bed apartments shown on Drawing No 200 01-03 (as revised) highlighted in yellow. The final units and breakdown of social and intermediate will be resolved via a Section 76 clause. The legal agreement will require a minimum of 10% social housing but will permit the remaining 10% to be either social or affordable depending on demand at the time.
6.36	<u>Housing Mix</u> With regards to housing mix, the proposal comprises a total of 87 residential units in the form of apartments:
	<ul style="list-style-type: none"> - 19 no 1-person, 1 bedroom apartments: approximately 40 sq m, - 68 no 3-person, 2 bedroom apartments approximately 60-65 sq m
6.37	NIHE were consulted on the application and have indicated there is social housing need in the area particularly for single person and small families.
6.38	Therefore, the housing mix is considered acceptable having regard to policy HOU6 of the Plan Strategy 2035.
6.39	<u>Adaptable and Accessible Housing</u> Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible.

6.40	<p>The requirements of Policy HOU7 have been met as follows:</p> <ul style="list-style-type: none"> a. Parking provision has a firm surface and provide level or gently sloping access to the main entrance of the property. All ramps and gradients are wheelchair friendly in these spaces. b. Main entrances are sheltered from the weather; c. Permanent living and dining space is provided within/in addition to a kitchen at entrance level; d. Accommodation provides entrance level WC with space to provide an accessible shower in the future if required; e. An accessible bathroom is provided on the same floor as the main bedroom; f. Glazing in the principal living space is sited to enable outlook when seated. g. A wheelchair accessible environment is provided in accordance with the space standards for wheelchair housing set out in Appendix C in the LDP, in this case 9 no wheelchair accessible units are provided; h. In-curtilage or designated car parking meets disabled parking standards; i. Pathways are wide enough to accommodate a wheelchair and have a firm surface, level or gently sloping surface; j. Entrance hallway, kitchen, living, dining area, bathroom and a main bedroom have an unobstructed turning circle; k. Entrances, doorways and halls are an appropriate width and length allow for wheelchair access; l. Space is available in the entrance area to enable storage of a second wheelchair; m. There are lifts accessed off circulation spaces on each floor; n. Adequate built-in storage is provided; and o. Private amenity space is level or gently sloping and incorporates suitable areas of hard surfacing.
6.41	The proposed living arrangements are considered to satisfy the accessibility requirements of Policy HOU7 and 10% threshold requirement of the policy through the provisions listed above.
6.42	<p><u>Access, movement, and parking</u></p> <p>The proposed parking of 55 no spaces for 87 apartments has been found to be acceptable by DfI Roads due to the sustainable location of the site and the green travel measures proposed.</p>
6.43	<p>Policy TRAN 10 has been met in that the design of car parking meets the following criteria:</p> <ul style="list-style-type: none"> a. It respects the character of the local townscape/landscape b. It will not adversely affect visual and residential amenity c. Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site; and d. Provision has been made for accessible parking bays which facilitate safe, convenient access for people with a disability or impaired mobility.
6.44	The means of access to the development would also be safe.
6.45	A suite of green travel measures are proposed including a travel plan co-ordinator, and sufficient funds for 3 years of membership of Belfast Bikes and 3 years of Translink passes. These measures will be secured via the Section 76 agreement. It is also considered the proposal complies with Policies TRAN 4, TRAN 6 and TRAN 8.
6.46	<p><u>Drainage and Flooding</u></p> <p>The site lies within the floodplain. DfI Rivers were consulted and requested further</p>

	<p>information including forecast modelling and interventions to prevent flooding. DfI Rivers note that the <i>'FRA proposes specific measures to mitigate flood risk to the development and its impact on flooding elsewhere. To mitigate against flood risk to the development, the finished floor levels of the proposed development will be set with an appropriate freeboard. Furthermore, to ensure the proposals do not increase flood risk elsewhere, the FRA proposes flood compensatory storage to redirect flood waters back into the Blackstaff Culvert. The applicant has gained consent from DfI Rivers Operations to discharge 155 litres/second into the Blackstaff Culvert'</i>. Furthermore that the <i>'Flood Mitigation Technical Note includes a hydraulic model which demonstrates that, in the event the compensatory storage inlet becomes fully blocked, the proposals will cause a 1 mm increase in flood levels with a marginal increase in flood plain extents'</i>.</p>
6.47	<p>The drainage assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100-year event including an allowance for climate change (10%) and urban creep (10%), could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate and therefore there will be no exceedance flows during this event.</p>
6.48	<p>In order to ensure compliance with ENV 4 and the SPPS, DfI Rivers have requested that the potential flood risk from exceedance of the network, in the 1 in 100-year event, is managed by way of condition.</p>
6.49	<p>NIEA: Water Management Unit were consulted and were content subject to conditions including a final Construction Environmental Management Plan (CEMP).</p>
6.50	<p>It is therefore considered that the proposal complies with Policy ENV4.</p>
6.51	<p><u>Waste-water infrastructure</u></p> <p>NI Water were consulted and cite no objections subject to conditions which will require details of foul and surface water drainage, including a programme for implementation of these works to be agreed prior to construction.</p>
6.52	<p><u>Ecological Impacts</u></p> <p>NIEA: Natural Environment Division <i>'note from the Biodiversity checklist, dated 16/07/21, that the application site has little or no natural heritage interests, with little vegetation or habitat present suitable to host protected/priority species, therefore NED consider significant impacts on natural heritage features unlikely as a result of the proposal'</i>.</p>
6.53	<p>Furthermore, <i>'NED has assessed the oCEMP and, provided all pollution prevention and mitigation measures are implemented as outlined, NED is content any significant impacts on designated sites will be mitigated.'</i></p>
6.54	<p><u>Health impact</u></p> <p>The proposal has been assessed against Policy HC1 which requires that a Health Impact Assessment (HIA) is undertaken for all new major development. It seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. The submitted HIA makes reference to a number of measures, including housing design and affordability; provision of flexible Lifetime Homes; access to open space and nature; Air quality & noise; and neighbourhood amenity (controlled/mitigated by CEMP). It also considers accessibility and active travel opportunities, crime reduction/community safety, resilient and environmental benefits of the design to promote social cohesion and sustainable neighbourhood. The proposal is in a sustainable location and would encourage walking and cycling. Communal areas and amenity space will be provided to promote positive mental health. The measures proposed meet with the provisions of the</p>

	Policy HC1 and is therefore considered compliant.
6.55	<p><u>Contamination</u></p> <p>Generic Quantitative Risk Assessment including a Preliminary Risk Assessment (PRA) has been provided in support of this planning application along with additional clarifications and information.</p>
6.56	<p>These submissions have determined that potential source-pathway-receptor contaminant linkages exist on the site in the form of:</p> <ol style="list-style-type: none"> 1. Heavy metal contamination in shallow soils. 2. Hydrocarbon and Volatile Organic Compound Vapours in soil and shallow ground water.
6.57	<p>Environmental Health have asked that a full remediation strategy be provided prior to commencement to ensure contaminant linkages are identified and dealt with. This has been agreed via a negative condition. NIEA: Land Regulation Unit were consulted and similarly provided negative conditions.</p>
6.58	<p><u>Air Quality</u></p> <p>The following were submitted in support of the application and assessed by the Council's Environmental Health service:</p> <ul style="list-style-type: none"> - AONA Environmental, Air Quality Impact Assessment, Proposed Residential Apartment Development at Milner Street, Belfast. (September 2021) - MRA Partnership, Transport Assessment Form, Proposed Residential Development Milner Street, Belfast. (September 2021) - MRA Partnership, Residential Travel Plan, Proposed Residential Development Milner Street, Belfast. (September 2021)
6.59	<p>EH Service is of the view that the <i>"assessment sufficiently demonstrates 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"</i>. Negative conditions are proposed to ensure dust management measures are implemented as well as a requirement for an amended AQIA, in the event that any centralised combustion sources (boilers/CHP, biomass), where the single or combined NOx emission rate is more than 5mg/sec are proposed as part of this development.</p>
6.60	<p>Reference was made in a representation regarding the proposed play park at Divis and its proximity to the Westlink and knock on impacts from pollution from cars. There is no evidence to suggest that the proposal would worsen the impact of the Westlink on existing or proposed play parks and EH Service is content with the proposal in terms of human health.</p>
6.61	<p><u>Noise</u></p> <p>Given the proximity of the Westlink, noise is an important consideration. A Noise Impact Assessment (NIA) was submitted in support of the application. Environmental Health officers identified that a <i>'higher specification of glazing'</i> will be necessary to adequately protect apartments from noise. They also note that:</p> <ul style="list-style-type: none"> - <i>The external amenity areas on the facades of the proposed development and balcony areas will not meet the outdoor amenity noise levels recommended within WHO Guidance, BS8233: 2014 and Pro.P.G.</i> - <i>The World Health Organisations guidance for external amenity space of 50 - 55 dB LAeq, 16hr.</i> - <i>Within BS8233:2014 (which provides guidance for the control of noise in and around buildings and define what is considered to be acceptable in different</i>

	<p><i>environments) the level recommended for gardens is 50 – 55 dB LAeq 16hr.</i></p> <ul style="list-style-type: none"> <i>- The Professional Practice Guidance on Planning states that below 50 dB LAeq 16hr, development is likely to be acceptable “noise may be noticeable but no adverse effects on health and quality of life”</i> <p><i>The Planning Service is referred to the above guidance in determining the suitability of proposed design and may conclude that, on balance, if the development is desirable and given its urban location, should not be prohibited on the basis of high external noise levels on any proposed outdoor amenity area.</i></p>
6.62	Environmental Health have provided conditions which will require prior agreement of window specifications, glazing and ventilation. Whilst the location of the proposal is close to the Westlink which provides operational challenges due to noise, as stated above, there would be no adverse effects on health or quality of life and on balance, the location of the proposal is sustainable and desirable.
6.63	<p><u>NIE considerations</u></p> <p>The site is in close proximity to a transmission electricity substation and NIE were consulted and noted the presence of a significant number of high voltage underground cables which run adjacent to the site and their need to access these. There are also noise considerations which were considered by Environmental Health.</p>
6.64	NIE were further consulted on 11.05.2022, 06.07.2022, 21.03.2023 and 07.08.2023. The access of underground cables would be a matter to be resolved between NIE and the landowner. A further note was issued on 27.11.2023 advising that there have been no responses to the previous four consultations and that the application is due to be brought to Planning Committee on 12.12.23. As yet there has been no response. Delegated authority is sought to resolve any issues arising from NIE.
6.65	<p><u>Pre-application Community Consultation</u></p> <p>For applications that fall within the Major development category, the regulations place a statutory duty on applicant to consult the community in advance of submitting the planning application.</p>
6.66	<p>The regulations require that a prospective applicant, prior to submitting a major application must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A PAN was submitted to the Council on 25th August 2020 under reference LA04/2020/1791/PAN and approved on 17 September 2020. During this time, parts of Regulation 5(2) and (3) of the Development Management Regulations had been temporarily replaced by The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020 which came into effect on 1 May 2020 (Planning Covid Regs).</p> <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>
6.67	<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"> • Booklets containing the PAN, site location plan, floorplans and elevations were hand delivered to all neighbouring properties with a cover letter and information as to how to make comments • Notification of the consultation were advertised in the Belfast Telegraph on 4th September 2020

6.68	<ul style="list-style-type: none"> • A site notice was erected from 4th September 2020 for 12 weeks • The PAN was circulated to a number of elected representatives 25th August 2020 • Dedicated website established
6.69	An informal meeting was held between the applicant and the Greater Village Regeneration Trust (GVRT) as proposed by Cllr Christopher Stalford on 3 rd November 2020.
6.70	Written and verbal feedback was received and indicated opposition to private housing, a preference for lower density housing rather than apartments, concern regarding negative impacts from construction, concern about a potential 'gated style' development and the potential to create a barrier to culture at key times of year.
6.71	The PACC report does not provide any consideration of social housing however in the period since the application was submitted, the applicant volunteered to provide 10% social housing and following the adoption of the Plan Strategy increased this to 20% affordable housing.
6.72	Design alterations were made following PAN consultation and furthermore during the processing of the application to ensure appropriate massing and remove potential overlooking.
6.73	The applicant undertook to provide an oCEMP as part of the submission in order to provide reassurance around the impacts of construction.
6.74	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p> <p><u>Developer Contributions / Section 76 Agreement</u></p>
6.75	Were the application to be approved, a Section 76 planning agreement would be necessary to secure the provision of affordable housing, green travel measures and Construction Employability and Skills Plan.
6.76	<p>BCC Place and Economy Team has recommended that the Section 76 includes a clause relating to employability and skills during the construction phase. The applicant has estimated that the scheme and associated works will be delivered by a contractor team of approximately 116 full time equivalent staff for the construction phase. It is estimated that on occupation of the completed scheme, approximately 16 part time staff will be employed to support residential occupation.</p> <p>A draft planning agreement was submitted with the application and is being finalised by the Council's Legal Services team. Delegated authority is sought to resolve the final wording of the Section 76.</p>
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement to secure the affordable social housing, green travel measures and employability and skills requirements.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions, Section 76 planning agreement, and deal with any other matters that arise

	prior to issuing the decision, provided they are not substantive.
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DRAFT CONDITIONS:

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

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

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

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

3. Prior to the construction of the drainage network, the applicant shall submit a Drainage Assessment, compliant with 4.8 and Appendix E of SPG, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event, including an allowance for climate change (10%) and urban creep (10%).

Reason: In order to safeguard against surface water flood risk.

4. No construction of the development hereby permitted shall commence unless the vehicular access, including visibility splays and any forward sight distance, have been provided in accordance with Drawing No.12A published by the Council on 14th February 2023.

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

5. The development hereby permitted shall not be occupied unless the existing redundant vehicular accesses from the site to the public carriageway have been permanently closed and the footway reinstated to the satisfaction of the Department for Infrastructure.

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

6. The development hereby permitted shall not be occupied unless hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.12A published by the Council on 14th February 2023, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

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

7. The development hereby permitted shall not be occupied unless sheltered cycle parking facilities have been provided in accordance with Drawing No.12A published by the Council on 14th February 2023. The cycle parking facilities must be retained and maintained in accordance with the approved details.

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

8. The development hereby permitted shall operate in accordance with the Residential Travel Plan.

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

9. The development hereby permitted shall operate in accordance with the Service Management Plan Rev.1 published 23 November 2022.

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

10. No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a final hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

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.

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

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

12. All hard and soft landscaped areas hereby permitted shall be operated and maintained in accordance with the Landscape Management Plan Rev.1 published by the Council on 23 November 2022.

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

13. No development shall commence on site (including demolition, site clearance and site preparation) unless a Final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. The Final Environmental Construction Management Plan shall include measures to control noise, dust, vibration and other nuisance during the demolition/construction phase to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Final Environmental Construction Management Plan.

Reason: To safeguard the amenities of the area and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

Approval is required upfront because construction works have the potential to harm the amenities of the area.

14. Prior to the construction of the drainage network, the applicant shall submit a final Drainage Assessment, compliant with 4.8 and Appendix E of the SPG, to be agreed with the Council which demonstrates the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100-year event, including an allowance for climate change (10%) and urban creep (10%). Thereafter all construction must be in accordance with the agreed details.

Reason: In order to safeguard against surface water flood risk.

15. Prior to installation of window units at each apartment façade (except for the west facing façade), the applicant shall submit to the Council, for review and approval in writing, a final window schedule detailing the glazing configuration and sound reduction performance of proposed windows to habitable rooms of the hereby permitted development. The sound reduction specification for the chosen windows shall be in accordance with the requirements identified within the submitted Aona Environmental Consulting Ltd Report Entitled: 'Noise Impact Assessment Report, Proposed Residential Apartment Development At Milner Street, Belfast' Dated September 2021. Thereafter all installation of windows must be in accordance with the approved details.

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

16. Prior to installation of alternative means of acoustically attenuated ventilation to be incorporated within each apartment façade of the hereby permitted development, the applicant shall submit to the Council, for review and approval in writing, confirmation of the specification of the acoustically attenuated alternative means of ventilation to serve habitable rooms on each façade (except for the west facing façade). The sound reduction specification for the alternative means of ventilation shall be in accordance with the requirements identified within the submitted Aona Environmental Consulting Ltd Report Entitled: 'Noise Impact Assessment Report, Proposed Residential Apartment Development At Milner Street, Belfast' Dated September 2021 and Aona email entitled NIA Milner Street dated 22/05/2023. All installations of ventilation thereafter shall be in accordance with the approved details.

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

17. Prior to installation of window units and alternative means of acoustically attenuated ventilation to be incorporated within each apartment on the western façade of the development, the applicant shall submit to the Council, for review and approval in writing, a final window schedule detailing the glazing configuration and sound reduction performance of proposed windows/acoustically attenuated ventilation to habitable rooms of the hereby permitted development. The sound reduction specification of the proposed triple glazed unit (Rw 53dB (-1; -4), or similar subject to final design) shall be in accordance with the annotated drawing entitled: Proposed West facing elevation overlooking NIE substation on Page 12 of the submitted Aona Environmental Consulting Ltd report Entitled: 'Updated Noise Impact Assessment NIE Substation Noise Sources. Client: Benamara Properties Ltd. Project: Proposed Residential Apartment Development At Milner Street, Belfast'. Date: February 2023. All installations of ventilation and window units thereafter shall be in accordance with the approved details.

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

18. Prior to occupation of each apartment of the hereby permitted development, the approved window schedule and approved alternative means of acoustically attenuated ventilation shall

be installed to all facades to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative means of ventilation provided. The approved windows and alternative means of ventilation shall be retained thereafter.

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

19. Prior to occupation of the hereby permitted development, the developer shall verify that the window schedule and alternative means of acoustically attenuated ventilation, as approved, have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.

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

20. Dust management measures, as detailed within Appendix B of the AONA Environmental, Air Quality Impact Assessment, Proposed Residential Apartment Development at Milner Street, Belfast (September 2021) shall be implemented throughout the duration of the construction phase of the development.

Reason: Protection of health.

21. In the event that any centralised combustion sources (boilers/CHP, biomass), where the single or combined NOx emission rate is more than 5mg/sec are proposed as part of this development, this Service would request that a revised Air Quality Impact Assessment be carried out and submitted to the Planning Authority. Information submitted must be sufficient to demonstrate that there will be no adverse impact on human health due to emissions.

Reason: Protection of human health.

22. In the event that piling is required, no development or piling work shall 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 Council. The methodology is available at: <http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environmentagency.gov.uk/scho0501bitt-e-e.pdf>. All construction thereafter must be in accordance with the approved details.

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

23. Prior to construction of the development hereby approved, all site investigation and geotechnical boreholes must be fully decommissioned and in line with SEPA guidance document Good practice for decommissioning redundant boreholes and wells (UK Groundwater Forum) available at: <https://www.sepa.org.uk/media/34618/decommissioning-redundant-boreholes-andwells.pdf> Evidence for the decommissioning shall be provided in the verification report required for Condition 25.

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

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

with the Council in writing, and subsequently implemented and verified to its satisfaction.

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

25. After completing any remediation works required and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>

The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all waste materials and risks and in achieving the remedial objectives.

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

ANNEX

Date Valid	02.11.2021
Date First Advertised	10.12.2021
Date Last Advertised	04.09.2023
Details of Neighbour Notification:	05.09.2023, 26.10.2022, 12.01.2022
Date of EIA Determination: N/A – does not meet threshold ES Requested: No	

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 th December 2023	
Application ID: LA04/2023/2390/F	Target Date:
Proposal: Section 54 application to vary a condition Nos. 02, 03, 04, 05, 06, 15, 22, 23, 27, 40 and 46 of planning approval LA04/2020/0804/F to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road.	Location: Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane Glanaulin 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast
Referral Route: Variation of Condition on major approval	
Recommendation:	Approval
Applicant Name and Address: Finbarr Grogan 25F Longfield Road Eglinton BT47 3PY	Agent Name and Address: Emma McIlwaine 20 May Street Belfast BT1 4NL
<p>Executive Summary:</p> <p>This application seeks planning permission for the variation of a number of conditions on planning approval LA04/2020/0804/F (Glenmona) to allow the removal of 21 lay-by parking spaces to facilitate the provision of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road within a substantial mixed use scheme currently under construction.</p> <p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> • Loss of Parking • Visual Impact • Impact on Amenity • Developer Contributions/Section 76 Agreement <p>The original planning permission, granted 10th March 2021, is for a mixed use development comprising 653 residential dwellings (549 social housing units and 104 affordable housing units), 2 residential care homes, retail centre, business units, community facilities, MUGA pitch and play area. The development is currently under construction.</p> <p>The requirement for a new Vehicle Restraint System (VRS), given a drop in levels between an internal road junction and neighbouring residential properties, resulted in the need for additional space to accommodate the safety feature. Subsequently a number of lay-by spaces had to be removed along the main east-west spine road to accommodate the safety feature.</p> <p>Dfi Roads has offered no objection to the removal of these parking spaces and is content that the remaining parking spaces are adequate to serve the approved development.</p> <p>The minor changes to the landscaping treatments, with the addition of a low wall and railings, to the road side of the new VRS, are of a design and quality that will be in keeping with the approved scheme and will not be of any visual detriment nor impact negatively on the amenity of approved residential properties.</p>	

All approved levels and gradients will remain the same.

A number of approved drawings, stated in original conditions, have been amended as a result of the changes. And as such a total of 11 conditions are the subject of this application.

Statutory consultees:

DFI Roads – No objection

Recommendation

Having regard to the development plan, planning history on the site, response from DFI Roads and other material considerations, the proposed variation to conditions, and subsequent addition of walls and railings , are considered acceptable.

It is therefore recommended that planning permission is granted. Delegated authority is sought for the Director of Planning and Building Control to enter into a new Section 76 planning agreement (this is a new standalone permission for the site and subsequently the original agreement is superseded).

Case Officer Report

Site Location Plan and approved layout



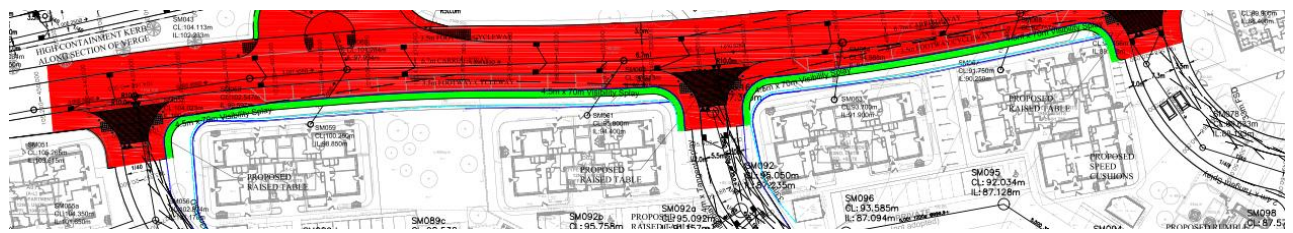
Area of approved layout impacted by proposal



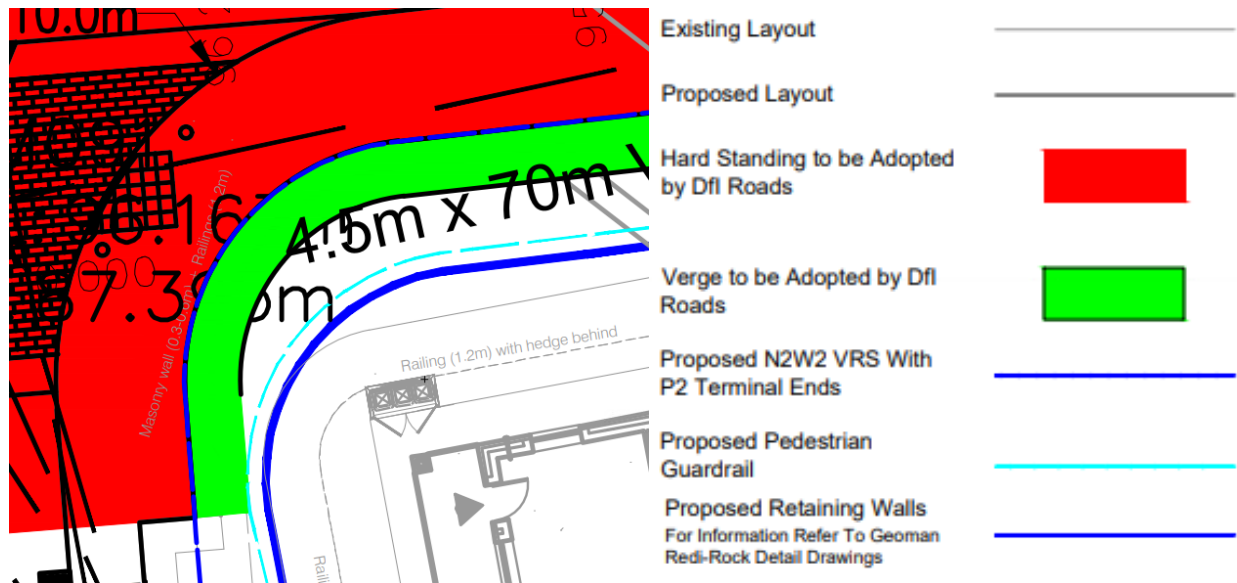
Area impacted by loss of parking



Extent of new Vehicle Restraint System (outer/ roadside edge of green area)



Detail



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| 1.0 | Description of Proposed Development |
| 1.1 | Section 54 application to vary a condition Nos. 02, 03, 04, 05, 06, 15, 22, 23, 27, 40 and 46 of planning approval LA04/2020/0804/F to allow the removal of 21 lay-by parking spaces to facilitate the introduction of a new Vehicle Restraint System (VRS) to the southern side of the approved east-west spine road. |
| 1.2 | The parking spaces to be removed, and the new Vehicle Restraint System are located to the roadside frontage of four approved apartment blocks on the southern side of the main east-west access road. |
| 1.3 | The proposal also sees the introduction of a 0.3-0.6m high masonry wall with 1.2m high painted railings on top along the stretch of road impacted by the new Vehicle Restraint System. The wall and railings will be located to the rear edge of a 1m wide service strip, located behind the VRS (the service strip is shown in green on the detailed drawings above). All levels and gradients will remain the same as approved. The previously approved layby will effectively become the area for the new shared footway/ cycle lane. |
| 1.4 | The amendment has impacted a number of approved drawings listed in planning conditions on the original approval, which have been amended accordingly and submitted as part of the application. Hence the variation of a total of 11 conditions as outlined below. The X's within some of the proposed conditions are due to the planning agent not being aware at the time of submission how the new drawings will be numbered and what date they will be published on the public planning portal by BCC Planning. |

	<p>Condition No: 02</p> <p>Original text for this condition:</p> <p>Save for the amendment in conditions Nos. 3-6 (inclusive) below no development shall take place unless in the sequence set out in the approved Phasing Plan (Drawing No. 08) published on the planning portal 13/10/20 unless the Council grants its prior written approval to any variation.</p> <p>Proposed amended text for this condition:</p> <p>Save for the amendment in conditions Nos. 3-6 (inclusive) below no development shall take place unless in the sequence set out in the approved Phasing Plan (Drawing No. X) published on the planning portal X/X/X unless the Council grants its prior written approval to any variation.</p> <p>Condition No: 03</p> <p>Original text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. 08 published on the planning portal 13/10/20) and submitted details, prior to occupation of the 100th residential unit, a temporary equipped play park shall be installed in Phase 4 in accordance with details which shall have first been submitted to and approved in writing by the Council. The temporary equipped play patch shall remain in situ in accordance with the approved details until the approved Local Equipped Area of Play (LEAP) has been implemented in Phase 12 in accordance with the approved details. The Council shall be notified in writing on occupation of the 100th residential unit.</p> <p>Proposed amended text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. X published on the planning portal X/X/X) and submitted details, prior to occupation of the 100th residential unit, a temporary equipped play park shall be installed in Phase 4 in accordance with details which shall have first been submitted to and approved in writing by the Council. The temporary equipped play patch shall remain in situ in accordance with the approved details until the approved Local Equipped Area of Play (LEAP) has been implemented in Phase 12 in accordance with the approved details. The Council shall be notified in writing on occupation of the 100th residential unit.</p> <p>Condition No: 04</p> <p>Original text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. 08 published on the planning portal 13/10/20) and submitted details prior to construction of Phase 10 the equipped play park in Phase 9 shall be installed in accordance with the approved details and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing prior to construction of Phase 10.</p> <p>Proposed amended text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. X published on the planning portal X/X/X) and submitted details prior to construction of Phase 10 the equipped play park in Phase 9 shall be installed in accordance with the approved details and shall</p>
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	<p>permanently remain in situ in accordance with the approved details. The Council shall be notified in writing prior to construction of Phase 10.</p> <p>Condition No: 05</p> <p>Original text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. 08 published on the planning portal 13/10/20) and submitted details the equipped play park Multi Use Games Area (MUGA) and Community Centre shall be constructed and ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>Proposed amended text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. X published on the planning portal X/X/X) and submitted details the equipped play park Multi Use Games Area (MUGA) and Community Centre shall be constructed and ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>Condition No: 06</p> <p>Original text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. 08 published on the planning portal 13/10/22) and submitted details the Retail Units and associated access and parking in Phase C1 shall be constructed and fitted out ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>Proposed amended text for this condition:</p> <p>Notwithstanding the approved Phasing Plan (Drawing No. X published on the planning portal X/X/X) and submitted details the Retail Units and associated access and parking in Phase C1 shall be constructed and fitted out ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>Condition No: 15</p> <p>Original text for this condition:</p> <p>A working strip adjacent to the culvert shown on drawing numbers 114, 115, 117, 118 and 120 (published on the planning portal 13/10/20) shall be retained and kept free of impediments (including tree planting hedges fencing sheds and other structures). The working strip should have a minimum width of 5 metres and be provided with clear access and egress at all times.</p> <p>Proposed amended text for this condition:</p> <p>A working strip adjacent to the culvert shown on drawing numbers 115, 118 and 120 (published on the planning portal 13/10/20) and drawing numbers X and X (published on</p>
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	<p>the planning portal X/X/X) shall be retained and kept free of impediments (including tree planting hedges fencing sheds and other structures). The working strip should have a minimum width of 5 metres and be provided with clear access and egress at all times.</p> <p>Condition No: 22</p> <p>Original text for this condition:</p> <p>All existing trees on the site with the exception of those identified for felling on the Park Hood Tree Constraints Plan ref. L202B (Drawing No. 09 published on the planning portal 13/10/20) shall be permanently retained. No retained tree shall be cut down uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance without the prior written consent of the Council.</p> <p>Proposed amended text for this condition:</p> <p>All existing trees on the site with the exception of those identified for felling on the Park Hood Tree Constraints Plan ref. L202E (Drawing No. X) published on the planning portal X/X/X) shall be permanently retained. No retained tree shall be cut down uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance without the prior written consent of the Council.</p> <p>Condition No: 23</p> <p>No equipment machinery or materials are to be brought on the site for the purpose of development of a particular phase including demolition and site clearance until all retained trees in that phase (as shown on Drawing Numbers 10 (6629-L-203B), 11 (6629-L-204B), 12 (6629-L205B), 13 (6629-L-206B), 14 (6629-L-207B) and 15 (6629-L-208B) date published on the Planning Portal on 23/10/20 as being retained) have been protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design demolition and construction.</p> <p>Recommendations and the recommendations in the Dr Philip Blackstock Tree Survey and Report dated July 2019. These protection measures shall remain in place until the construction works for that phase are complete and all plant and machinery has been removed from the site. Within the fenced area no activities associated with building operations shall take place no storage of materials and the ground levels within those areas shall not be altered.</p> <p>Proposed amended text for this condition:</p> <p>All trees which are removed shall be compensated for by the planting of new native species trees in accordance with approved plan No. X (6629-L-203D) published on the Planning Portal on X/X/X. All new planting shall be carried out within the first available planting season after the last residential unit within each phase of the development hereby approved has been occupied. Any new trees which within a period of five years from the completion of the development 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.</p>
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	<p>Condition No: 27</p> <p>Original text for this condition:</p> <p>All proposed landscaping and planting works shall be carried out in accordance with the approved details on the Park Hood drawings No. 10 (6629-L-203B) to 15 (6629-L-208B); 16 (6629-L-211B); and 17 (6629-L-212B) Landscape Plans / Proposals published on the Planning Portal on 23/10/20. No phase of the development hereby approved shall be occupied until the planting for that phase has been completed or within the first available planting season after occupation of that phase whatever is the sooner or unless otherwise agreed in writing by the Council.</p> <p>Proposed amended text for this condition:</p> <p>All proposed landscaping and planting works shall be carried out in accordance with the approved details on the Park Hood drawings No. 13 (6629-L-206B) to 15 (6629-L-208B); 16 (6629-L-211B); and 17 (6629-L-212B) Landscape Plans / Proposals published on the Planning Portal on 23/10/20 and drawings No. X (6629-L-203D) to X (6629-L-205C) Landscape Plans/Proposals published on the Planning Portal on X/X/X.</p> <p>No phase of the development hereby approved shall be occupied until the planting for that phase has been completed or within the first available planting season after occupation of that phase whatever is the sooner or unless otherwise agreed in writing by the Council.</p> <p>Condition No: 40</p> <p>Original text for this condition:</p> <p>No vehicle movements shall be permitted within the service area of approved retail units 1 to 4 (as shown on Drawing No. 77 (IBHO673 1003 Rev. A) published on the Planning Portal on 13/10/20) between the hours of 23:00 and 07:00.</p> <p>Proposed amended text for this condition:</p> <p>No vehicle movements shall be permitted within the service area of approved retail units 1 to 4 (as shown on Drawing No. X (IBHO673 1003 Rev. E) published on the Planning Portal on X/X/X) between the hours of 23:00 and 07:00.</p> <p>Condition No: 46</p> <p>Original text for this condition:</p> <p>No phase of development shall be occupied until the necessary vehicular accesses for that phase including visibility splays and any forward sight distance have been constructed in accordance with the following approved drawings:</p> <ul style="list-style-type: none"> i. IBH0673/1010 Revision A 'Proposed Levels and Visibility Overall with Sheet Numbers' Drawing No. 81, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. ii. IBH0673/1011 Revision A 'Proposed Levels and Visibility Sheet 1 of 6' Drawing No. 82, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. iii. IBH0673/1012 Revision A 'Proposed Levels and Visibility Sheet 2 of 6' Drawing No. 83, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.
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	<p>iv. IBH0673/1013 Revision A 'Proposed Levels and Visibility Sheet 3 of 6' Drawing No. 84, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>v. IBH0673/1014 Revision A 'Proposed Levels and Visibility Sheet 4 of 6' Drawing No. 85, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>vi. IBH0673/1015 Revision A 'Proposed Levels and Visibility Sheet 5 of 6' Drawing No. 86, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>vii. IBH0673/1016 Revision A 'Proposed Levels and Visibility Sheet 6 of 6' Drawing No. 87, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. 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 and such splays shall be retained and kept clear thereafter.</p> <p>Proposed amended text for this condition:</p> <p>No phase of development shall be occupied until the necessary vehicular accesses for that phase including visibility splays and any forward sight distance have been constructed in accordance with the following approved drawings:</p> <p>i. IBH0673/1010 Revision E 'Proposed Levels and Visibility Overall with Sheet Numbers' Drawing No. X, published on the Planning Portal X/X/X and bearing the DfI Roads determination stamp.</p> <p>ii. IBH0673/1011 Revision A 'Proposed Levels and Visibility Sheet 1 of 6' Drawing No. 82, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>iii. IBH0673/1012 Revision F 'Proposed Levels and Visibility Sheet 2 of 6' Drawing No. X, published on the Planning Portal X/X/X and bearing the DfI Roads determination stamp.</p> <p>iv. IBH0673/1013 Revision F 'Proposed Levels and Visibility Sheet 3 of 6' Drawing No. X, published on the Planning Portal X/X/X and bearing the DfI Roads determination stamp.</p> <p>v. IBH0673/1014 Revision A 'Proposed Levels and Visibility Sheet 4 of 6' Drawing No. 85, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>vi. IBH0673/1015 Revision A 'Proposed Levels and Visibility Sheet 5 of 6' Drawing No. 86, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp.</p> <p>vii. IBH0673/1016 Revision A 'Proposed Levels and Visibility Sheet 6 of 6' Drawing No. 87, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. 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 and such splays shall be retained and kept clear thereafter.</p>
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2.0	Description of Site
2.1	The site is located on the western edge of the Belfast Urban Area and just within the settlement limits as defined the Belfast Urban Area Plan and Belfast Metropolitan Area Plan 2015. The site has an area of approximately 35.5Ha and is bound by housing and schools to the south and south-west, the Upper Springfield Road and Belfast Hills to the north and north-west and a major arterial road to the east (Monagh By-Pass).
2.2	The site itself is well defined with mature planting along all boundaries, and within the site itself. The site, currently being developed, rises steeply from the southern-most point on the Glen Road to the northern edge along the Upper Springfield Road. In terms of the Glen Road portion, the frontage is quite limited and occupies only a narrow existing access point. Low level hedging defines the extent of the eastern boundary with the Monagh By-Pass with the higher parts of the site abutting the Upper Springfield Road, which defines the settlement limit, are bound by a mix of 2-3m high vegetation and a 3m high railings.
2.3	All previous buildings on the site have been demolished to make way for the approved mixed use development, currently under construction. The site is now served by a new access and signalised junction off Monagh By-Pass.
2.4	The following zonings apply to the site: The site is zoned as a Mixed Use Site (Zoning BT002) in BMAP 2015 (published September 2014) as shown in the map below. The Zoning has a number of Key Site Requirements which are discussed below under the Development Plan Section of the report.
3.0	Planning History of the application site
3.1	Z/2010/1284/O - Proposed major mixed use development comprising residential use (mixture of private and social/affordable housing); residential institutions in the form of replacement support/care homes; business uses; light industry; local retail, retail services, professional services and community and cultural uses within a single shopping/commercial area; an education campus; an hotel; a variety of open space and recreational provision and associated infrastructure improvements. Approved 6 th December 2013
3.2	LA04/2020/0804/F - Proposed major mixed use development comprising 653 residential dwellings (549 social housing units and 104 affordable housing units); 2 replacement residential care homes; mixed use area including local neighbourhood retail centre (1 convenience retail anchor unit and 3 retail/hot food/coffee shop units and hotel; Class B business uses within employment zone comprising a mix of 6 Class B1a offices; 1 Class B1b/B1c call centre and R&D office; and 11 Class B1b/B1c/B2 call centre and R&D offices/light industrial units.; community facilities including community building; MUGA pitch and play area. Development includes 2 vehicular site access points from Monagh By-Pass (1 signalised), associated internal road network, pedestrian and cycle ways, public open space, children's play area(s), landscaping, 2 no. waste water treatment works, and all other site and access works. Approved 10 th March 2021
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • SP1a Managing growth and supporting infrastructure delivery • SP2 Sustainable development • SP3 Improving health and wellbeing • SP5 Positive placemaking • SP7 Connectivity • SP8 Green and blue infrastructure network • RD1 New Residential Developments • DES1 Principles of Urban Design • DES2 Masterplanning approach for Major development • TRAN 1 Active Travel • TRAN 2 Creating an Accessible Environment • TRAN 4 Travel Plan • TRAN 6 Access to Public Roads • TRAN 8 Car Parking and Servicing Arrangements • TRAN 9 Parking Standards within areas of parking restraint • ENV1 Environmental Quality • OS3 Ancillary Open Space
4.5	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps ("Departmental Development Plan), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
4.6	The site is zoned as a Mixed Use Site (Zoning BT002) in BMAP 2015 (published September 2014) as shown in the map below.
4.7	<p><u>Regional planning policy</u></p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Creating Places</p>

4.8	<p><u>Other Relevant Policies</u></p> <p>PBMSA in Belfast – Planning and Place Advice Note Belfast: A Framework for student housing and purpose-built student accommodation Developer Contribution Framework</p>
5.0	<p>Statutory Consultees DFI Roads – objection on grounds of lack of dedicated disabled parking</p>
6.0	<p>Non-Statutory Consultees N/A</p>
7.0	<p>Representations</p>
7.1	<p>2 representations have been received.</p>
7.2	<p>One queried where the new road would be going. The other expressed concerns over a lack of information and seemingly discontent at the level of development on Upper Springfield Roads and queried the need for the proposed development.</p>
7.3	<p>In response to the issues it should be noted that the development of this site has already been approved and is ongoing. There is sufficient information relating to the proposal available on the public planning portal. The advertised description specifically referred to the removal of parking spaces to enable the introduction of a Vehicle Restraint System.</p>
8.0	<p>ASSESSMENT</p>
8.1	<p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> • Loss of Parking • Visual Impact • Impact on Amenity • Section 76 Agreement
8.33	<p>Loss of Parking The proposal has been assessed against Policies TRAN2, TRAN8 and TRAN9 of the Local Development Plan – Plan Strategy 2035 (PS). The requirement for a Vehicle Restraint System, given a drop in levels between an internal road and junctions and neighbouring residential properties, resulted in the need for additional space to accommodate the safety feature. It was considered that the removal of a number of lay-by spaces, which were more remote from the nearest residential properties, and the subsequent retention of a pedestrian/ cycle path represented the most sustainable solution.</p>
8.34	<p>Dfi Roads has offered no objection to the removal of these parking spaces and is content that the remaining parking spaces are adequate to serve the approved development.</p>
8.35	<p>It should be noted that these car parking spaces were located at the side of a main through road and as such their removal should assist traffic flow and represents a safer arrangement for drivers and pedestrians alike.</p>
8.36	<p>Visual Impact The proposal has been assessed against Policies RD1 and DES1 of the PS. The minor changes to the landscaping treatments, with the addition of a low wall and railings along the road are of a design and quality that will be in keeping with the approved scheme and will not be of any visual detriment. The wall and railings will define the southern edge of</p>

	<p>the main east-west access road and given their modest height will not be overly dominant or impact negatively on the overall character of the approved mixed use scheme.</p> <p>Impact on amenity</p> <p>8.37 The proposal has been assessed against the SPPS (paras 4.11 and 4.12) and Policies RD1 and DES 1 of the PS.</p> <p>8.38 The proposed additional boundary treatments, a 0.3-0.6m high masonry wall with 1.2m high painted railings on top to the northern side of four of the approved apartment blocks is not significant enough in scale to have any detriment to the amenity of the prospective residents. The additional boundary treatment will help create a buffer and define a defensible space between the apartment blocks and what will be one of the two main access roads through the site. It is important to note that the levels remain as approved, s the road will sit at the same height in relation to the approved apartment blocks.</p> <p>Developer Contributions/ Section 76 Agreement</p> <p>8.39 Should approval be forthcoming, this would be a new standalone permission on the site. As such a new Section 76 Agreement will have to be finalised which reiterates the obligations set out on the original Section 76 that accompanied approval LA04/2021/0804/F</p> <p>The planning agreement has not yet been finalised at this time, and as such delegated authority is requested to conclude the process.</p>
10.0	Recommendation
10.1	Having regard to the development plan and other material considerations, the proposed variation of conditions, and removal of 21 approved layby parking spaces, are considered acceptable.
10.2	It is therefore recommended that planning permission is approved. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and enter into a Section 76 Agreement. All original conditions (apart from those amended herein), as well as the new (Nos 1-7) and amended conditions (Nos 8-19) set out below, will be included on the decision notice.
11.0	<p>Draft Conditions</p> <ol style="list-style-type: none"> 1. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.IBH0673/PL/1500 Rev.B bearing Department for Infrastructure Determination date stamp 9th November 2023, prior to the occupation of any other works or other development hereby permitted. 2. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is occupied and such splays shall be retained and kept clear thereafter. 3. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. <p>The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No.IBH0673/PL/1500 Rev.B bearing the Department for Infrastructure Determination date stamp 9th November 2023.</p>

	<ol style="list-style-type: none"> 4. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed to base course. The final wearing course shall be applied on the completion of each phase of the development. 5. The development hereby permitted shall not be occupied until any retaining structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG300 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges. 6. The development hereby permitted shall not be occupied until any works requiring Geotechnical Certification have been approved and constructed in accordance with CD622 Managing Geotechnical Risk: Volume 4; Design Manual for Roads and Bridges. 7. The development hereby permitted shall not be occupied until any vehicle restraint system deemed necessary has been approved and constructed in accordance with the requirements of the Design Manual for Roads and Bridges and any other relevant standards and technical guidance. 8. Save for the amendment in conditions Nos. 9-12 (inclusive) below no development shall take place unless in the sequence set out in the approved Phasing Plan (Drawing No. 00006A) published on the planning portal 24/02/23) unless the Council grants its prior written approval to any variation. 9. Notwithstanding the approved Phasing Plan (Drawing No. 00006 published on the planning portal 24/02/23) and submitted details, prior to occupation of the 100th residential unit, a temporary equipped play park shall be installed in Phase 4 in accordance with details which shall have first been submitted to and approved in writing by the Council. The temporary equipped play patch shall remain in situ in accordance with the approved details until the approved Local Equipped Area of Play (LEAP) has been implemented in Phase 12 in accordance with the approved details. The Council shall be notified in writing on occupation of the 100th residential unit. 10. Notwithstanding the approved Phasing Plan (Drawing No. 00006 published on the planning portal 24/02/23) and submitted details prior to construction of Phase 10 the equipped play park in Phase 9 shall be installed in accordance with the approved details and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing prior to construction of Phase 10. 11. Notwithstanding the approved Phasing Plan (Drawing No. 00006 published on the planning portal 24/02/23) and submitted details the equipped play park Multi Use Games Area (MUGA) and Community Centre shall be constructed and ready for occupation within 3 months from the date of first occupation of any dwelling in Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11. 12. Notwithstanding the approved Phasing Plan (Drawing No. 00006 published on the planning portal 24/02/23) and submitted details the Retail Units and associated access and parking in Phase C1 shall be constructed and fitted out ready for occupation within 3 months from the date of first occupation of any dwelling in
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	<p>Phase 11 and shall permanently remain in situ in accordance with the approved details. The Council shall be notified in writing on first occupation of any dwelling in Phase 11.</p> <p>13. A working strip adjacent to the culvert shown on drawing numbers 115, 118 and 120 (published on the planning portal 13/10/20) and drawing numbers 669-L-203D, 669-L-204D and 669-L-205C (published on the planning portal 24/02/23) shall be retained and kept free of impediments (including tree planting hedges fencing sheds and other structures). The working strip should have a minimum width of 5 metres and be provided with clear access and egress at all times.</p> <p>14. All existing trees on the site with the exception of those identified for felling on the Park Hood Tree Constraints Plan ref. L202E published on the planning portal 24/02/23) shall be permanently retained. No retained tree shall be cut down uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance without the prior written consent of the Council.</p> <p>15. All trees which are removed shall be compensated for by the planting of new native species trees in accordance with approved plan No. 6629-L-203D published on the Planning Portal on 24/02/23. All new planting shall be carried out within the first available planting season after the last residential unit within each phase of the development hereby approved has been occupied. Any new trees which within a period of five years from the completion of the development 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.</p> <p>16. All proposed landscaping and planting works shall be carried out in accordance with the approved details on the Park Hood drawings No. 13 (6629-L-206B) to 15 (6629-L-208B); 16 (6629-L-211B); and 17 (6629-L-212B) Landscape Plans / Proposals published on the Planning Portal on 23/10/20 and drawings Nos. 6629-L-203D to 6629-L-205C Landscape Plans/Proposals)published on the Planning Portal on 24/02/23).</p> <p>17. No phase of the development hereby approved shall be occupied until the planting for that phase has been completed or within the first available planting season after occupation of that phase whatever is the sooner or unless otherwise agreed in writing by the Council.</p> <p>18. No vehicle movements shall be permitted within the service area of approved retail units 1 to 4 (as shown on Drawing No. IBHO673 1003 Rev. E (published on the Planning Portal on 24/02/23) between the hours of 23:00 and 07:00.</p> <p>19. No phase of development shall be occupied until the necessary vehicular accesses for that phase including visibility splays and any forward sight distance have been constructed in accordance with the following approved drawings:</p> <ul style="list-style-type: none"> i. IBH0673/1010 Revision E 'Proposed Levels and Visibility Overall with Sheet Numbers', published on the Planning Portal 24/02/23 and bearing the DfI Roads determination stamp.
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	<ul style="list-style-type: none"> ii. IBH0673/1011 Revision A 'Proposed Levels and Visibility Sheet 1 of 6' Drawing No. 82, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. iii. IBH0673/1012 Revision F 'Proposed Levels and Visibility Sheet 2 of 6', published on the Planning Portal 24/02/23 and bearing the DfI Roads determination stamp. iv. IBH0673/1013 Revision F 'Proposed Levels and Visibility Sheet 3 of 6', published on the Planning Portal 24/02/23 and bearing the DfI Roads determination stamp. v. IBH0673/1014 Revision A 'Proposed Levels and Visibility Sheet 4 of 6' Drawing No. 85, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. vi. IBH0673/1015 Revision A 'Proposed Levels and Visibility Sheet 5 of 6' Drawing No. 86, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. vii. BH0673/1016 Revision A 'Proposed Levels and Visibility Sheet 6 of 6' Drawing No. 87, published on the Planning Portal 13/10/20 and bearing the DfI Roads determination stamp. 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 and such splays shall be retained and kept clear thereafter.
13.0	Representations from elected members: N/A

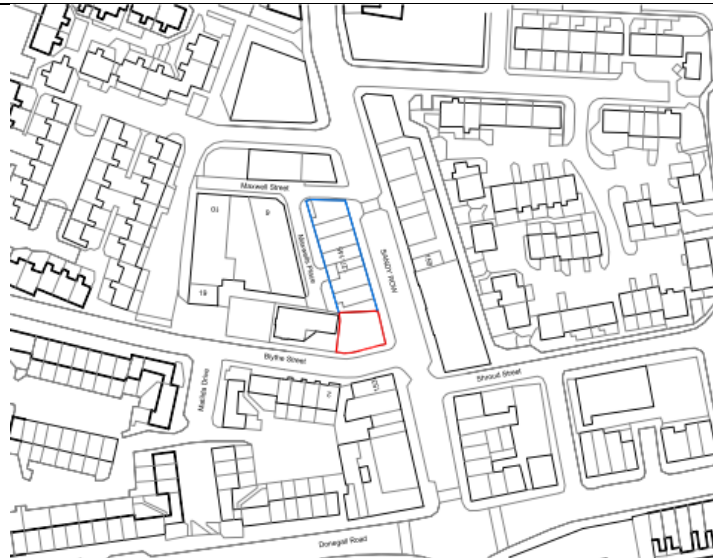
ANNEX	
Date Valid	22 nd February 2023
Date First Advertised	10 th March 2023
Date Last Advertised	10 th March 2023
Date of Last Neighbour Notification	28 th February 2023
Date of EIA Determination	N/A – no new environmental information received
ES Requested	N/A

Case Officer Report

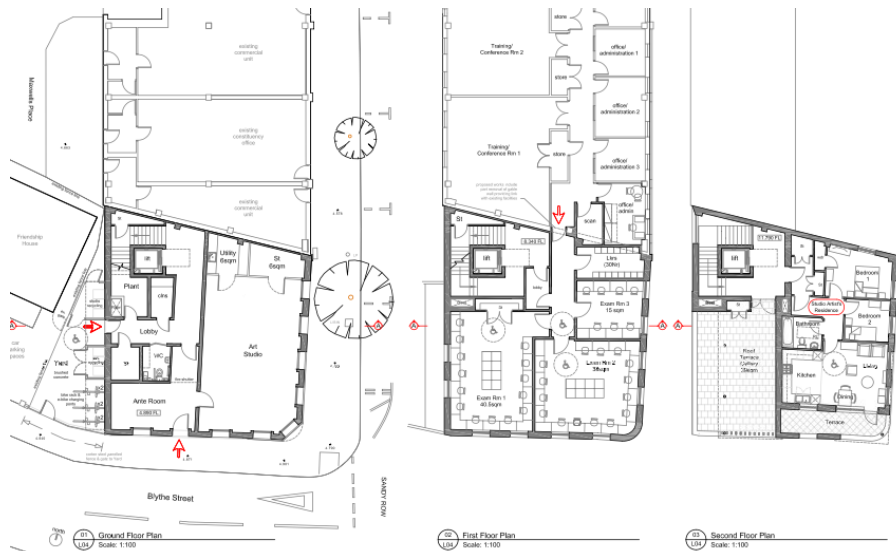
Development Management Report Committee Application

Summary	
Application ID: LA04/2023/3547/F	Date of Committee: 12 th December 2023
Proposal: Three storey side extension to existing Community Building to provide, Artist's Studio, Gallery Space, Digital Hub on ground and 1st floor and apartment to provide Artist's Residence on 2nd floor.	Location: 149-151, Sandy Row, Belfast, BT12 5ET
Referral Route: Referral to the Planning Committee under section 3.8.5 (d) of the Scheme of Delegation	
Recommendation:	Approve
Applicant Name and Address: Neil McCartan Design Hub 5D The Square Hillsborough BT26 6AG	Agent Name and Address: Neil McCartan 22a Lisburn Street Hillsborough
<p>Executive Summary: The site is located at 149-151 Sandy Row. The site is a rectangular plot of vacant land on a corner site fronting both Sandy Row and Blythe Street. The proposal forms a side extension to the existing neighbouring two storey terrace and will link to the existing first floor community use. The proposal is located in the city centre on whiteland within dBMAP (v2004 and 2014).</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of the Development • Scale, Massing and Design • Impact on Neighbouring Amenity • Parking • Environmental Policies • NI Water <p>The proposed location for the community use is considered appropriate within the city centre and will regenerate a vacant brownfield site, the proposal will bring substantial community benefits to the surrounding area.</p> <p>The surrounding area contains a mix of dwellings and large apartment blocks and given the sustainable location the apartment on the second floor use is considered acceptable.</p> <p>The scale, massing and design of the extension is considered sympathetic to the surrounding area. The high quality design and materials on the corner site responds positively to the streetscape and provides a focal point.</p> <p>Two letters of support were received from Councillor Tracey Kelly and Edwin Poots MLA citing the benefits of the community use and regeneration of the vacant site.</p> <p>Environmental Health, DFI Roads, Northern Ireland Environment Agency and Shared Environmental Services had no objections. NI Water objected stating a lack of wastewater capacity and this has been addressed within the report.</p>	

Site Location Plan



Proposed Floor Plans



Proposed Elevations



Characteristics of the Site and Area	
1.0	Description of Proposed Development Three storey side extension to existing Community Building to provide, Artist's Studio, Gallery Space, Digital Hub on ground and 1st floor and apartment to provide Artist's Residence on 2nd floor.
2.0	Description of Site The site is located at 149-151 Sandy Row. The site is a rectangular plot of vacant land on a corner site fronting both Sandy Row and Blythe Street. The proposal forms a side extension to the existing neighbouring two storey terrace and will link to the existing first floor community use. The surrounding area is characterised as mixed use with retail, offices and fast food takeaways situated along Sandy Row while to the rear of the site along Blythe Street is residential. Within the surrounding area buildings are typically two storey terraces of mixed with no conformity of materials with higher apartment buildings and warehouses in the wider area.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History Application Number: Z/2007/1129/F, 149-151 Sandy Row, Construction of two ground floor retail units and six apartments above, Permission Granted.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application: SP2 Sustainable Development DES1 Principles of Urban Design CI 1 Community Infrastructure RD 1 New Residential Developments HOU 7 Adaptable and Accessible Accommodation TRAN 8 Car Parking and Servicing Arrangements ENV 1 Environmental Quality ENV 2 Mitigating Environmental Change ENV3 Adapting to Environmental Change ENV 5 Sustainable Drainage Systems (SuDS)</p> <p>Development Plan – zoning, designations, and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other material considerations None</p>
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
5.0	Statutory Consultees Responses DFI Roads- No objection

6.0	Non Statutory Consultees Responses NI Water- Objects NIEA- Refers to Standing Advice SES- No objections with conditions Environmental Health- No objections with conditions
7.0	Representations The application was advertised on the 25 th August 2023 and neighbour notified on 7 th September. Two letters of support were received from Tracy Kelly and Edwin Poots.
8.0	Other Material Considerations None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the Development Plan.
9.2	Assessment The key issues to be considered are: <ul style="list-style-type: none"> • Principle of the Development • Scale, Massing and Design • Impact on Neighbouring Amenity • Parking • Environmental Policies • NI Water
9.3	Principle of the Development The proposal is comprised of a three storey extension to the existing terrace. The proposal will link to the existing community use on the first floor of the neighbouring terrace. The proposal contains an art studio at the ground floor, exam rooms and offices on the first floor and a 2 bedroom apartment on the second floor with a roof terrace described as an artist's residence.
9.4	The proposed community use is to be assessed under Policy CI1 of the Belfast LDP Plan Strategy. The policy states that planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area. The proposed location is considered appropriate within the city centre and given the mixed use within the surrounding area. The location is considered accessible within close proximity to the Donegal Road which is an arterial route. The proposal will extend an existing community use and redevelop a vacant plot of land bringing with it substantial community benefits.
9.5	The proposal contains a second floor apartment described as an artist's residence. The surrounding area contains a mix of dwellings and large apartment blocks and given the sustainable location the apartment above the community use is considered acceptable. The proposed layout includes two bedrooms which complies with space standards and an open plan kitchen/living area which have an appropriate outlook onto the street. The proposal includes a terrace which provides sufficient amenity space and appropriate bin storage and cycle parking is provided to the rear of the building. The apartment includes a separate entrance to the community use but remains to have access to the public street. The proposed apartment is deemed to comply with policy RD1.
9.6	In addition the apartment has been designed in a flexible way to ensure that it adaptable throughout all stages in life. The proposal includes a sheltered main entrance, living and kitchen space at entrance level and a bathroom on the same floor as the main bedroom designed to provide an accessible shower if required. The proposal therefore complies with Policy HOU 7.

9.7	<p>Scale, Massing and Design</p> <p>The proposal is a three storey extension with a flat roof of a modern design. The extension contains a taller element adjoining the neighbouring building before being set down towards the junction of Sandy Row and Blythe Street. The materials include corten steel panels and red brick. The surrounding area is mainly comprised of two storey buildings with a single storey building neighbouring the building to the rear. The wider area contains taller buildings such as the warehouses to the rear and apartment buildings at the junction of Sandy Row and Donegall Road. While the building is taller than those in the surrounding area the use of the flat roof ensures the height and massing remains sympathetic and will not appear out of place. The design is of a high quality and given the corner site location the proposed extension will be a focal point within the streetscape and responds positively to the surrounding area. The proposal accords with Urban Design principles contained within policy DES1 of the Plan Strategy.</p>
9.8	<p>Impact on Residential Amenity.</p> <p>The proposal is within close proximity of terrace dwellings on Blythe Street, the proposed scale and massing is appropriate and will not cause undue overshadowing or overlooking. The proposed apartment contains a terrace which will be subject to a high degree of traffic noise from Sandy Row. Given the lack of opportunity to provide amenity space elsewhere within the scheme the terrace is welcome and will provide amenity value despite the location. Environmental Health were consulted and had no objections to the scheme with conditions.</p>
9.9	<p>Parking</p> <p>The proposal is within the city centre in a sustainable location and contains on street parking to the front. DFI Roads were consulted and had no objections.</p>
9.10	<p>Environmental Policies</p> <p>The proposal incorporates a number of measures to adapt to environmental change in order to support sustainable development such as the orientation of the building to ensure solar gain as well as utilising solar panels on the roof.</p>
9.11	<p>NI Water</p> <p>NI Water were consulted and state that waste water treatment capacity is not available for the proposed development.</p>
9.12	<p>The Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p>
9.13	<p>A precautionary approach applies when applying the HRA Regulations. The onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. In this case, NIW has not provided specific evidence to demonstrate that the proposal would likely have a significant environmental effect on Belfast Lough, but more general concerns that the site may be hydrologically linked to the lough and may harm its water quality. There is no direct evidence that this would be the case. Nevertheless, given the current use of the site and the scale and nature of the proposal, it is considered that the proposal could clear intensification of the use of the site and demand on drainage infrastructure. SES and DAERA have therefore been consulted. DAERA referred to standing advice while 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.</p>

10.0	<p>Summary of Recommendation:</p> <p>It is recommended that planning permission be granted. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>
11.0	<p>Draft Conditions</p> <ol style="list-style-type: none"> <p>The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.</p> <p>Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.</p> <p>Prior to construction of the hereby permitted development, the applicant shall submit to and have agreed in writing by the Planning Authority, confirmation of the sound reduction specification (in terms of dBRtra) for the windows of habitable rooms to the proposed apartment as well as the sound reduction specification of alternative means of ventilation (such as acoustically attenuated vents) to address road traffic noise. The report, to be produced by a competent acoustic consultant, must be based on a representative road traffic noise survey and demonstrate that the proposed sound reduction specifications of the façade/structural elements are sufficient to ensure that internal noise levels do not exceed:</p> <ul style="list-style-type: none"> 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, if required with the windows closed and alternative means of acoustic ventilation provided. 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any bedroom, if required with the windows closed and alternative means of acoustic ventilation provided. 45 dB LAmx more than 10 times between 23:00hrs and 07:00hrs within any proposed bedrooms if required with the windows closed and alternative means of ventilation provided. <p>Reason: Protection of human health and residential amenity.</p> <p>Prior to occupation of the development, the noise mitigation measures and alternative means of acoustic ventilation, if required, as approved under condition 3 shall be installed as agreed in writing with the Planning Authority and maintained thereafter.</p> <p>Reason: Protection against adverse noise impact.</p> <p>The development hereby permitted shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.</p>

	<p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>6. 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.</p> <p>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.</p>

Notification to Department (if relevant)

N/A

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Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2023/3832/F	Committee Meeting Date: 12 th December 2023
Proposal: Section 54 application to vary condition No. 4 of LA04/2013/434/F (as amended in PAC decision 2016/A0033) to vary trigger point for provision of community centre. Proposed amended text for this condition: In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this	Location: Blacks Gate Development (Former Visteon Factory) Blacks Road Belfast, BT10
Referral Route: Variation of Condition on Major Application	
Recommendation:	Approval
Applicant Name and Address: Radius Housing 37 Redburn Square Hollywood	Agent Name and Address: TSA Planning 20 May St Belfast BT1 4NL
Executive Summary: This application seeks full planning permission for the variation of condition No. 4 of LA04/2013/434/F (as amended in PAC decision 2016/A0033) to vary trigger point for provision of community centre, previously approved as part of a wider mixed use development including 244no social and private/affordable residential units and class B business units (class B1b/B1c/B2 uses). The proposal is to extend the completion of the community centre from 3 years from the occupation of the first dwelling to 6 years. The key issues for the assessment of the application are: <ul style="list-style-type: none"> Timing of completion of approved community centre. The first dwelling was occupied on 29 th July 2021. Subsequently, the proposed variation of condition would require that the community centre would be completed by 29 th July 2027, as opposed to 29 th July 2024. The supporting information submitted with the application cited COVID19 and other delays during construction as reasons why this completion date is no longer feasible. It is Officer's opinion that an extension of time by three years, although unfortunate, in this instance is entirely reasonable given the circumstances. The developer will still be required to provide the community centre, and as such will be secured as part of the approved mixed use scheme.	
Statutory consultees: N/A	

Recommendation

Having regard to the development plan, planning history on the site and other material considerations, the proposed variation of condition is considered acceptable.

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

Case Officer Report

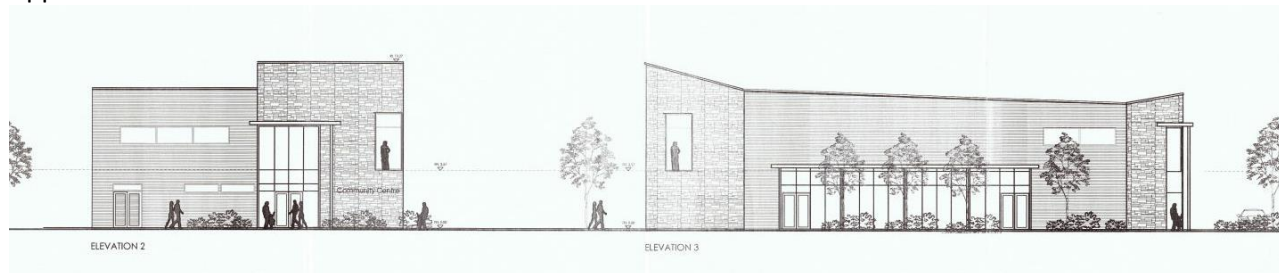
Site Location Plan and approved layout



Location of Community Centre



Approved elevations



1.0	Description of Proposed Development
1.1	<p>Section 54 application to vary condition No. 4 of LA04/2013/434/F (as amended in PAC decision 2016/A0033) to amend trigger point for provision of community centre by three years.</p> <p>Condition to be varied: No: 04 (as amended in PAC decision 2016/A0033) Original text for this condition:</p>
1.2	<p>In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than three years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this.</p> <p>Proposed amended text for this condition:</p>
1.3	<p>In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this.</p>
2.0	Description of Site
2.1	<p>The site is located within the western part of the Belfast Urban Area and just within the settlement limits as defined the Belfast Urban Area Plan and Belfast Metropolitan Area Plan 2015. The site has an area of approximately 8.7Ha and is bound by housing and schools to the south and south-west off Black Rad, and housing/ approved housing off Finaghy Road North to the east.</p>
2.2	<p>The site itself is well defined with mature planting along all boundaries, with the site rising to the western boundary where is abuts existing housing.</p>
2.3	<p>The Visteon Factory Buildings have been demolished further to the original planning approval and the site is currently being developed with many of the residential units built out and occupied.</p>
2.4	<p>The following zonings apply to the site: The site is located within the development limits of Belfast as designated in both the Belfast Urban Area Plan and the proposed Draft Belfast Metropolitan Area Plan. The site is zoned as existing employment/ industry (BT11/29) in the draft BMAP 2004 and south of zoning BT102/19 (Ladybrook SLNCI) and uzoned whiteland in the BMAP 2015 (2014).</p>

3.0	Planning History of the application site
3.1	Z/2006/2339/O - Proposed mixed use residential and business park development (approved 28th August 2007)
3.2	Z/2013/1434/F - Demolition of existing buildings and proposed comprehensive mixed-use development comprising 244no social and private/affordable residential units (with access from Black's Road), with associated public open space/linear park. Non-residential element to include community centre and class B business units (class B1b/B1c/B2 uses) with associated parking and access from Finaghy Road North. (approved 8th January 2016)
3.3	2016/A0033 - Condition 4 of planning approval LA04/2013/1434/F amended to remove the requirement for erection of the business unit Block C,
3.4	LA04/2019/0779/NMC - Inclusion of finished floor levels and finished ground levels within 'employment' area of originally approved layout. Blocks A, B, C and Community Centre. (approved 21 st June 2019)
3.5	LA04/2017/1489/F - Proposed ground excavations from a 'Borrow Pit' (overall dimensions approximately 170-200m length, 22-50m width, 6m depth) to provide 30,000m ³ of clean natural clay soils capping material for use within remediation capping layers and associated Remedial Strategy for the approved Mixed Use Residential and Commercial Development (granted permission under Ref Z/2013/1434/F). Ground excavations to be undertaken in a phased and progressive approach from south to north to limit the size of the exposed excavated area at any one time with resulting 'Borrow Pit' void backfilled with existing made ground material comprising of sandy gravelly clay with angular gravel (hardcore) and also including sporadic asbestos cement fragments (typically less than 5cm in size and equating to approximately 0.015% of the made ground mass) from within the development site and covered with a remediation capping layer in line with remedial strategy. (approved 26 th February 2018)
4.0	Policy Context
4.1	Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
4.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
4.3	The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.
4.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <ul style="list-style-type: none"> • SP1a Managing growth and supporting infrastructure delivery • SP2 Sustainable development • SP3 Improving health and wellbeing

	<ul style="list-style-type: none"> • SP5 Positive placemaking • SP7 Connectivity • RD1 New Residential Developments • DES1 Principles of Urban Design • DES2 Masterplanning approach for Major development • TRAN 8 Car Parking and Servicing Arrangements • TRAN 9 Parking Standards within areas of parking restraint • ENV1 Environmental Quality • OS3 Ancillary Open Space
4.5	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan”), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
4.6	<p>The site is zoned as existing employment/ industry (BT11/29) in the draft BMAP 2004 and south of zoning BT102/19 (Ladybrook SLNCI) and uzoned whiteland in the BMAP 2015 (2014).</p>
4.7	<p><u>Regional planning policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Creating Places</p>
4.8	<p><u>Other Relevant Policies</u> Belfast: A Framework for student housing and purpose-built student accommodation</p>
5.0	<p>Statutory Consultees N/A</p>
6.0	<p>Non-Statutory Consultees N/A</p>
7.0	<p>Representations No representations have been received.</p>
8.0	<p>ASSESSMENT</p>
8.1	<p>The key issue for the assessment of the application are:</p> <ul style="list-style-type: none"> • Timing of completion of approved Community Centre
8.2	<p>The original condition required that on the occupation of the first residential unit, the Council shall be notified. The Council have been informed that the first occupation of any of the residential units approved occurred on 29th July 2021. The condition then required that the approved community centre was completed within 3 years of this date.</p>
8.3	<p>Subsequently, the condition would require that the community centre would be completed by 29th July 2024. The supporting information submitted with the application has cited COVID19 and other delays during construction as reasons why this completion date is no longer feasible.</p>

8.4	It should also be noted that unforeseen contamination found during construction resulted in the creation of a borrow pit (planning application LA04/2017/1489/F) as part of a complex remediation strategy that was not envisaged at the original application stage. This undoubtedly had significant implications on construction timeframes.
8.5	The inclusion of the community centre within the original mixed use layout was a response to a policy requirement with the now superseded Planning Policy Statement 4 (Policy PED7) which stated that on unzoned land a development proposal that would result in the loss of an existing Class B2, B3 or B4 use, or land last used for these purposes, will only be permitted where it is demonstrated that: <i>'the proposal is a specific mixed-use regeneration initiative which contains a significant element of economic development use and may also include residential or community use, and which will bring substantial community benefits that outweigh the loss of land for economic development use'.</i>
8.6	It is Officer's opinion that an extension of time by three years, although unfortunate, in this instance is entirely reasonable given the circumstances. The developer will still be required to provide the community centre, and therefore the proposal would still be in keeping with the thrust of the original planning policy which formed the basis for it's inclusion within the mixed use scheme.
10.0	Recommendation
10.1	Having regard to the development plan, planning history and other material considerations, the proposal is considered acceptable.
10.2	It is therefore recommended that the proposed variation of Condition No. 4 is approved. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other matters arising as long as they are not substantive.
10.3	The conditions from the original approval Z/2013/1434/F, and as amended by PAC decision 2016/A0033, will be repeated on the decision notice should approval be forthcoming.
11.0	Draft Conditions
	1. In accordance with the Phasing Plan agreed under Condition 3 and on the occupation of the first residential unit, the Council shall be notified, and no later than six years from that date the Community Centre and associated infrastructure, marked on stamped approved drawing no. 2E, dated 28.08.2015 shall be completed and a report submitted to the Council to verify this.
13.0	Representations from elected members: N/A

ANNEX	
Date Valid	9 th August 2023
Date First Advertised	20 th October 2023
Date Last Advertised	20 th October 2023
Date of Last Neighbour Notification	17 th October 2023
Date of EIA Determination	No requirement to rescreen proposal – No new environmental information received.
ES Requested	N/A

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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