

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 February 2023	Item Number:
Application ID: LA04/2022/0129/F	Target Date:
Proposal: Proposed social housing led mixed tenure residential development comprising 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary treatments, parking, access (provision of a right turn lane) and ancillary site works.	Location: Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerards Manor Ballymurphy Belfast Co. Antrim.
Referral Route: Major application	
Recommendation:	Approval
Applicant Name and Address: Eglantine Developments Ltd 1 Campsie Business Park Eglinton BT47 3XX	Agent Name and Address: Clyde Shanks Ltd 7 Exchange Place Belfast BT1 2NA
<p>Executive Summary: The application seeks planning permission for a residential development comprising of 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary treatments, parking, access (provision of a right turn lane) and ancillary site works. The proposal is for a mixed tenure development comprising predominantly social housing. Alongside social rented offering the proposal offers a minimum of 10% intermediate housing. (110 social and 12 intermediate).</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Development Plan considerations - Principle of Housing at this location - Loss of Open Space - Scale, massing, design and layout - Open Space Provision - Impact on existing trees and vegetation - Traffic, Movement and Parking - Impact on the Environment and Amenity - Other Environmental Matters - Drainage and Flooding - Impact on Protected/ Priority Species and Habitats - Developer Contributions/ Section 76 Agreement - Pre-application Community Consultation <p>The principle of housing on this unzoned brownfield site, and the accompanying loss of open space, is considered acceptable given the provision of much needed social housing. The Northern Ireland Housing Executive are supportive of the proposal.</p>	

The density and layout are in keeping with the established housing developments in the area with the predominance of two storey semi-detached dwellings reflective of housing abutting the site to the north and to the south.

A number of unprotected trees and some boundary vegetation will be removed, but this is considered to have low conservation status and is outweighed by a comprehensive planting scheme, which includes augmentation of existing boundary planting, in particular the provision of an 8m deep buffer along the western boundary which is the settlement development limit. This helps minimise overall visual impact from distant views, as does rows of internal planting between lower and upper levels which not only assist in the integration of the development into the landscape but also protect the amenity of prospective residents.

Planted open space and a fully equipped play area form an intrinsic and integral spine of accessible communal space running on a south-north axis through the site with accompanying pedestrian footway providing a linkage through the site to the Upper Springfield Road and associated public transport network.

Consultation has confirmed that there will be no adverse impact on protected sites, species or habitats.

A Section 76 Planning Agreement will secure Green Travel measures including provision of Travel Cards. Social Housing provision will also be secured along with an Employability and Skills Plan and the management and maintenance of public open space.

DFI Roads – Awaiting final response (verbal confirmation already received confirming that DFI Roads are content subject to conditions and Travel Plan implementation)

DAERA – Approval subject to conditions

Rivers Agency – Awaiting final response

Shared Environmental Services – No Objection

NI Water – Approval subject to conditions

NI Housing Executive - Support

Non-Statutory consultations

Belfast City Council Environmental Health Department – No objection subject to conditions

Belfast City Council City Landscape Planning and Development Unit – No objection

Belfast City Council Place and Economy Department – No objection


Belfast Hills Partnership – Issues raised

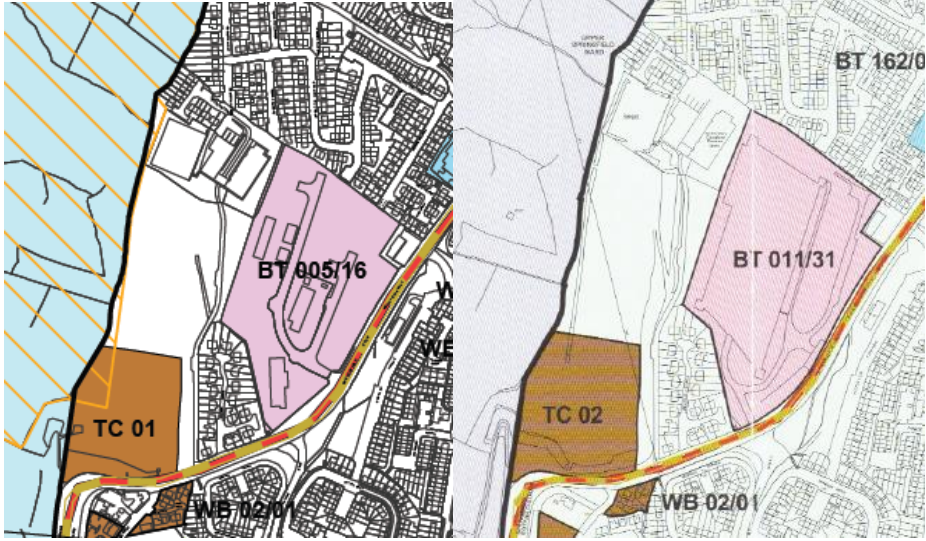
A total of 10 letters of objection have been received. The issues raised are set out and considered in the main report.

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

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

Signature(s):

Case Officer Report	
Site Location Plan and Layout	
	
1.0	Description of Proposed Development
1.1	Proposed social housing led mixed tenure residential development comprising 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary treatments, parking, access (provision of a right turn lane) and ancillary site works.
1.2	The proposal is for a mixed tenure development comprising predominantly social housing (114 dwellings and 8 apartments). Alongside social rented offering the proposal offers a minimum of 10% intermediate housing. (110 social and 12 intermediate).
2.0	Description of Site
2.1	The site is located on the north-western edge of the Belfast Urban Area and just within the settlement limits as defined in the Belfast Urban Area Plan and Belfast Metropolitan

	<p>Area Plan 2015 (both v2004 & v2014). The site has an area of approximately 5Ha and is bounded by housing to the south-east and south-west, and an industrial estate to the east, with the Upper Springfield Road and Belfast Hills to the south-west and west respectively.</p>
2.2	<p>The site itself is well defined with mature low-level planting and sporadic trees along eastern and western boundaries boundaries, and within the site itself. The site rises steeply from the eastern boundary to a flat area to the west. The location of a former school (now demolished). The frontage is limited to the Upper Springfield Road and is defined by an existing access point and laneway with an embankment and planting to either side of this access. The site itself is predominantly made ground given its former use.</p>
2.3	<p>The site has two distinct areas. The northern half forms the remains of the former St Gerard's Educational Resource Centre which has now been demolished. This section of the site consists of a mixture of hard surfaced areas and the crushed demolition material of the former buildings.</p> <p>The remainder of the site consists of a raised platform located to the immediate west of the access lane. The top of this platform is uniformly level and under rough pasture. The slopes of the platform are covered with some mature and semi-mature planting.</p>
2.4	<p>The following zonings apply to the site:</p> <p>The site is located on unzoned whiteland in the Belfast Urban Area Plan, and both versions of draft BMAP 2015 (v2004 & v2014).</p> <p>Draft BMAP</p> 
2.5	<p>The site is adjacent to the Belfast Hills and abuts a Site of Local Nature Conservation Importance (SLNCI).</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	<p>Z/2010/1374/O - Residential development at lands beside Mill Race, Monagh-by- Pass, Belfast – adjacent and to the south of the site. Approved 29th August 2012</p> <p>Z/2007/0705/F – Erection of 22 no. dwellings with access road at a travellers site, Monagh-by-Pass/Springfield Road, Belfast, BT12. This development comprises the Mill Race residential development bounding the site to the south adjacent and to the west of the site entrance on Upper Springfield</p>

	<p>Road. Approved 21st March 2008</p> <p>Z/2006/1448/F - Erection of two buildings - plaster moulding factory and a plaster mould store, located at Whiterock Business Park, Springfield Road, Belfast, BT12 7PF – adjacent and to the east of the site. Approved 30th August 2006.</p> <p>Z/2001/0276/F - Housing & associated infrastructure & community facilities for the existing travellers community - 2 no. houses, 14 no. bungalows and 1 no. community bungalow at Monagh By-Pass, Springfield Road, Belfast – adjacent and to the south of the site.</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2015 (versions published in 2004 and 2014)</p> <p>Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area'</p> <p>Developer Contribution Framework (adopted January 2020)</p>
4.2	<p>Regional Development Strategy</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Planning Policy Statement 2 – Natural Heritage</p> <p>Planning Policy Statement 3 – Access, Movement and Parking</p> <p>Planning Policy Statement 4 – Planning and Economic Development</p> <p>Planning Policy Statement 11 – Planning and Waste Management</p> <p>Planning Policy Statement 13 – Transportation and Land-use</p> <p>Planning Policy Statement 15 – Planning and Flood Risk</p>
5.0	<p>Statutory Consultees</p> <p>DFI Roads – Awaiting final response (verbal confirmation already received confirming no objection)</p> <p>DAERA – No objection subject to conditions</p> <p>Rivers Agency – Awaiting final response</p> <p>Shared Environmental Services – No objection</p> <p>NI Housing Executive – Support</p> <p>NI Water – Approval subject to condition</p>
6.0	<p>Non-Statutory Consultees</p> <p>Belfast City Council Environmental Health Department – No objection subject to conditions</p> <p>Belfast City Council City Landscape Planning and Development Unit – No objection</p> <p>Belfast City Council Place and Economy Department – No objection</p> <p>Belfast Hills Partnership – Issues raised</p>
7.0	<p>Representations</p> <p>10 public objections have been received.</p> <p>The following issues were raised, with each addressed immediately below:</p> <ul style="list-style-type: none"> - Impact on natural habitats - This will be assessed in the main body of the report and has factored in comment from DAERA Natural Environment Division and Shared Environmental Services. - Loss of open space - The loss of open space will be addressed in the main body of the report. On balance, with the community benefits from redeveloping a vacant site for much needed social housing with a high quality of open space and landscaping, it is considered on balance to be acceptable. - Overlooking onto adjacent residential properties

	<ul style="list-style-type: none"> - Impact on residential amenity will be discussed in the main body of the report. Given generous separation distances and screening along boundaries it is not considered the proposal would prejudice the amenity of existing residents. - Impact of additional traffic - No through road is proposed to Dermot Hill. - Road Safety - The visibility splays at the main entrance point from Upper Springfield Road have been extended in response to DFI Roads concerns with regard to existing traffic speed along this stretch of road. DFI Roads has offered no objection in terms of impact of additional traffic on road network. - School capacity in area. This is not a material planning consideration. - Larger wall and fence would provide more security and prevent 'shortcutting' - The proposed fence along the boundary with Dermot Hill has been replaced by a 2.4m high wall. - Impact on views to Black Mountain and countryside - The site is located within the settlement limits and the presumption is therefore in favour of development. The scale and height of the development (generally two storey residential dwellings) are not considered to be excessive at this location. The right to a view is not a consideration for BCC Planning, however outlook, overlooking and impact on private amenity are. These areas will be covered in the main body of the report. - Lack of private housing in the area - A mixed tenure is something that would be supported by Planning Policy, in particular PPS12. The Housing Executive is supportive of the provision of social housing in an area of high social housing need.
8.0	Other Material Considerations The Belfast Agenda Creating Places DCAN 8 – Housing in Existing Urban Areas DCAN 15 – Vehicular Access Standards
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - Development Plan considerations - Principle of Housing at this location - Loss of Open Space - Scale, massing, design and layout - Open Space Provision - Impact on existing trees and vegetation - Traffic, Movement and Parking - Impact on the Environment and Amenity - Other Environmental Matters - Drainage and Flooding - Impact on Protected/ Priority Species and Habitats - Developer Contributions/ Section 76 Agreement - Pre-application Community Consultation
9.2	Development Plan Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said Act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

9.3	Following the Court of Appeal decision on BMAP, the extant development plan is now the BUAP. BMAP has reverted to a draft plan and both the pre-examination (dBMAP 2004) and post-examination (dBMAP 2015) versions are material considerations. However, given the stage at which dBMAP 2015 had reached pre-adoption through a period of independent examination, the policies within the version of Draft BMAP 2015 are considered to carry significant weight in the decision making process.
9.4	Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.
9.5	<i>Belfast Urban Area Plan 2001 (BUAP)</i> The site is located on unzoned whiteland within the development limits of Belfast.
9.6	<i>Draft BMAP (2004 and 2014) designations</i> The site is located on unzoned whiteland within the development limits of Belfast.
9.7	<i>Draft Belfast Local Development Plan Strategy (Draft LDP)</i> The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered Sound and adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
9.8	<i>The Belfast Agenda</i> The proposed development broadly contributes to the delivery of the core principles of the Belfast Agenda. One of the core aims of the Belfast Agenda is to support 66,000 additional people living in the city by 2035, and within this, 1,800 social housing units and an agreed city target of affordable housing. The provision of 122 no. residential dwellings supports these core aims.
9.9	Principle of Housing at this location The presumption is in favour of development on the site given its location within Belfast's settlement limits. The principle of residential use is also acceptable subject to the detailed planning policy considerations which are set out below.
9.10	Loss of Open Space As the proposed housing development is located on an area of existing open space the proposal has been assessed against the SPPS and Policy OS1 of Planning Policy Statement. There is a presumption against development that would result in the loss of existing open space or land zoned for the provision of open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. The SPPS also reflects this, with the onus placed on the retention of open space unless it is demonstrated that its loss would bring about substantial community benefits which would outweigh any loss.
9.11	A case has been presented by the planning agent to justify the apparent loss of open space. It is stated that the site is not located on zoned open space, with any open space provision associated with the previous school on the site. It goes on to state that the site

	is not accessible to the public and secured by a locked gate and boundary fence. The statement points to the community benefits through the provision of much needed social and mixed tenure housing and a formal area of open space including a secure children's play area.
9.12	Northern Ireland Housing Executive (NIHE) are supportive of the proposal and consider that mixed tenure development is an important way to create cohesive, sustainable and balanced communities.
9.13	The Housing Executive welcomes the inclusion of accommodation to help address the demand for intermediate housing in the Belfast City Council area. The requirement for this provision is based on the Housing Executive's knowledge of the local housing market; their assessment of the intermediate market; and the level of Co-ownership activity in the Belfast City Council area. The Housing Executive estimates intermediate housing demand for the Council area at 140 units of accommodation per year.
9.14	NIHE state that demand for social housing in this part of West Belfast is high with 2,098 applicants in housing stress at March 2021. The site would be attractive to the wider catchment areas of Inner and Middle West Belfast. The projected housing needs assessment for both these areas over the period 2021-2026 indicates that 1,570 new social housing starts are required to address waiting list demand for this catchment area.
9.15	<p>Scale, Massing, Design and Layout</p> <p>The proposal has been assessed against the SPPS and Policies QD1 of Planning Policy Statement 7.</p>
9.16	Policy QD1 of PPS7 sets out the following criteria for new housing developments:
9.17	<p><i>a) the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas;</i></p> <p>The proposal consists of a mix of 122 residential units. The surrounding area is characterised predominantly by a mix of detached and townhouse development. Densities range between 25 units/ ha in the recently approved Glenmona development a short distance south of the site, and 31 and 37 units/ ha in the adjoining Belfield Heights and St. Gerards Manor developments respectively. The proposed density is sympathetic to this established residential character at approximately 23 units/ ha. This lower density reflects the site's edge of city location and ensures the development is 'softer' and less visually intrusive.</p>
9.18	In terms of house types, semi-detached units dominate the layout, as is the case in adjoining developments. There are a total of 114 semi-detached units, with the remaining 8 units located within two apartment blocks. Although apartments are by no means common in the immediate area, their scale (2 storey) and central location, ensure that they do not appear overly dominant, nor do they detract from the overall quality of the development. The proposed mix of house types (12 in total), ensures variety in design and avoids a potentially monolithic appearance given the dominance of semi-detached dwellings on what is quite a linear layout, largely dictated by the existing topography and the fact that a large part of the site is on a flat man-made site on an otherwise sloping escarpment. At corner sites the proposed 'dual frontage' house types ensure the dwelling addresses the street to front and side with a 1.8m high decorative brick wall offering protection to private amenity whilst ensuring a high quality of streetscape, as opposed to a 1.8m close-boarded fence.

9.19	<p>The proposed 2.4m high boundary wall between the application site and existing dwellings in Dermott Hill is a feature requested by the existing residents. Brick piers, cappings and string courses assist in breaking up the visual impact of the proposed boundary wall on both sides whilst soft landscaping (on both sides) further softens the visual impact. It has been designed using materials (ie brick) that will match the type of brick proposed for the new dwellings thus assisting integration.</p>
9.20	<p>Parking has been provided in the form in-curtilage parking, mostly to the side of the semi-detached dwellings, and a limited amount to the front, with the exception of communal parking bays which serve the two apartment blocks. This ensures that the dwellings address the road rather than cars and car parking, providing an all-round softer landscaping.</p>
9.21	<p><i>b) features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;</i></p> <p>The site does not lie within an area of archaeological potential. The Archaeological Impact Assessment submitted with the application has identified no known archaeological sites within the development area and very little known archaeology within the wider search radius. An inspection of the early edition OS maps shows that the development site has remained free from historic development. The site inspection indicated that the proposed development site has been subject to significant disturbance in the recent past.</p>
9.22	<p>A Tree Survey has identified 4 trees as not being suitable for retention, with the remaining being of low conservation value, a mix of leylandii, ash, alder and willow.</p>
9.23	<p>There are approximately 13 existing trees directly impacted by the proposed development. The majority of these are located internally and are of low conservation value, and offered no protection. The Arboriculturalist has confirmed that the two trees (Ash (common) and Scots Pine) located along the site boundary with Dermott Hill Drive are of 'Low value' and not worthy of retention. In fact the Ash tree has Ash Dieback (see screenshot from Tree Constraints Schedule below). These trees can therefore be removed to facilitate the construction of the proposed 2.4m boundary wall.</p>
9.24	<p>The loss of approximately 13 trees and some low level scrub and boundary hedging must be considered in conjunction with the comprehensive landscaping plan (discussed further below). As the new planting matures and becomes more established the result will be an increase in the extent, and indeed quality, of vegetation on the site. This is coupled with a planted 8m deep buffer along the western boundary of the site. Therefore, on balance, the loss of trees is considered acceptable given the low conservation value of the existing vegetation and what is a comprehensive planting scheme, which will be discussed in detail below.</p>
9.25	<p><i>c) adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;</i></p> <p>Public open space provision within the site is predominantly delivered through three main open space areas. These areas comprise a central area of open space area running south-north through the site from the Upper Springfield Road. There are two smaller pockets, one located just behind the dwellings in Belfield Heights and the other adjacent to the northern boundary with Dermott Hill. The total useable open space within the site measures approximately 6,000 sqm/0.6ha. 'Creating Places' states that a normal expectation for new green-field development may be around 10% of the site area or</p>

	<p>greater. The total area in this case equates to approximately 12% of the total site area. In terms of non-useable spaces, an 8m deep landscaped buffer is located along the western boundary of the site equating to approximately 2,500sqm/ 0.25Ha.</p>
9.26	<p>In terms of private amenity, the proposal encompasses a range of rear garden sizes and communal amenity areas at apartments for future residents. Apart from four anomalies on corner/ junction sites within the development where gardens are approximately 55 sqm, garden sizes range between approximately 75 sqm and 200 sqm. The average private amenity provision (for dwellings) is therefore greater than the 'Creating Places' guidance (70sqm) and are akin to greenfield standards on new housing developments within rural villages. In terms of the apartments, there is a communal private open space between the two blocks of approximately 1,160sqm. This equates to approximately 145sqm per unit, well in excess of the 'Creating Places' standards, where it is stated communal open space <i>'should range from a minimum of 10 sq m per unit to around 30 sq m per unit'</i>.</p>
9.27	<p>Open Space provision will be discussed further under Policy OS2 of PPS8 below.</p>
9.28	<p>(d) adequate provision is made for necessary local neighbourhood facilities, to be provided by the developer as an integral part of the development; Given the scale of the development no such facilities are required.</p>
9.29	<p><i>(e) a movement pattern is provided that supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;</i> There is one main vehicular access point to the development site off Upper Springfield Road. This is an existing access which previously served the former school on the site.</p>
9.30	<p>This access provides links to existing public transport networks, with bus stops located a short distance from the site entrance. A footpath runs from the site access south-north through the main spine of open space which provides a pedestrian/ cycle corridor through the heart of the development.</p>
9.31	<p>Traffic calming measures have been provided in the form of speed control cushions. DFI Roads are satisfied with these speed control measures.</p>
9.32	<p><i>(f) adequate and appropriate provision is made for parking;</i> DFI Roads is satisfied with the level car parking provision (164 spaces) and its arrangement given a commitment from the developer to enact a Travel Plan, including green travel measures, namely the provision of travel cards for the first three years of occupation of each dwelling.</p>
9.33	<p><i>(g) the design of the development draws upon the best local traditions of form, materials and detailing;</i> The built form, with the rows of two storey semi-detached dwellings, reflects the character of the adjoining residential areas.</p>
9.34	<p>The mix of red brick and off-white render finish reflects the finishes and material of both the more established and newer dwellings that bound the site and those within the wider vicinity, including those approved on the 'Glenmona' site a short distance south. With the proposed modest density and predominance of semi-detached units, it will be a character very much in keeping with the area.</p>

9.35	<p><i>h) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance;</i></p> <p>Screening is provided by mature planting and proposed along boundaries with existing housing to the south of the site, with a 2.4m wall along the northern boundary. Boundary planting will be augmented and forms part of a comprehensive planting scheme. A 1.8m fence provides screening along the eastern part of the access road onto Belfield Heights.</p>
9.36	<p>In the north south-eastern part of the site, where the development sits closest to neighbouring buildings, these separation distances range from approximately 24-25m from built form to built form. This separation distance has been achieved by generous rear garden depths on the dwellings at site Nos. 35-38. As there is a slight drop in levels into the site along the northern part of the site where the proposed dwellings back onto the rear of properties in Dermot Hill, with a further drop in terms of finished floor levels (approx. 3-4 lower there should be no significant levels of overlooking or dominance as a result of the development.</p>
9.37	<p>Where the proposed dwellings in the north-eastern corner of the site front onto the rear and sides of the dwellings within the Dermott Hill Grove and Dermot Hill Drive cul-de-sacs there is a separation distance of at least 20m to the site boundary. This separation distance, coupled with a 2.4m high boundary wall, should ensure that any overlooking is in the worst case minimal, and certainly not any cause for concern from an amenity perspective. Seven trees have also been proposed along this boundary which will not only enhance screening but also soften the impact of the proposed wall from the development side.</p>
9.38	<p>To the south the proposed development backs directly onto two properties at Mill Race. The separation distance here is approximately 21m. The ground levels fall away from the southern boundary somewhat, and the proposed floor levels of the dwellings facing south will be approximately 0.5m higher than the rear gardens of the existing dwellings. However given the generous separation distance, and what is a minor level change, this should not create any significant amenity issues.</p>
9.39	<p>To the east of the proposed access roadway lies Belfield Heights, which backs onto the eastern boundary of the site. A 1.8m high fence will screen these dwellings from the development, with deep back gardens ensuring the amenity of these dwellings should experience any significant impacts.</p>
9.40	<p>The housing layout responds to the changes in ground levels across the site with generous separation distances and minimal cut and fill ensuring there is no unduly significant overlooking and/ or dominance from proposed back to back relationships. Internally the separation distance range between 22m and 27m. This is in excess of the recommended 20m set out in the 'Creating Places' guidance document. Some obstruction of views will be inevitable given the sloping nature of the site and the fact that proposed finished floor levels will be lower than those properties adjoining the site along the northern and north-eastern boundary. Screening between the proposed dwellings on the upper part of the site and the lower part of the site has been provided in the form of a narrow planted embankment. This will accompany the boundary fencing to enhance levels of privacy enjoyed to the rear of the proposed dwellings.</p>
9.41	<p>Internally, where differences in proposed finished floor levels of back to back dwellings can reach up to 3.5m, generous separation distances will ensure that any retaining structures have been pushed to the northern edge of deep garden areas so as to minimise their impact, whilst also ensuring the dwellings at the higher levels do not</p>

	dominate or impose significantly on the amenity of the dwellings at the lower end of the slope.
9.42	<p>i) <i>the development is designed to deter crime and promote personal safety.</i></p> <p>All car parking is located in areas which would encourage an optimum level of surveillance. All open space areas are positioned in such a way that would discourage anti-social behaviour and enclosed spaces and walkways behind building lines and behind proposed dwellings have been avoided. All rear gardens are private and well enclosed.</p>
9.43	<p>Open Space Provision</p> <p>The Proposal has been assessed against Policies OS1 and OS2 of Planning Policy Statement 8. Integral communal open space has been provided in the form of three 'village green' areas and a 'linear park' (as referenced on the proposed site layout). The area of the site is approximately 5 Hectares. Therefore an area of at least 5,000 square metres (10% of the site area) should be given over to communal open space. There are two main areas of open space, one located around the site access and off the main access road, and the other a long north-south strip of open space located centrally within the site, and both are interconnected. The total area of usable open space provision amounts to approximately 6,000 square metres, approximately 12% of the area of the site. In addition to this there are planted embankments which are of visual amenity value.</p>
9.44	<p>The largest open space area is located off the main south-north access road and helps incorporate existing planting along the roadside embankment into the overall layout. 'Creating Places' states that <i>'larger open spaces can be major focal points along local distributor roads and other important streets and avenues and can create settings for key community buildings'</i>. This is achieved here with the largest area of open space, and also helps create a visual buffer on this elevated site, sympathetic to the edge of settlement location adjacent to the Belfast Hills.</p>
9.45	<p>The integral location of the main areas of open space will ensure ease of access to dwellings and achieve maximum amenity value. The pockets of public open space are an intrinsic part of the overall site and represent approximately 12% of the site area. A public footpath runs through this main spine of open space and provides linkages through to the adjoining dwellings.</p>
9.46	<p>Policy OS2 of PPS 8 requires that for residential development of 100 units or more, or for development sites of 5 hectares or more, an equipped children's play area will be required as an integral part of the development. An equipped children's play area has been proposed within the northern part of the elongated central area of open space. The children's play area is overlooked by housing on three sides.</p>
9.47	<p>Impact on existing Trees and Vegetation</p> <p>The proposal has been assessed against policies QD1 of PPS7, OS2 of Planning Policy Statement 8 and NH5 of Planning Policy Statement 2. The existing mature landscaping is one of the key assets of the site, and similarly replacement/ proposed landscaping will have a significant role in enhancing the quality of the environment for prospective residents and workers alike, but also acknowledging the site's location at the north-western edge of Belfast's settlements limits and at foot of the Belfast Hills.</p>
9.48	<p>The proposal includes the removal of approximately 13 trees, most of which are located internally within the site with at least two located just within the northern boundary that will no doubt be impacted by the proposed 2.4m high wall.</p>

9.49	The proposal includes wide-ranging landscaping proposals throughout the site which incorporate the retention of existing trees where possible and augmenting where required. Additional trees and vegetation are included within the street scene and at site boundaries to compensate for any loss of vegetation. A comprehensive planting plan has been provided which includes a large number of semi-mature trees, heavy standard trees, low planting, hedging, grassland, climbing plants and native species planting.
9.50	The proposal provides a landscaping scheme including approximately 90 no. trees within the streetscape and an 8m planted buffer along the western boundary, respective of the site's edge of limits location. Trees are also located internally on a north-south axis between rows of proposed dwellings with trees also located along the rear of properties to the south abutting the existing Mill Race development. This comprehensive landscaping scheme helps mitigate the visual impact of the development at this edge of settlement location and also protects the amenity of adjacent properties to the south.
9.51	NED notes from the Drawing titled 'Soft Landscape Proposals' dated July 2021, that most hedgerows will be retained and augmented with native species, and, where hedgerows are removed, there is additional planting of new hedgerows as part of the proposed development. NED considers this additional planting sufficient to compensate for the loss of hedgerow for this development. NED is in agreement with the Preliminary Ecological Assessment that, due to the close proximity of the site to an SLNCI, all planting should be of native species to enhance biodiversity and the use non-native ornamental species should be minimised.
9.52	BCC Landscape Planning and Development Team has also welcomed the inclusion of soft landscaped areas, including tree planting, as part of the Soft Landscape Proposals. This will <i>'help enhance the amenity and biodiversity value of the development whilst mitigating any potential adverse visual impact'</i> . They are also encouraged to see that soft landscape buffers are also indicated to site boundaries.
9.53	Traffic, Movement and Parking The proposal has been assessed against the SPPS and Policies AMP1, AMP2, AMP6, AMP7 and AMPS of Planning Policy Statement 3 and the general principles of Planning Policy Statement 13.
9.54	A total of 164 car parking spaces have been provided, with 84 units having one space and 38 units having two spaces. 4 cycle parking spaces are provided close to the proposed apartment buildings.
9.55	A Travel Plan Framework has been submitted. The Plan summarises proposals for enhancing the attractiveness of walking, cycling and public transport for staff and visitors of the site, and outlines the restrictions imposed to curtail the use of private cars.
9.56	The Transport Assessment has been reviewed. DfI Roads is generally content with the TA on the understanding that the impact of the development will be mitigated through a Travel Plan and through measures to support Public Transport rather than off-site works to junctions. In particular, the provision of Travel Cards for each dwelling for the first 3 years, secured via Section 76 Planning Agreement.
9.57	In response to DfI Roads concerns reading the safety of the proposed access visibility splays were increased on the right hand side exiting from 4.5mx90m to 4.5mx93m. DfI Roads has confirmed that they are now content with the proposed access arrangements. A right turn pocket has been provided into the site to ensure cars waiting to access the site are not backing up onto the Upper Springfield Road.

9.58	A response from DFI Roads remains outstanding, however it has been confirmed in writing that an approval is recommended subject to conditions. A final consultation response is imminent.
9.59	<p>Impact on the Environment and Amenity</p> <p>Paragraphs 4.11 and 4.12 of the SPPS state that there are a wide range of environment and amenity considerations, including noise and air quality, which should be taken into account by planning authorities when proposing policies or managing development. For example, the planning system has a role to play in minimising potential adverse impacts, such as noise or light pollution on sensitive receptors by means of its influence on the location, layout and design of new development.</p>
9.60	Other amenity considerations arising from development, that may have potential health and well-being implications, include design considerations, impacts relating to visual intrusion, general nuisance, loss of light and overshadowing. Adverse environmental impacts associated with development can also include sewerage, drainage, waste management and water quality. However, the above mentioned considerations are not exhaustive and planning authorities will be best placed to identify and consider, in consultation with stakeholders, all relevant environment and amenity considerations for their areas. Each proposed use that may give rise to adverse impacts on amenity will be discussed in turn below.
9.61	<p>Noise</p> <p>Further to review of the above-mentioned Noise Impact Assessment (NIA) dated 13th January 2021, Environmental Health raised concerns around the potential noise impact on the closest proposed dwellings associated with the activities at the neighbouring Whiterock Business Park. The initial NIA considered only the daytime operation of the business park and specifically the activities at one of the premises. The existing Whiterock Business Park, however, has extant approval for light industrial use and there is unfettered access for use over a 24hr period as no conditions were attached with regard to the unit's operating times as this was not deemed necessary at the time the industrial lands sought planning approval.</p>
9.62	To protect future occupants of the proposed residential development from adverse noise impact, it is important therefore, to consider the potential for night time impact associated with the operation of the industrial units at the Whiterock Business Park as well as the daytime impact of the additional 12 units not included in the daytime assessment.
9.63	In relation to daytime activities, it is noted that the amended/updated NIA from Irwin Carr dated 8 th March 2022 has considered the operational noise associated with the soon to be occupied 12 units with the roller shutter doors open all of the time. Vehicular movement was also considered as well as noise from the nearby Churchills plastic moulding company including some external use of equipment which occurs occasionally throughout the day.
9.64	In terms of night-time potential impact, while this is very hard to predict accurately, Environmental Health has acknowledged the approach considered in the NIA with all 12 units operating as well as the plastics moulding business in operation (as a worst case) but with only 2 of the roller shutter doors open at night.
9.65	With regard to potential impact from activities at the nearby Whiterock Business Park, it is noted that the NIA has recommended mitigation measures to reduce the potential impact on certain dwellings immediately bordering the east of the site overlooking the Whiterock Business Park.

9.66	In view of the findings of the updated Noise Impact Assessment dated 07 March 2022, Environmental Health has requested that in the event that planning permission is granted, conditions are attached as detailed below to ensure prospective residents do not experience any significant impact on amenity. This includes the erection of a 3m high acoustic boundary to the rear of the dwellings (Nos. 1-26), which back onto the existing industrial estate to the east of the site.
9.67	Environmental Health welcomes the submission of the above Construction Environmental Management Plan (CEMP) and notes a number of general good practice measures have been presented as intended to be in place to control potential negative impacts such as excess noise, dust and vibration.
9.68	Environmental Health has however requested that a Final CEMP, providing greater detail on noise and vibration limits to be adhered to on site, how these will be managed and reported, should be secured via condition. This condition is detailed below.
	Contamination
9.69	A Generic Quantitative Risk Assessment (GQRA) and a Remediation Strategy have been provided by Pentland Macdonald Ltd in support of this application. No unacceptable risks to the water environment have been identified.
9.70	Potential onsite sources of land contamination are identified as: fuel storage at former educational centre; made ground and; infill. A range of historic and current potential off-site sources are identified as: several small quarries; bleech green; mill ponds; beetling mill; electricity sub stations; petrol filling station; police/army barracks and; former landfill.
9.71	Pentland Macdonald note that all off-site sources, except the former quarries, are unlikely to impact the application site due to their cross / down gradient locations and / or relative distances from the site.
9.72	Based on the information provided Environmental Health BCC and the DAERA Regulation Unit Land & Groundwater Team has no objections subject to conditions, which are listed below.
	Other Environmental Matters
9.73	DAERA Water Management Unit has stated that if NIW advise they are content that both the Belfast Waste Water Treatment Works (WWTW) and the associated sewer network for this development can take the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then Water Management Unit has no objection to this aspect of the proposal.
9.74	NI Water initially indicated that a high level assessment has indicated potential network capacity issues. NI Water has also confirmed that additional treatment capacity will be available at Belfast WWTW from 1 July 2023 as a result of completion of initial phase of upgrade work
9.75	However, in a later consultation response NI Water confirmed that they had worked with the developer to find an acceptable solution. As a result, the developer has requisitioned NI Water to provide offsite infrastructure to resolve the capacity issue. Scheme will be at full cost recovery and paid for by developer.
7.76	Consequently, NI Water is content to recommend approval of this planning application subject to conditions relating to the provision of a foul sewage network solution to

	mitigate downstream foul capacity issues and no occupation until such measures have been delivered.
9.77	<p>Drainage and Flooding</p> <p>DFI Rivers has stated that site may be affected by the designated watercourse, known as the Whiterock Mill Race (New Barnsley Stream) which flows to the western site boundary. The site may be affected by other smaller undesignated watercourses within the site boundaries.</p>
9.78	The Flood Risk Assessment Revision A, dated August 2022, prepared by Flood Risk Consulting indicates that the development does not lie within the detailed modelled 1 in 100 year fluvial floodplain; hence, DFI Rivers cannot sustain an objection to this development in relation to Revised PPS 15, Planning and Flood Risk, FLD 1.
9.79	Climate Change watercourse modelling contained within the Flood Risk Assessment (FRA) indicates an increased water level within the mill race of up to 150mm. This causes overtopping of the mill race bank, and indicates parts of the site to be within the climate change flood plain, to a stated depth of 136mm.
9.80	The applicant's hydrologist has recommended the applicant utilises the resilience measures in Paragraph 8.2.1.5 of the FRA, either a flood defence wall or mitigation measures. DFI Rivers has confirmed that the Flood Defence Wall is not an option that they would recommend. The FRA indicates that the site floods in a climate change scenario (20% additional flows) and in this instance would recommend that the Finished Floor Levels (FFLs) for the development are 250mm above ground level (as per the recommendations in the FRA). DFI Rivers has also confirmed that if this is not possible then flood resilience measures should be implemented up to this level. The agent has stated that FFLs for the development cannot be raised to 250mm above ground level for the entire development as level access is required for social housing, and subsequently the latter would be the preferred option.
9.81	A gated access to the existing Mill Race has been provided on the western boundary of the site, at the request of DFI Rivers.
9.82	<p>Impact on Protected Sites/ Priority Species and Habitats</p> <p>The application site is hydrologically connected to the Blackstaff River, which flows into Inner Belfast Lough Area of Special Scientific interest (ASSI), Belfast Lough Special Protection Area (SPA) and Ramsar Site.</p>
9.83	The site is directly adjacent to Divis Mountain Site of Local Nature Conservation Importance (SLNCI).
9.84	The site contains hedgerows and a watercourse which are Northern Ireland Priority Habitats (NIPH).
9.85	NED has assessed the Construction Environmental Management Plan submitted. They have confirmed that provided the appropriate mitigation and pollution prevention to protect the watercourse is implemented, the proposal is unlikely to have significant effects on any designated sites due to its distance from the sites and the scale and nature of the development. These mitigation measures will be secured via condition, as detailed below.
9.86	Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, Shared

	Environmental Services 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.
9.87	In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to a number of mitigation measures being secured via condition. These conditions will be detailed below.
9.88	The proposal has been assessed against Policies NH2, NH4 and NH5 of Planning Policy Statement 2.
9.89	<p><i>Birds</i></p> <p>DAERA Natural Environment Division (NED) notes from the Preliminary Ecological Assessment (PEA) that the scrub and trees present at the site are suitable habitat for birds. During the site visit, four priority species and five Amber-listed species of conservation concern were noted, potentially breeding at the site. NED is in agreement with the PEA that, where possible, woodland and boundary hedgerow should be retained to minimise impact to breeding birds for this development. The vegetation removal along the boundaries is focused on the northern boundary, where the vegetation is sparse. The existing vegetation on the well defined eastern and western boundaries is to be retained where possible.</p>
9.90	<p><i>Bats</i></p> <p>NED notes an assessment of the potential roost features (PRF) was carried out on the trees present at the site. Four trees had low bat roosting potential (BRP) and the others were negligible BRP. The site was also considered to be low commuting and foraging potential. NED is therefore content that the proposed development will not significantly impact roosting bats.</p>
9.91	NED welcomes plans within the Construction Environmental Management Plan (CEMP) to avoid light spill on trees and boundary hedgerows and recommend that a light spill of less than 1 lux is maintained on hedgerows, in particular, along the western border adjacent to Divis SLNCL.
9.92	NED note that the grassland present at the site has some wildflower diversity and welcomes plans within the Soft Landscape Proposals to replace with wildflower planting of native, locally sourced wildflower species as compensation.
9.93	NED notes from the PEA that the watercourse at the site is NIPH. NED welcomes the 8m buffer strip proposed in the Soft Landscape Proposals and the mitigation measures, lighting plan and pollution prevention outlined in the CEMP. NED highlight that a 10m buffer is normally recommended, however, considers the proposed layout sufficient to protect the watercourse NIPH, provided the suitable buffer is maintained between all construction works and the watercourse throughout the development.
9.94	<p><i>Other Natural Heritage interests</i></p> <p>NED notes from the PEA that there was no evidence of badgers or otters during the site survey and is content that no further surveys are required.</p>
9.95	<p>Belfast Hills Partnership raised a number of issues in their consultation response:</p> <p><i>It is very important this SLNCL is protected from issues often associated with large areas of new housing with an adequate buffer.ie flytipping, light pollution, escape of invasive species and unauthorised access on to private land. These buffers are vital and must be designed with climate change and wildfires in mind.</i></p> <p>An 8m deep planted buffer has been provided along the western boundary of the site which shall provide protection to the SLNCL abutting the site.</p>

9.96	<p><i>Belfast Hills Partnership note that on some of the plans the western buffer is shown as being within residents gardens. This would be unacceptable as it would not afford protection to the buffer zone.</i></p> <p>It would not be uncommon for private gardens to abut landscaped buffers onto the countryside and arguably this would offer more protection to the SLNCI than accessible public open space or communal roadway/ footpath.</p>
9.97	<p><i>The PEA mentioned there were no formal records of badgers within 2 Km of the site. We have records of both badgers and Pine Marten (a NI priority Species) within 250m of the area. It is important these species are afforded adequate protection from loss of habitat and disturbance.</i></p>
9.98	<p>There is no evidence of badger activity on the site. These species are afforded protection under the Wildlife Order.</p>
9.99	<p><i>The development of this site would result in the loss of an important nature pocket on the urban fringe</i></p> <p>DAERA Natural Environment Division has offered no objection in relation to impacts on natural habitats. The site is located on unzoned within the settlement limits, and subject to satisfying relevant planning policy requirements, the presumption is in favour of development.</p>
9.100	<p><i>The meadow mix mentioned in the Landscape Proposals included some species which are not known locally to NI such as Corn cockle, Corn marigold and Corn poppy. As the site is so close to ecologically important habitats only indigenous and locally sourced species should be used eg Eco Seeds NI</i></p> <p>These species are incorporated into a revised planting plan. NED was in agreement with the Preliminary Ecological Assessment that, due to the close proximity of the site to an SLNCI, all planting should be of native species to enhance biodiversity and the use non-native ornamental species should be minimised.</p>
9.101	<p>Developer Contributions/ Section 76 Agreement</p> <p>A Draft Section 76 planning agreement accompanies the application and seeks to secure the implementation of an agreed Travel Plan, an Employability and Skills Plan, the management and maintenance of public open space within the development and the provision of social housing.</p>
9.102	<p>Given the potential impacts of introducing a significant level of vehicular traffic onto an already pressured road network the developer has proposed a number of Green Travel measures within the Travel Plan Framework accompanying the application. DFI Roads has accepted the principle of this approach in terms of the Travel Plan and the provision of Green Travel measures, including Travel Cards for all residents for three years.</p>
9.103	<p>An employability and Skills Plan will also be required to identify the projected requirements for the employability and skills generated within the various phases of the development and promote employment opportunities.</p>
9.104	<p>The development will also provide a substantial area of landscaped and managed public open space, including a play area, to serve the site and the wider area. The implementation and provision of landscaping within the site and along existing site boundaries will be secured via condition as detailed below, and the long-term management of planting and open spaces will be secured via the Section 76 Agreement.</p>
9.105	<p>Finally, the provision of social/ affordable housing will also be secured via the Section 76 agreement.</p>

9.106	The above draft clauses have been put forward by the planning agent. A final Section 76 agreement has yet to be agreed with the Council.
	Pre-application Community Consultation
9.107	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.
9.108	Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2021/1347/PAN) was submitted to the Council on 08/06/2021, with a revision submitted on 22/06/2021.
9.109	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.
9.110	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> - In the absence of a public event being held in the locality of the proposed development due to Covid-19 restrictions, an online magazine was created on 06/08/2021 to set out details of the proposal. - Comments were invited via an online feedback menu. - Notification of the consultation magazine going live was published in the Irish News on 23/07/2021. - Notification was sent to a number of local Councillors via email. - 319 local properties were notified by letter. - 6 hard copies of the magazine were provided to local residents on request.
9.111	One representation was received from a local resident further to notification. Approximately 40 members of the public provided feedback following the public consultation magazine going live.
9.112	Given the numerous requests for an in-person consultation event the planning agent agreed to meet a delegation of local residents on site on 8 th September 2021. Approximately 25 people attended the event.
9.113	<p>A total of 45 representations were received before, during and after the consultation period. There was general support for social housing however concerns were raised with regard to the following:</p> <ul style="list-style-type: none"> - Potential pedestrian/ vehicular access from the site to adjacent housing developments. - Impact on traffic and parking in the area. - Insufficiencies in boundary fencing and need for a wall between existing and proposed housing. - Overpopulation when combined with recent residential approval close by. - Impact on semi-rural character. - Impact on residential amenity. - Noise, disturbance and environmental impact of construction works.

	<ul style="list-style-type: none"> - Capacity of sewage network. - Pressure on educational and health services. - Will housing be for local people. - More appropriate to provide recreational uses provided on site. - Importance of future management of the site. - Loss of views.
9.114	<p>As a result of the feedback the following amendments were carried out:</p> <ul style="list-style-type: none"> - All vehicular/ pedestrian accesses to neighbouring developments have been removed. - Robust boundary treatments have been added (including 2.4m wall along northern boundary). - Separation distances between existing and proposed dwellings have been maximised. - No dwellings have been located higher than existing neighbouring dwellings where possible. - Extensive landscaping proposed at main entrance to reduce visual impact. - Some of the housing to be intermediate/ affordable.
9.115	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
9.116	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 had regard to the statutory development plan, the draft development plan, relevant planning policies, planning approvals in the area and proposed mitigation, and the consideration of the issues set out in this report, the proposed development is considered acceptable.
10.2	It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission, finalise the wording of conditions and enter into the Section 76 Agreement and resolve any issues arising from any outstanding consultation responses.
11.0	Draft Conditions
1.	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
2.	<p>The existing trees outlined in green on approved plan No. 4737-P-10 E shall be retained in accordance with this plan unless necessary to prevent danger to the public in accordance with details that shall have first been submitted to and approved in writing by the Council. Any retained trees or plants indicated on the approved plans 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>Reason: To ensure the development integrates into the surroundings and to ensure the maintenance of screening to the site.</p>

3.	<p>Prior to the commencement of any site works, all existing trees shown on Drawing Number 4737-P-10 E as being retained shall be protected by appropriate fencing in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations. Such tree protection measures shall remain in situ during the duration of the build. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Council.</p> <p>Reason: To protect existing trees indicated to be retained.</p>
4.	<p>All hard and soft landscaping works shall be carried out in accordance with the approved plan No. L0-01 K. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details .</p> <p>Reason: In the interests of the character and appearance of the area, to promote sustainable drainage and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
5.	<p>The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p>Reason: In the interests of amenity.</p>
6.	<p>A buffer of at least 8m, as depicted on Drawing Nos.4737-P-10 and L0-01 K must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil and the watercourse located along the western boundary of the application site.</p> <p>Reason: To negate any potential pollution issues to European Site features in Belfast Lough connected via the adjacent watercourse and to protect NI Priority Habitat and to prevent likely significant effects on the Belfast Lough SPA and Ramsar, and Inner Belfast Lough ASSI.</p>
7.	<p>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 Council 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
8.	<p>After completing any remediation works required and prior to occupation of the</p>

	<p>development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
9.	<p>Prior to the commencement of construction, the applicant shall provide to and have agreed in writing by the Council, a Materials Management Plan. This Materials Management Plan should present an auditable system of how the excavation, movement, placement and re-use of materials on the site will be managed to ensure no risk to human health exists on the developed site.</p> <p>All construction thereafter must be in accordance with the approved Materials Management Plan.</p> <p>Reason: Protection of human health.</p>
10.	<p>Prior to the occupation of the proposed development, the applicant shall provide to and have agreed in writing by the Council, a Verification Report. This report must demonstrate that the remediation measures outlined in the Pentland Macdonald Ltd report entitled 'Contamination Assessment and Remediation Strategy, Former Gort na Mona Educational Resource Centre, Springfield Road, Belfast, for McGinnis Group' (referenced PM21-1065 and dated October 2021) and the Pentland Macdonald letter dated 24th February 2022 regarding 'Residential development at former Gort Na Mona Educational Resource Centre, Belfast (LA04/2022/0129/F) - Contaminated Land Clarifications' (PM21-1065_Let1) have been implemented. The Verification Report should also demonstrate that the agreed Materials Management Plan has been implemented during construction.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified potential contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:</p> <ol style="list-style-type: none"> A 300mm thick capping layer has been emplaced in the grassed public open space area shown on Figure 4 of the Contamination Assessment and Remediation Strategy report, composed of material that is suitable for a public open space in a residential setting end use and with a maximum nickel concentration of 78.3 mg/kg. The gardens of units 13-20 have a clean capping layer measuring 1m thick, composed of material that is suitable for a residential with homegrown produce end use. The properties shown on Figure 4 of the Contamination Assessment and Remediation Strategy report as requiring gas protection measures have been provided with gas protection in accordance with their Characteristic Situation 2 classification (as per the requirements of BS 8485:2015+A1:2019). Gas protection measures must be verified in line with the requirements of CIRIA C735.

11.	<p>d) Any soils excavated from within the delineated area of gas risk (as shown on Figure 4, the quadrilateral defined by 2020 BH3, BH22, BH32 and BH34) have only been reused across parts of the site where no buildings are located.</p> <p>Reason: Protection of human health.</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p>
12.	<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>
13.	<p>Prior to installation, the applicant shall submit to the Council, for review and approval in writing, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to first floor habitable rooms on the eastern facade of dwellings numbered 1 to 26 as well as the windows of the ground and first floor habitable rooms of both the south and east façades of dwelling no. 69 and habitable rooms on the ground and first floor southern façade of dwelling number 70 of the hereby permitted development as shown on the JNP Architects 'Proposed site plan', dated 11/05/2021, drawing no. 4737-P-10, revision E. The window specification for habitable rooms shall be capable of achieving a sound reduction value of 33dBRw/27dBRtra in line with recommendations of the Acoustic Design Statement in appendix C of the Irwin Carr Consulting Noise Impact Assessment (dated 8th March 2022, referenced Rp002N 2021193).</p> <p>Reason: To protect the amenity of prospective residents.</p>
14.	<p>Prior to installation, the applicant shall submit to the Council, for review and approval in writing, confirmation of the sound reduction specification of alternative means of acoustically attenuated ventilation to be installed in first floor habitable rooms of dwellings no.1 to 26 and in the southern and eastern facades at ground and first floor of dwellings no. 69 and in the ground and first floor habitable rooms of the southern elevation of dwelling number 70 as shown on the JNP Architects 'Proposed site plan', dated 11/05/2021, drawing no. 4737-P-10, revision E. The alternative means of ventilation shall have a sound reduction value, when in the open position, equivalent or greater to that provided by the glazing units of the same</p>

15.	<p>dwellings in line with the Acoustic Design Statement in appendix C of the Irwin Carr Consulting Noise Impact Assessment (dated 7th March 2022, referenced Rp002N 2021193).</p> <p>Reason: To protect the amenity of prospective residents.</p> <p>Prior to occupation of the hereby permitted development, the final window schedule and alternative means of ventilation schedule shall be installed, as approved, to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative means of ventilation provided in compliance with building control requirements.</p> <p>Reason: To protect the amenity of prospective residents.</p>
16.	<p>Prior to occupation of the hereby permitted development, the applicant submit, to the Council for review and approval in writing a report to verify that the window schedule and alternative means of ventilation as approved have been installed. This report may take the form of a written declaration from the supplier and installation contractor confirming purchase and subsequent installation.</p> <p>Reason: To protect the amenity of prospective residents.</p>
17.	<p>Prior to occupation of the hereby permitted development, a 3m high close boarded acoustic timber fence of a mass of at least 15kg/m2 with no gaps shall be constructed to the rear of dwellings numbered 1 to 26 as recommended in appendix C 'Acoustic Design Statement' of the Irwin Carr Consulting Noise Impact Assessment dated 08 March 2022, report ref: Rp002N 2021193 and as shown in the JNP proposed site plan, dated 28/05/2021 drawing number: 4737- P-10F revision F.</p> <p>The fence shall be retained permanently unless otherwise agreed in writing by the Council.</p> <p>Reason: To protect the amenity of prospective residents.</p>
18.	<p>Prior to commencement of the development, the applicant shall submit to the Council, for review and approval in writing, a Final Construction Environmental Management Plan (CEMP). The final CEMP must outline the methods to be employed to minimise any noise, vibration and dust impacts associated with the construction operations demonstrating the use of 'best practicable means'. The plan must pay due regard to BS 5228:2009+A1:2014 Code of practice for Noise and vibration on construction and open sites, and IAQM Guidance on the Assessment of dust from demolition and construction 2014. The CEMP shall include the noise and vibration limits not to be exceeded on site and outline the arrangements for noise and vibration monitoring. The CEMP should also include arrangements for liaising with nearby residents. All construction works thereafter must be carried out in accordance with the approved management plan.</p> <p>Reason: Protection of amenity of nearby houses</p>
	<p>Notification to Department (if relevant)</p> <p>Not required.</p>
13.0	<p>Representations from elected members: None received</p>

Neighbour Notification Checked	Yes
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ANNEX	
Date Valid	26th January 2022
Date First Advertised	11th February 2022
Date Last Advertised	11 th February 2022
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Belfield Heights,Belfast,Antrim,BT12 7GN The Owner/Occupier, 1 Mill Race,Belfast,Antrim, The Owner/Occupier, 1 Mill Race,Belfast,Antrim,BT12 7GP The Owner/Occupier, 10 Belfield Heights,Belfast,Antrim,BT12 7GN The Owner/Occupier, 10 Mill Race,Belfast,Antrim,BT12 7GP The Owner/Occupier, 10 St Gerards Manor,Belfast,Antrim,BT12 7GW Joanne Keenan 10, Dermott Hill Drive, Belfast, Antrim, Northern Ireland, BT12 7GG The Owner/Occupier, 11 Belfield Heights,Belfast,Antrim,BT12 7GN The Owner/Occupier, 11 Mill Race,Belfast,Antrim,BT12 7GP The Owner/Occupier, 11 St Gerards Manor,Belfast,Antrim,BT12 7GW The Owner/Occupier, 12 Belfield Heights,Belfast,Antrim,BT12 7GN The Owner/Occupier, 12 Mill Race,Belfast,Antrim,BT12 7GP The Owner/Occupier, 12 St Gerards Manor,Belfast,Antrim,BT12 7GW The Owner/Occupier, 12 Upper Springfield Road,Belfast,Antrim,BT12 7QP The Owner/Occupier, 13 Belfield Heights,Belfast,Antrim,BT12 7GN The Owner/Occupier, 14 Belfield Heights,Belfast,Antrim,BT12 7GN The Owner/Occupier, 14 Dermott Hill Grove,Belfast,Antrim,BT12 7GH The Owner/Occupier, 14 Mill Race,Belfast,Antrim,BT12 7GP The Owner/Occupier,	

14 St Gerards Manor,Belfast,Antrim,BT12 7GW
The Owner/Occupier,
15 Belfield Heights,Belfast,Antrim,BT12 7GN
The Owner/Occupier,
15 Dermott Hill Drive,Belfast,Antrim,BT12 7GG
The Owner/Occupier,
15 Mill Race,Belfast,Antrim,BT12 7GP
Majella McCartney
15, Belfield Heights, Belfast, Antrim, Northern Ireland, BT12 7GN
The Owner/Occupier,
16 Belfield Heights,Belfast,Antrim,BT12 7GN
The Owner/Occupier,
16 Dermott Hill Grove,Belfast,Antrim,BT12 7GH
The Owner/Occupier,
16 Mill Race,Belfast,Antrim,BT12 7GP
The Owner/Occupier,
17 Dermott Hill Drive,Belfast,Antrim,BT12 7GG
The Owner/Occupier,
17 Mill Race,Belfast,Antrim,BT12 7GP
Joan Keenan
17, Dermott Hill Drive, Belfast, Antrim, Northern Ireland, BT12 7GG
Caictlyn Greene
18 Belfield Heights Belfast Antrim
The Owner/Occupier,
2 Belfield Heights,Belfast,Antrim,BT12 7GN
The Owner/Occupier,
2 Mill Race,Belfast,Antrim,
The Owner/Occupier,
2 Mill Race,Belfast,Antrim,BT12 7GP
The Owner/Occupier,
2 St Gerards Manor,Belfast,Antrim,BT12 7GW
The Owner/Occupier,
21 Monagh Parade,Belfast,Antrim,BT11 8EH
The Owner/Occupier,
22 Dermott Hill Drive,Belfast,Antrim,BT12 7GG
Paul Hall
22, Dermott Hill Drive, Belfast, Antrim, Northern Ireland, BT12 7GG
The Owner/Occupier,
23 Monagh Parade,Belfast,Antrim,BT11 8EH
The Owner/Occupier,
23a ,Monagh Parade,Belfast,Antrim,BT11 8EH
Eamon Davidson
24 Dermott Hill Drive,Belfast,Antrim,BT12 7GG
The Owner/Occupier,
25 Monagh Parade,Belfast,Antrim,BT11 8EH
The Owner/Occupier,
3 Belfield Heights,Belfast,Antrim,BT12 7GN
The Owner/Occupier,
3 Mill Race,Belfast,Antrim,
The Owner/Occupier,

3 Mill Race,Belfast,Antrim,BT12 7GP
 The Owner/Occupier,
 31 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 32 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 33 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 34 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 35 Monagh Parade,Belfast,Antrim,BT11 8EH
 The Owner/Occupier,
 37 Monagh Parade,Belfast,Antrim,BT11 8EH
 The Owner/Occupier,
 37a ,Monagh Parade,Belfast,Antrim,BT11 8EH
 The Owner/Occupier,
 39 Monagh Parade,Belfast,Antrim,BT11 8EH
 The Owner/Occupier,
 4 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 4 Mill Race,Belfast,Antrim,BT12 7GP
 The Owner/Occupier,
 4 St Gerards Manor,Belfast,Antrim,BT12 7GW
 The Owner/Occupier,
 5 Avoca Close,Belfast,Antrim,BT11 8QT
 The Owner/Occupier,
 5 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 5 Mill Race,Belfast,Antrim,BT12 7GP
 The Owner/Occupier,
 6 Avoca Close,Belfast,Antrim,BT11 8QT
 The Owner/Occupier,
 6 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 6 Mill Race,Belfast,Antrim,BT12 7GP
 The Owner/Occupier,
 6 St Gerards Manor,Belfast,Antrim,BT12 7GW
 The Owner/Occupier,
 7 Avoca Close,Belfast,Antrim,BT11 8QT
 The Owner/Occupier,
 7 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 7 Mill Race,Belfast,Antrim,BT12 7GP
 The Owner/Occupier,
 7 Springfield Road,Belfast,Antrim,BT12 7AB
 The Owner/Occupier,
 735 Springfield Road,Belfast,Antrim,BT12 7FP
 The Owner/Occupier,
 8 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,

8 Mill Race,Belfast,Antrim,BT12 7GP
 The Owner/Occupier,
 8 St Gerards Manor,Belfast,Antrim,BT12 7GW
 The Owner/Occupier,
 9 Belfield Heights,Belfast,Antrim,BT12 7GN
 The Owner/Occupier,
 9 St Gerards Manor,Belfast,Antrim,BT12 7GW
 The Owner/Occupier,
 Apartment 10,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 11,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 12,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 14,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 15,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 16,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 17,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 18,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 19,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 20,7a ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 21,7a ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 22,7a ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 23,7a ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 24,7a ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 25,7a ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 7,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 8,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Apartment 9,7b ,Upper Springfield Road,Belfast,Antrim,BT12 7QX
 The Owner/Occupier,
 Springfield Road,Belfast,Antrim,
 The Owner/Occupier,
 Unit 1,733 Springfield Road,Belfast,Antrim,BT12 7FG
 The Owner/Occupier,
 Unit 10,733 Springfield Road,Belfast,Antrim,BT12 7FG
 The Owner/Occupier,

Unit 11,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 2,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 3,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 4,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 5,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 6,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 7,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 8,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit 9,733 Springfield Road,Belfast,Antrim,BT12 7FG The Owner/Occupier, Unit12,733 Springfield Road,Belfast,Antrim,BT12 7FG	
Date of Last Neighbour Notification	26 th January 2023
Date of EIA Determination	8 th June 2021 (pre-application)
ES Requested	No
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	