

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



**Belfast
City Council**

9th March, 2020

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Banqueting Hall - City Hall on Tuesday, 10th March, 2020 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Routine Matters**
 - (a) Apologies
 - (b) Minutes (Pages 1 - 10)
 - (c) Declarations of Interest
2. **Committee Site Visits (Pages 11 - 12)**
3. **Q3 Finance Update (Pages 13 - 22)**
4. **Abandonments and Extinguishments (Pages 23 - 40)**
5. **Planning Appeals Notified (Pages 41 - 44)**
6. **Planning Decisions Issued (Pages 45 - 78)**
7. **Listed Buildings (Pages 79 - 84)**

8. **Planning Applications**

- (a) LA04/2018/2726/F - Social housing development of 20 semi-detached dwellings and 2 apartments on lands to the rear of 7-19 Aghery Walk and 86 - 112 Areema Drive, Dunmurry (Pages 85 - 98)
- (b) LA04/2019/2914/F - Foul pumping station with associated landscaping in connection with application LA04/2018/2726/F for housing on lands to rear of 7-9 Aghery Walk, Dunmurry (Pages 99 - 106)
- (c) LA04/2019/2299/F - Demolition of existing property and re-development of the site including the provision of approximately 230,730sqft gross new build floorspace comprising office on 6 levels over active ground floor uses including retail, restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment 1-7 Fountain Street, 24-40 Castle Street and 6-8 Queen Street (Pages 107 - 126)
- (d) LA04/2019/0517/F - Residential development comprising 154 units and ground floor retail unit at El Divino Nightclub and car park and adjacent open space, Mays Meadow (Pages 127 - 152)
- (e) LA04/2019/2850/F - Extensions to existing aerospace manufacturing facility and associated site works to include internal access road, replacement car parking, drainage and existing access onto Heron Road Bombardier Wing Manufacturing and assembly Facility, Airport Road West (Pages 153 - 172)
- (f) LA04/2018/0022/F - Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation; replacement of floodlit grass pitch with floodlit synthetic pitch, 2 floodlit multi-use games areas, pre-nursery building housing 1 classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking at Rossa Park, Shaw's Road (Pages 173 - 188)
- (g) LA04/2019/2257/F - 16 storey residential building comprising 105 units (60 x one bed and 45 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), roof terrace, plant room, substation and associated public realm works. (Amendment to planning permission reference LA04/2017/2811/F) at 81-87 Academy Street & 2-6 Exchange Street (Pages 189 - 206)
- (h) LA04/2019/2871/F - Variation of conditions 12 & 15 of approval LA04/2017/0235/F. Variation of condition 12 to include reference to submitted drainage assessment report and variation of condition 15 to provide noise verification report prior to occupation of each phase of development on lands at Rosepark House, Upper Newtownards Road (Pages 207 - 218)
- (i) LA04/2019/2810/F - Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works on lands to the south and east of Belfast Metropolitan College, east of Public Records Office of NI, north of Sydenham Road, west of Cuming Road and south of Hamilton Road (Pages 219 - 236)

- (j) LA04/2019/0110/F & LA04/2019/0111/DCA - Demolition of single dwelling and erection of 2 semi-detached dwellings at 47a Derryvolgie Avenue (Pages 237 - 248)
- (k) LA04/2019/1929/F - Temporary re-location of existing Belfast City Council's City Cemetery Service Yard consisting of a reinforced concrete slab, 5 new steel storage containers, modular welfare facility, 3m perimeter fence and lighting and CCTV columns, gates to vehicular and pedestrian access points on lands adjacent to the Whiterock Road and located at the City Cemetery exit point (Pages 249 - 254)

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Planning Committee

Tuesday, 11th February, 2020

MEETING OF PLANNING COMMITTEE

- Members present: Councillor Carson (Chairperson)
Alderman Rodgers; and
Councillors Brooks, Collins, Garrett,
Groogan, Hanvey, Hussey,
Maskey, McKeown, Murphy,
Nicholl and O'Hara.
- In attendance: Mr. A. Thatcher, Director of Planning and
Building Control;
Mr. E. Baker, Planning Manager
(Development Management);
Ms. N. Largey, Divisional Solicitor; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

No apologies were reported.

Minutes

The minutes of the meetings of 21st and 23rd January were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 3rd February, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Alderman Rodgers declared in an interest in Item 5a, namely LA04/2018/0471/F - Upgrading of playing fields to include 2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing, dug outs, 1No. 200 seater stand, toilet blocks, turnstiles, additional car parking and associated ground at the Boys Brigade Recreation Centre, 108 Belvoir Drive, in that he was the Honorary President of the Belfast Battalion of the Boys Brigade. He left the room for the duration of the item and did not participate in the vote.

Councillor Brooks declared an interest in the same item, in that he was a season ticket holder at Linfield Football Club, while the project was a BB-led initiative, Linfield FC had a role in it. He left the room during the item and did not participate in the vote.

Pre-Emptive Committee Site Visits

In response to a suggestion from the Planning Manager (Development Management) relating to a number of major planning applications which were due to be considered by the Committee over the next few months, the Committee agreed to undertake pre-emptive site visits to the following four sites:

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- LA04/2019/2850/F - Extensions to existing aerospace manufacturing facility and associated site works to include internal access road , replacement car parking, drainage and existing access onto Heron Road at Bombardier Wing Manufacturing and assembly Facility Airport Road West Belfast BT3 9ED;
- LA04/2019/2810/F - Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works at lands to the south and east of Belfast Metropolitan College east of Public Records Office of NI north of Sydenham Road west of Cuming Road and south of Hamilton Road Titanic Quarter Belfast;
- LA04/2019/2387/F - Residential development comprising 151 apartments and ancillary uses including; management suite, communal space, reception area and servicing (refuse/recycling/bicycle storage) and plant equipment; and associated car parking and public realm improvements to Scrabo Street, Station Street and Middlepath Street at Land adjacent to Quay Gate House 15 Scrabo Street Belfast BT5 4D: footpaths and public realm at Scrabo Street, Station Street and Middlepath Street; and
- LA04/2019/2299/F - Demolition of existing property and re-development of the site including the provision of approximately 243,000sqft gross build floorspace comprising class B1 (a0 office on 6 levels over active ground floor uses including retail (A1), restaurants, cafes and bars (sui generis) with a hotel of 174 bedrooms over ground plus 7 levels and associated double deck carparking of 62 spaces and related access for the redevelopment at 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street Belfast.

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Director of Planning and Building Control, together with all other planning decisions which had been issued by the Planning Department between 7th January and 3rd February 2020.

Miscellaneous Items

Planning Performance Update – April to December 2019

The Planning Manager (Development Management) provided the Committee with a detailed overview of the Planning Service's performance from 1st April to 31st December, 2019. He explained that the report provided statistics on the progress across the three statutory targets for major development applications, local development applications and enforcement cases. It also provided information relating to performance against the Council's corporate targets.

The Committee was advised that a total of 2,153 valid applications had been received between 1st April and 31st December 2019, which was a 15% increase compared to the same period for the previous year. He outlined that the number of local applications received had reduced by 8% while the number of major applications had increased by 20%. He highlighted to the Committee that "other development", such as Certificates of Lawful Use Development and Discharge of Condition applications, were not included in statutory performance targets but currently made up 42% of applications received. He explained that applications such as Discharge of Conditions, had increased by 38% from the previous year and did not attract a fee. He advised the Members that officers would continue to appeal to the Department regarding the requirement for a fee for the work associated with those applications.

He advised the Committee that approvals had been granted for over 1,300 residential units, 5 outdoor leisure facilities and 440 house-holder applications. He highlighted that the number of major decisions which had been issued had doubled and that the overall number of decisions issued had increased by 13%. The Members were advised that 93% of applications were approved.

In relation to enforcement, he advised the Members that 51% of cases had been resolved and that the Enforcement team had exceeded their targets by 23%.

The Committee was reminded that the statutory target for major applications was that they should be processed within an average of 30 weeks. The Planning Manager highlighted to the Members that the average processing time for major applications had almost halved from the previous year, from 78 weeks in 2018, to 37 weeks in 2019. He advised that the statutory target for processing local applications was 15 weeks and that they had been processed in 13.8 weeks in 2019, compared with 15.2 weeks in 2018.

A Member stated that he wished to put on record his thanks to the Planning Service for the steady progress which had been made in terms of meeting the targets.

The Planning Manager advised the Committee that performance would continue to be closely monitored.

Noted.

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Updated Training Schedule for Planning Committee Workshops

The Planning Manager (Development Management) provided the Committee with the following revised schedule of Workshops for the Thursday sessions between March 2020 and May 2021:

Committee	Workshop Topics
12 March 2020	Supplementary Planning Guidance (SPG) / Priorities / Process within LDP / Policy Relationships / Future Status
16 March 2020	Transportation Issues / Highways / Access / Transport (subject to attendance by DFI Roads to be confirmed)
April 2020	Supplementary Planning Guidance (SPG) / Detailed approach to guidance and Policy relationships
May 2020	Performance (2019/2020 Year End) / Improvement
June 2020	Local Development Plan Examination Process
July 2020	No Workshop Meeting
August 2020	Reviewing the Planning Committee Protocol
September 2020	Urban Design and Conservation / SPG Review
October 2020	No Workshop Meeting
November 2020	Development Management / Process / Decision Making / Appeals / Performance (2020/2021 Q1 + Q2) / Improvement
December 2020	No Workshop Meeting
January 2021	No Workshop Meeting
February 2021	Developer Contributions
March 2021	No Workshop Meeting
April 2021	Planning Conditions and Legal Agreements
May 2021	Performance (2020/2021 Year End) / Improvement

He explained that Supplementary Planning Guidance (SPG) Workshops were included which were important in supporting the implementation of the operational policies in the draft Local Development Plan, Plan Strategy. The SPG topics included affordable housing, the evening economy, viability, sensitive uses, householder (design guidance), waste, residential design, flooding, urban design, sustainable drainage systems and employment land supply.

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The Members were advised that the updated training programme proposed that performance and improvement workshops be undertaken bi-annually rather than quarterly, with quarterly performance reports circulated by email.

The Committee was advised that the Department for Infrastructure (DfI) had confirmed its attendance at a Special Transport Workshop, which would take place on Monday, 16th March at 5 p.m. The Members were asked to provide officers with any specific areas which they would like the DfI representatives to cover at the Workshop.

The Committee noted the update which had been provided.

Planning Applications

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE
POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)**

**LA04/2018/0471/F - Upgrading of playing fields to include
2 new 3G pitch surfaces and 1 grass pitch, floodlights, fencing,
dug outs, 1No. 200 seater stand, toilet blocks, turnstiles,
additional car parking and associated ground at the Boys
Brigade Recreation Centre, 108 Belvoir Drive**

(Alderman Rodgers and Councillor Brooks declared an interest and left the room at this point.)

The Principal Planning Officer provided the Committee with an overview of the details of the major application for the upgrading of facilities within an existing playing field off Belvoir Drive in the south of the City.

He outlined the key issues which were considered during the assessment of the application, including the principle of the development, the visual impacts of the proposal, the impact on the amenity and character of the area, impact on the natural environment and heritage and flood risk.

He explained to the Members that, while the proposal would result in the reduction of playing pitches from 5 to 3 within the site, there would be no net loss of open/recreational space, as larger full-size pitches were proposed. He advised the Committee that, should the applicant wish to reduce the number of pitches available, they could so do without planning permission as it did not involve a material change of use of the land.

The Committee was advised that the proposal would not adversely impact on amenity, traffic, heritage assets or flooding and that the proposed scale, form and massing were acceptable and would not impact on the local character of the area. The Planning officer explained that access to the park would be unaffected by the proposals.

He reported that DfI Roads, HED, NI Water and Rivers Agency had no objections to the proposal.

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He drew the Committee's attention to the Late Items Pack, where the Natural Environment Division (NED) had submitted its consultation response on 7th February. NED had expressed concerns regarding the designated Belvoir Area of Special Scientific Interest (ASSI), the proposed felling of ancient oak trees, the potential use of herbicides, parking and bats. He explained to the Committee that the applicant had agreed that all ancient oak trees would now be retained, that herbicide would be precluded within the Root Protection Zone (RPZ), by condition, that DfL Roads were content with the parking provision and that floodlighting would only be used between October and April, and that no impact on bats was likely. The officers advised that they would provide NED with clarification that the ancient oak trees were being retained and that works within the RPZ would be conditioned to prevent damage to the tree roots.

In response to a Member's question regarding the proposed works within the Root Protection Zones, the Principal Planning officer explained that officers felt that the minor works which were required to be carried out could be dealt with through conditions or a through a construction method statement.

The Committee was advised that the Tree Officer had recommended that canopy works be carried out to reduce the weight of the older trees.

The Members were provided with a detailed light spill analysis diagram which illustrated that no residential properties would be affected by the proposed floodlighting.

The Committee granted approval to the application, subject to officers dealing with the outstanding issues which had been raised by NED, the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

(Alderman Rodgers and Councillor Brooks returned to the meeting at this point.)

LA04/2019/2951/F - Vary condition 11 (b) of approval LA04/2016/2385/F to amend the number of sound events exceeded as follows:
(b) not exceed the 45dB LAmax for more than 15 sound events between 23:00 and 07:00 hrs within any proposed bedrooms with windows closed and alternative means of ventilation provided in accordance with current building control requirements at 81-107 York Street

The Principal Planning officer outlined the details of the application to vary a technical condition, 11 (b) of a previous approval, namely, LA04/2016/2385/F, for purpose built student accommodation comprising 717 beds.

He explained that the variation of the condition related to a technical point regarding the sound levels within the building, where the 45dB LAmax should not be exceeded for more than 15 sound events between 23:00 and 07:00 hrs.

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He outlined to the Committee that Environmental Health had no objections to the revision and that no other objections had been received.

The Committee was reminded that, as the original approval had been granted with a Section 76 Legal Agreement, if the variation was granted, an updated Agreement would have to be agreed to reflect the change.

The Chairperson advised the Members that Ms. E. Walker, agent, was in attendance to answer any questions from Members.

In response to a Member's query as to why up to 15 sound events would be permitted, Ms. Walker explained that they had a noise consultant on their team and they had examined other similar properties. She advised the Members that the current condition did not take account the reality of passing ambulances or fire engines which would pass the building and register a sound above 45dB. She emphasised that Environmental Health was content with the proposed variation.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions, noting that an updated Section 76 Legal Agreement would be drawn up.

LA04/2018/2903/F - Change of use of warehouse and offices to event space including internal and external alterations at Arnott's, 16-20 Dunbar Street

The Principal Planning Officer provided the Committee with an overview of the details of the application for the change of use from a warehouse and office to an event space.

She advised the Members that the application was in front of Members as it included a right of way, as an emergency exit, through a Council-owned car park to the west of the site. She explained that a temporary licence had been granted to accommodate the escape route but that it was only on a temporary basis given the long term redevelopment opportunity of the land.

She outlined the key issues in the assessment of the development were the principle of an event space at that location and the impact on amenity, traffic flow, parking and on the Conservation Area.

The Committee was advised that the proposed change of use was compliant with relevant policy and was therefore acceptable, subject to conditions.

The Principal Planning Officer advised the Members that NI Water, DfI Roads, BCC Estates and Environmental Health had all been consulted and had no objections subject to conditions.

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One objection had been received, raising issues with noise and outdoor smoking and she explained that the issues had been covered within the Case officer's report.

The Committee's attention was drawn to the Late Items Pack, where the agent had requested that the temporary approval be granted for three years. The Principal Planning Officer advised the Members that the agent had advised that three years, instead of two, would allow the operator sufficient time to carry out the internal set up works as well as a realistic timeframe to book future events and would also ensure the marketability of the site which required a calendar of events.

The Committee was advised that an Event Management Plan (EMP) had not yet been provided and it was therefore recommended that a condition be attached requiring that an EMP be submitted and agreed in writing, prior to the approved use becoming operational.

The Committee granted a temporary approval of three years to the application, subject to the conditions in the Case officer's report, and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

LA04/2019/2928/F - Realigned fence and vehicle & pedestrian gates to replace existing. Widened pedestrian gates with additional landscaping, widened footpaths and the resurfacing of an existing road entrance on lands at the existing Invest NI Forthriver Industrial Estate, Woodvale Avenue

The Principal Planning Officer outlined the details of a Belfast City Council application for an amended access to the Forthriver Industrial Estate from Woodvale Avenue.

She explained that the proposed gates measured 2.5metres high with new paladin fencing on either side of the entrance gates at the same height.

The Committee was advised that the proposed access would help create and enhance shared space by providing greater connectivity to the Estate for residents from the Woodvale area. She reported that the proposed access was considered to support the good design paragraphs within the SPPS, as it would make a positive use of the assets of the site.

In response to a Member's question, the Principal Planning Officer advised that the access would be a secondary access to the site.

The Members were advised that no third party representations had been received and that DfI Roads had been consulted and had offered no objection to the proposal.

The Committee granted approval to the application, subject to the imposing of the conditions, with Delegated Authority given to the Director of Planning and Building Control to finalise the wording of the conditions.

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LA04/2019/2343/F - Demolition/removal of existing temporary building and erection of new two-storey Community Centre and Crèche at Walkway Community Association 1-9 Finvoy Street and lands between 31 Upper Newtownards Road and Bloomfield Baptist Church

(Councillor McKeown left the meeting at this point)

The Committee was provided with the key aspects of the application from Belfast City Council.

The Principal Planning Officer outlined that the key issues in the assessment of the development included the proposed crèche use, height, scale, massing, layout and design, impact on the proposed Area of Townscape Character, impact on the residential amenity of neighbours and parking provision.

She advised the Committee that the applicant had engaged in a Pre-Application Discussion (PAD) in 2019 and that feedback had been provided to the agent and applicant.

The Members were advised that the principle of a new community centre was acceptable and that a new crèche would enable the relocation of an existing crèche on the Newtownards Road. The Principal Planning Officer outlined that the contemporary design was considered to be sympathetic and complementary to the area and sat comfortably with the surrounding properties. It was considered that the proposal would not detrimentally impact on the character or appearance of the proposed Area of Townscape Character.

The Committee was advised that Rivers Agency and NIEA had offered no objection to the proposals.

The Principal Planning Officer drew the Members' attention to the Late Items Pack. She explained that Environmental Health had requested the submission of a Generic Quantitative Risk Assessment and details of proposed odour extraction and ventilation systems. She explained that, following receipt of this information, Environmental Health had since responded to the consultation with no objection to the proposal subject to conditions.

The Committee was advised that, while the site was considered to be in a highly accessible location, a Travel Plan had been requested by DfI Roads. The Planning officer explained that, upon receipt of the information, DfI Roads would be consulted again and that additional conditions would be imposed if necessary.

The Members noted that no representations had been received.

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer's report and delegated power to the Director of Planning and Building Control for the final wording of the conditions.

Chairperson

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Planning Committee

Wednesday, 26th February, 2020

PLANNING COMMITTEE SITE VISIT – NOTE OF MEETING

Members Present: Councillor Carson (Chairperson);
Councillors Brooks, Garrett, Hanvey
and Murphy

Officers in Attendance: Mr. E. Baker, Planning Manager (Development
Management);
Mr. P. Fitzsimons, Principal Planning Officer;

Site Visits

The Committee convened at 12.15pm at the City Hall, for the purpose of undertaking 4 pre-emptive site visits in respect of the following applications:

- LA04/2019/2850/F - Extensions to existing aerospace manufacturing facility and associated site works to include internal access road , replacement car parking, drainage and existing access onto Heron Road at Bombardier Wing Manufacturing and assembly Facility Airport Road West, Belfast, BT3 9ED;
- LA04/2019/2810/F - Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works at lands to the south and east of Belfast Metropolitan College east of Public Records Office of NI north of Sydenham Road, west of Cuming Road and south of Hamilton Road, Titanic Quarter, Belfast;
- LA04/2019/2387/F - Residential development comprising 151 apartments and ancillary uses including; management suite, communal space, reception area and servicing (refuse/recycling/bicycle storage) and plant equipment; and associated car parking and public realm improvements to Scrabo Street, Station Street and Middlepath Street at Land adjacent to Quay Gate House, 15 Scrabo Street, Belfast, BT5 4D: footpaths and public realm at Scrabo Street, Station Street and Middlepath Street; and

(Councillor Brooks left the Site Visit at this point.)

- LA04/2019/2299/F - Demolition of existing property and re-development of the site including the provision of approximately 243,000sqft gross build floorspace comprising class B1 (a0 office on 6 levels over active ground floor uses including retail (A1), restaurants, cafes and bars (sui generis) with a hotel of 174 bedrooms over ground plus 7 levels and associated double deck carparking of 62 spaces and related access for the redevelopment at 1-7 Fountain Street, 24-40 Castle Street and 6-8 Queen Street, Belfast.

The Members viewed the sites with the proposed plans.

Chairperson



Subject:	Financial Reporting – Quarter 3 2019/20
Date:	10 March 2020
Reporting Officer:	Aidan Thatcher, Director of Planning and Building Control
Contact Officer:	David Orr; Business Manager, Place and Economy Department

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report or Summary of main Issues
1.1	This report presents the Quarter 3 financial position for the Planning Committee including a forecast of the year end outturn. It includes a reporting pack which contains a summary of the financial indicators and an executive summary (Appendix 1). It also provides a more detailed explanation of each of the relevant indicators and the forecast outturn for the year.
2.0	Recommendations
2.1	Members are asked to note the report and the associated financial reporting pack.
3.0	Main report

3.1	<p>Overall Council Financial Position</p> <p>The Council year end forecast is an under spend of £764k of the annual net expenditure budget. This was reported to the Strategic Policy and Resources Committee at its meeting on the 21st February. Given the departmental forecast, it was agreed to reallocate the forecasted underspend to previously agreed commitments as follows:</p> <p>Air Quality - £215k</p> <p>The People and Communities Committee of 5th November 2019 sought and received approval from this Committee on 22nd November 2019 to carry out an Air Quality Assessment costing between £145k and £215k depending on the final scope and complexity of the work. A specified reserve will now be set up to allow this work to be carried out in 2020/21.</p> <p>2021 UEFA Supercup - £200k</p> <p>The City Growth and Regeneration Committee meeting of 11th November recommended that priority be given to providing funding of £200k towards the hosting in the City of the event. A specified reserve will now be established for this agreed level of financing</p> <p>World Irish Dancing - £278k</p> <p>The City Growth and Regeneration Committee meeting of 6th December 2017 agreed to the hosting of the 2022 World Irish Dancing Championships in Belfast, at a cost of £400k. The current specified reserve stands at £122k and a further £278k will now be added to meet the Council's financial commitment to the event.</p>
3.2	<p>Committee Financial Position 2019/2020</p> <p>The Quarter 3 position for the Committee is a net under spend of £551k (48.65%), with the forecast year end position being an under spend of £673k (45%)</p> <p>The main reasons for the Committee under spend relate to planning fees received exceeding the anticipated level for the quarter by £506k offset by an under achievement of £315k fee income in Building Control. Interim vacancies within Building Control and reduced expenditure on dangerous structures have driven a £277k underspend in expenditure budgets with other underspends across the Planning Service equating to £82k.</p>
3.3	<p><u>Financial & Resource Implications</u></p> <p>The report sets out the 2019/20 quarter 3 position.</p>
3.4	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>

	There are no equality implications with this report.
4.0	Appendices
4.1	Quarter 3 Performance Report

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Planning Committee

Quarterly Finance Report

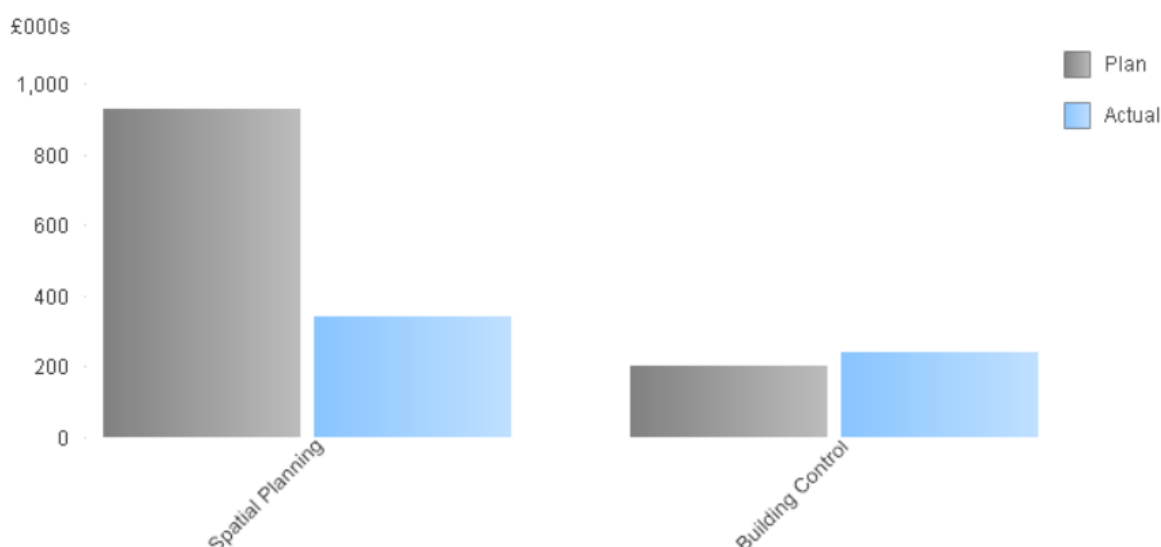
Report Period: Quarter 3, 2019/20

Dashboard

Quarter 3, 2019/20

Revenue Section							Page
Committee	YTD	YTD Var £000s	Var %	Forecast	Forecast Var £000s	Var %	3,4
Spatial Planning	✗	(589)	(63.3)%	✗	(640)	(51.7)%	
Building Control	✗	38	18.7%	✗	(33)	(12.8)%	
Total	✗	(551)	(48.6)%	✗	(673)	(45.0)%	

Committee Net Revenue Expenditure: Year to Date Position



The Planning Committee's overall position at the end of Quarter 3 is a net underspend of £551k.

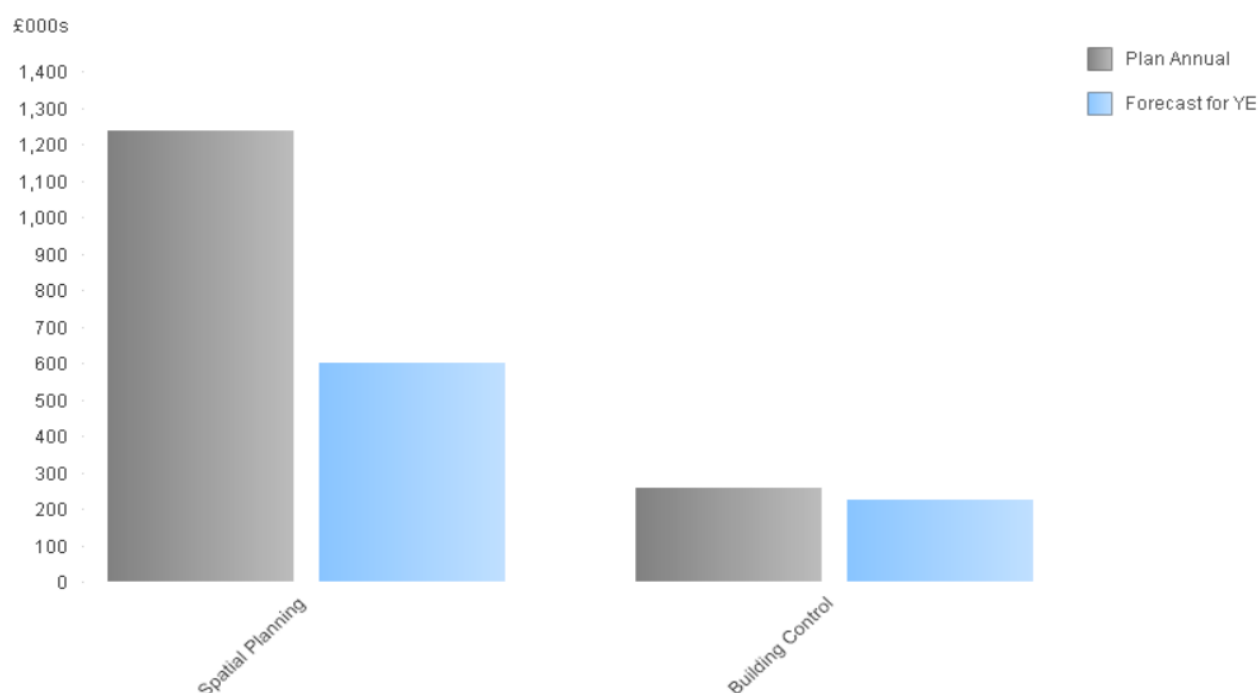
The Planning Service operates on annual estimated expenditure of £3.6m which is offset by annual estimated fee income of £2.3m.

At Quarter 3, The Planning Service is showing a net underspend of £589k driven by overachievement of anticipated planning fees by £506k including £164k relating to new licensing regulations for Houses of Multiple Occupation (HMOs) introduced in April 2019. The expenditure budget is underspent by £82k reflecting in-year efficiencies generated through a new advertising contract.

The Building Control Service operates on annual estimated expenditure of £4m which is offset by estimated annual fee income of £3.7m.

At quarter 3, Building Control is showing an over spend of £38k due to underachievement in income associated with inspection fees and Pavement Café which is offset against an increase in plan fees and an under spend associated with employee costs due to vacant posts and expenditure for dangerous structures and dilapidated buildings.

Committee Net Revenue Expenditure: Forecast for Year End



The Planning Committee's overall forecast position for year-end is a net underspend of £673k (45%).

At Quarter 3, the Planning Service forecasts a net underspend of £640k based on overachievement of fee income of £580k including £200k relating to non-recurring additional fees in respect of planning implications of new HMO licensing regulations. The expenditure budget is forecast to be £60k underspent based on advertising efficiencies of £120k being offset by uncontrollable employee costs of £60k.

At quarter 3, Building Control is forecasting an under spend of £33k due to an expected underachievement in income associated with inspection fees and pavement café which is offset against an under spend in employee costs and dangerous structures. The Service will continue to monitor the expenditure to counteract the underachievement in income.

Planning Committee

Section Expenditure Budgetary Analysis & Forecast

Service	Plan YTD £000s	Actuals YTD £000s	Variance YTD £000s	% Variance	Annual Plan 2019/2020 £000s	Forecast for Y/E at P9 £000s	Forecast Variance £000s	% Variance
Building Control	203	241	38	18.7%	258	225	(33)	(12.8)%
Spatial Planning	929	341	(589)	(63.3)%	1,239	599	(640)	(51.7)%
Planning Committee	1,132	581	(551)	(48.6)%	1,497	824	(673)	(45.0)%

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ARUP

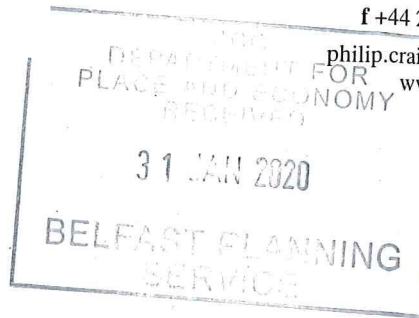
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3rd Floor
16-22 Bedford Street
Belfast
BT2 7FD
Northern Ireland
t +44 28 9089 0900
f +44 28 9089 0901

philip.craig@arup.com
www.arup.com

30 January 2020

Dear Michelle,

The Paper Exchange



As part of The Paper Exchange application (LA04/2017/2268/F), we intend to apply for the abandonment of Seymour Lane located to the rear of the development. Under Article 68 of the NI Roads Order 1993, a road can be abandoned if the road is not necessary for road traffic. Previously the road acted as an access for the now demolished Oxford & Gloucester House and now acts as a secondary pedestrian egress for The Paper Exchange, with vehicular access relocated to Gloucester Street. Therefore, the road meets the criteria of Article 68.

I have enclosed a drawing outlining the folios under the clients control and the area to be abandoned. I have also enclosed the Land Registry maps indicating that the adjacent buildings do not have a right of way onto or through this road.

On this basis, I would be grateful if you could advise if DFI Roads are content to proceed with the abandonment and provide direction on the process.

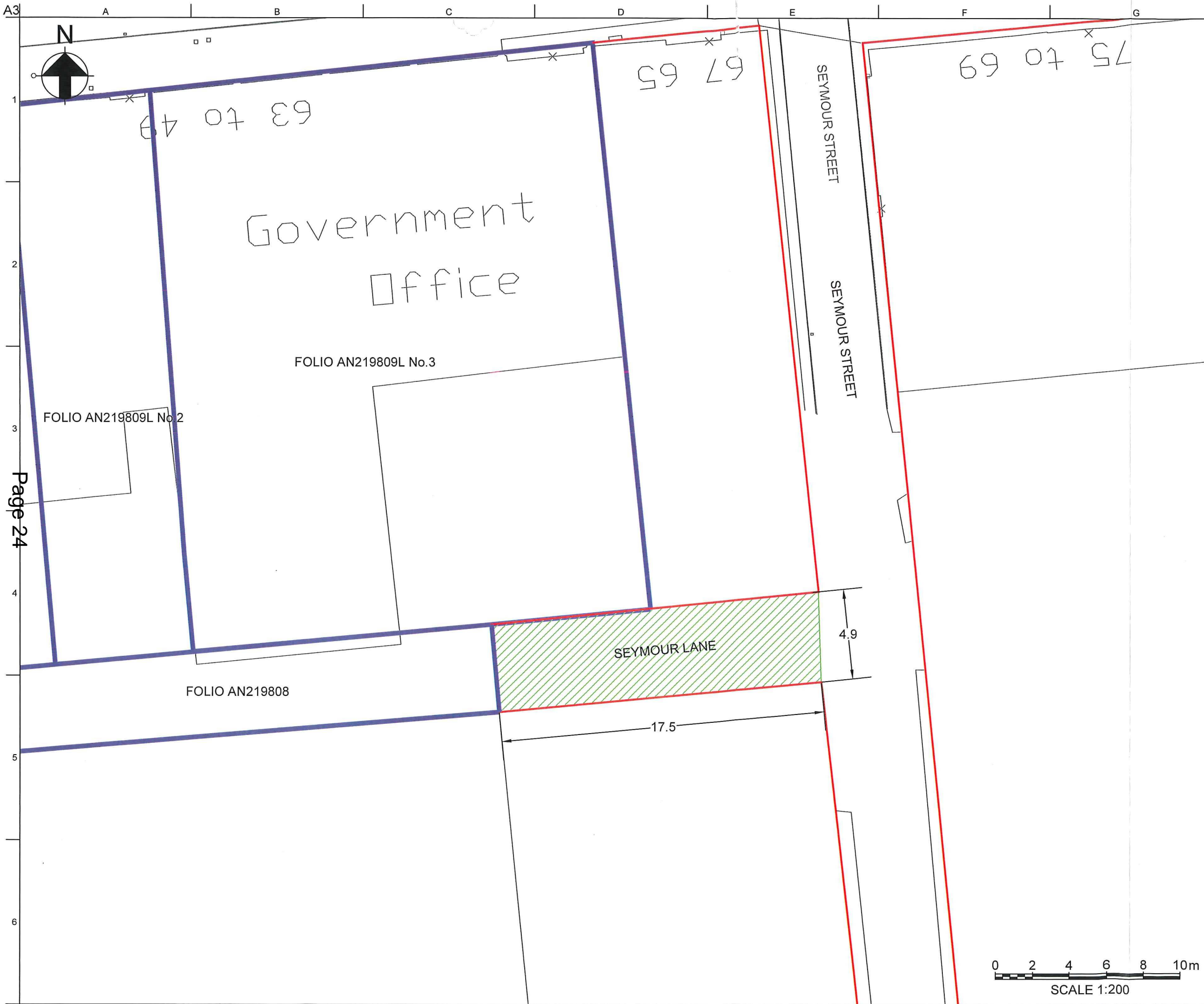
If you require any further information, please do not hesitate to contact me.

Yours sincerely

Philip Craig
Transport Planner

Enc

Drawing 263484-SRU-ZZ-GF-DR-TR-2100
Folio Maps



- NOTES**
1. ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED.
 2. FOLIO BOUNDARIES SHOWN BASED ON ORDNANCE SURVEY MAPPING AND THE LAND REGISTRY.



- KEY**
- CLIENT OWNED FOLIOS
 - EXISTING LINE OF DFI ROADS ADOPTION
 - AREA TO BE ABANDONED

P01	09/12/19	PSC	PSC	ES
Rev	Date	By	Chkd	Appd

ARUP

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Belfast BT2 7FD
Tel +44 (0)28 9089 0900 Fax +44 (0)28 9089 0901
www.arup.com

Client
Chichester Street Properties Limited

Project Title
The Paper Exchange

Drawing Title
Proposed Area for Abandonment

Scale at A3	1:200
Role	Consulting - Transport Planning
Suitability	- For Information
Arup Job No	263484-04
Rev	P01
Name	263484-SRU-ZZ-GF-DR-TR-2100

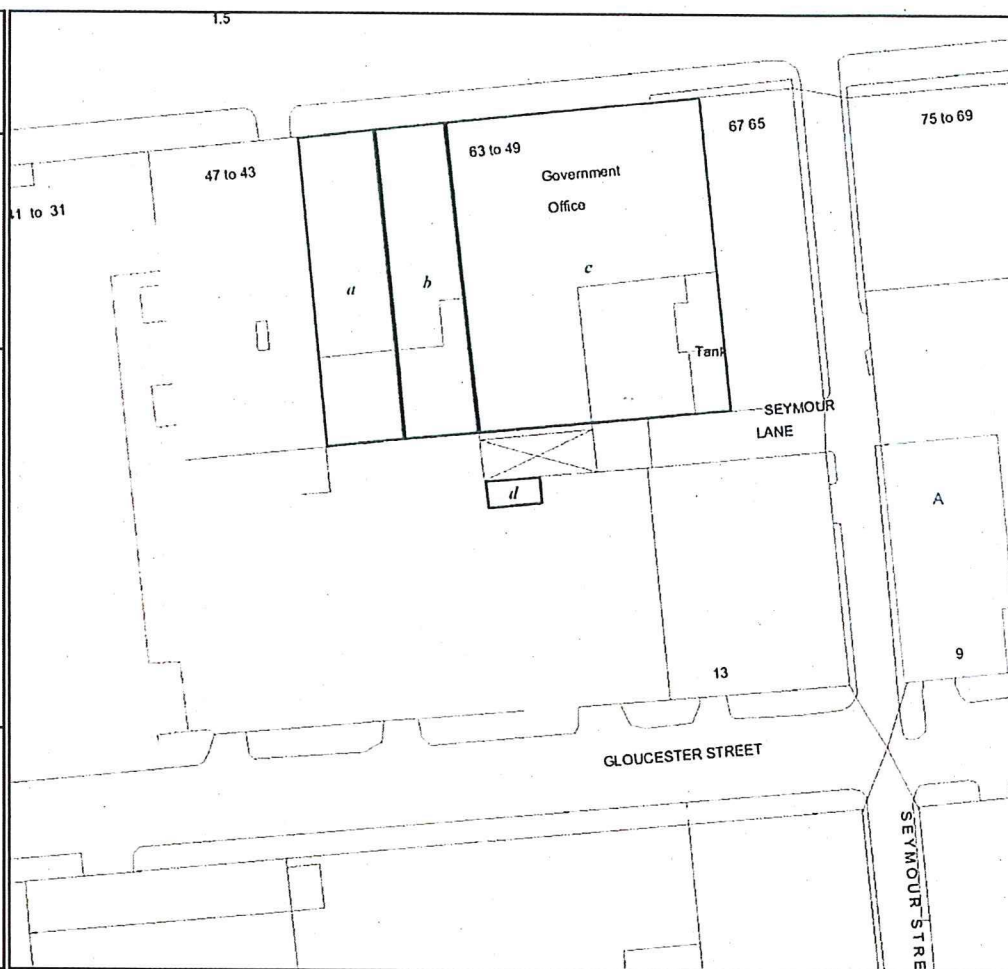
BELFAST PLANNING
SERVICE

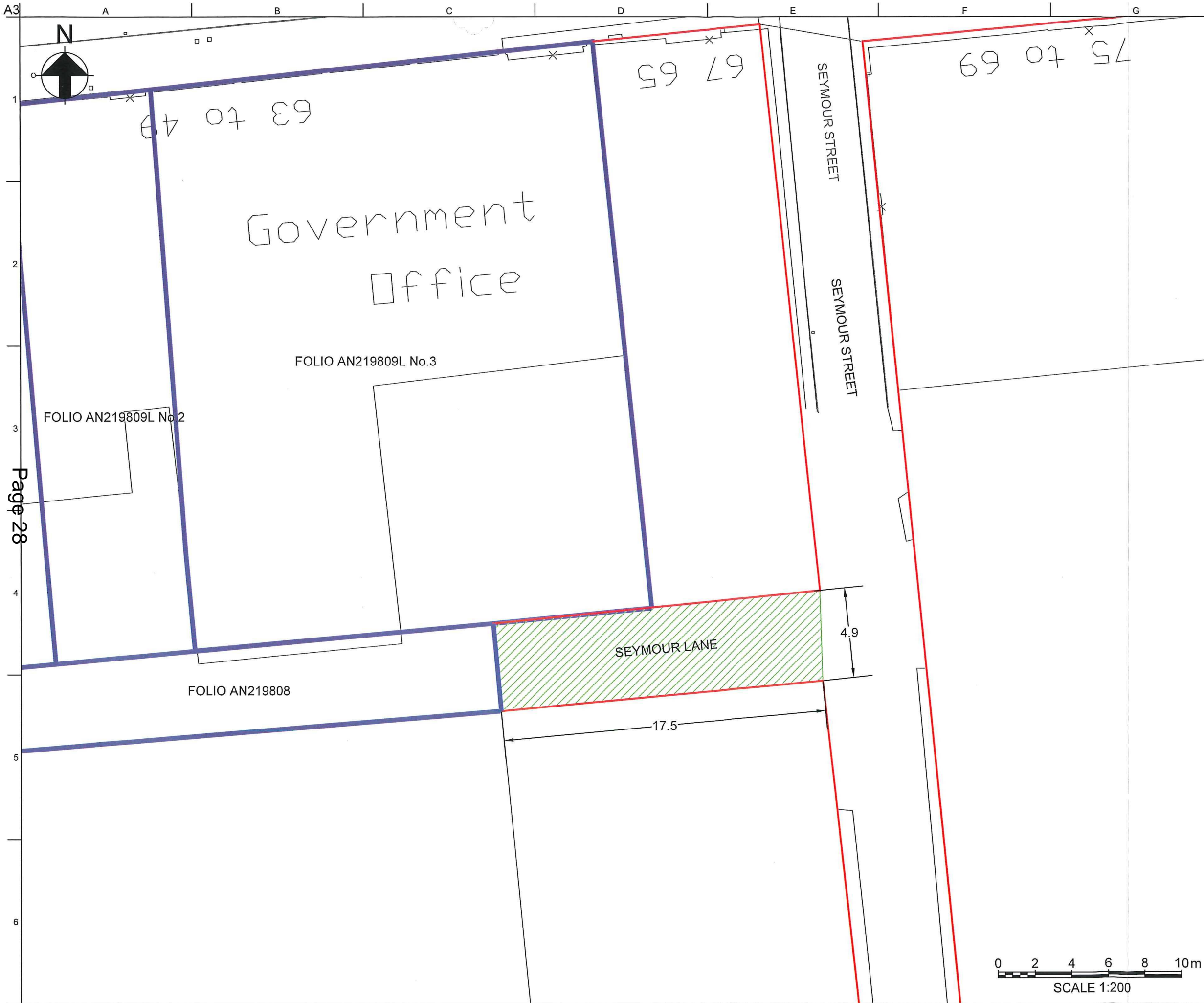


BELFAST PLANNING
SERVICE



BELFAST PLANNING
SERVICE





- NOTES**
1. ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED.
 2. FOLIO BOUNDARIES SHOWN BASED ON ORDNANCE SURVEY MAPPING AND THE LAND REGISTRY.



- KEY**
- CLIENT OWNED FOLIOS (Blue line)
 - EXISTING LINE OF DFI ROADS ADOPTION (Red line)
 - AREA TO BE ABANDONED (Green hatched area)

P01	09/12/19	PSC	PSC	ES
Rev	Date	By	Chkd	Appd

ARUP

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Role	Consulting - Transport Planning
Suitability	- For Information
Arup Job No	263484-04
Name	263484-SRU-ZZ-GF-DR-TR-2100
Rev	P01

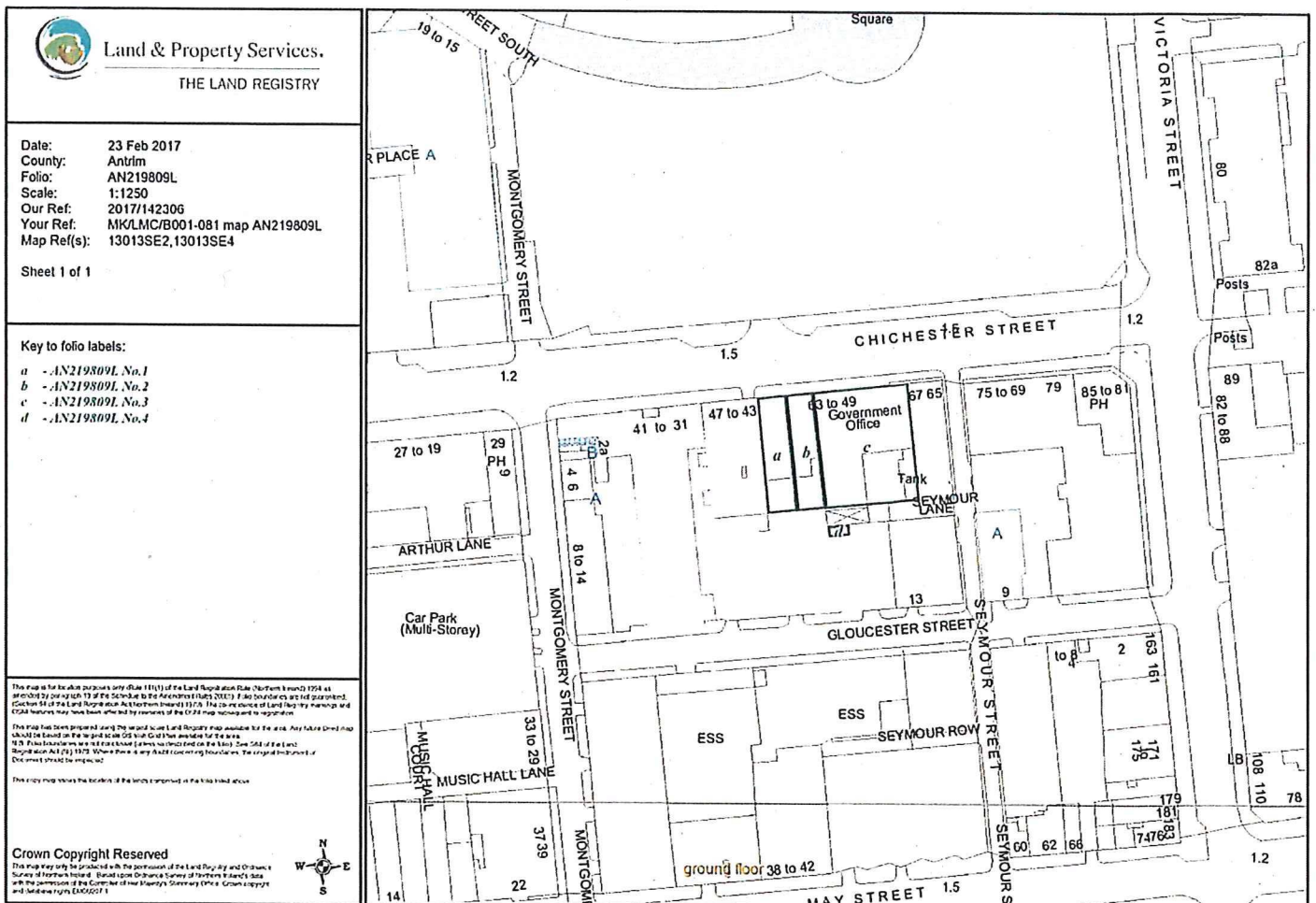
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SERVICE

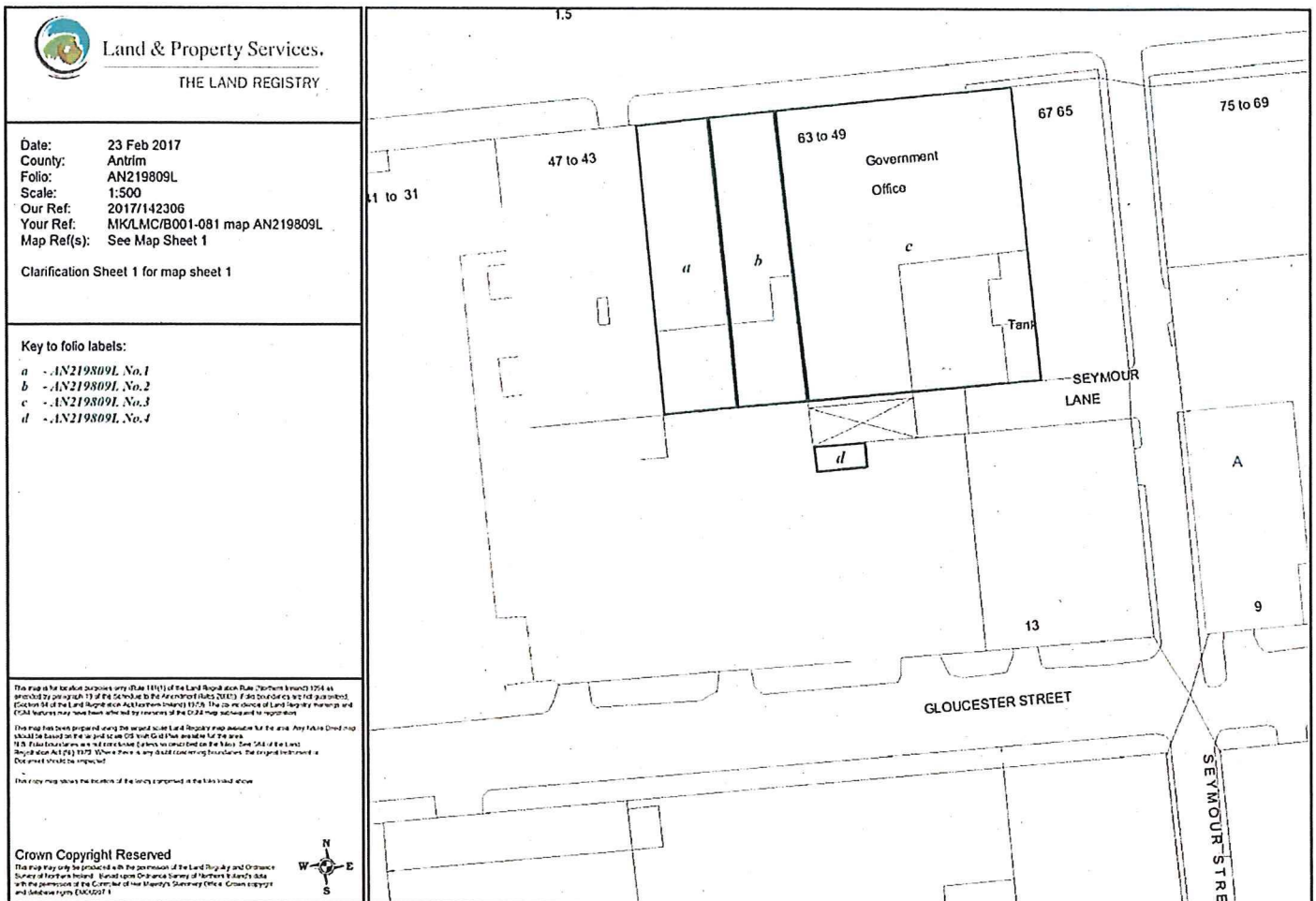


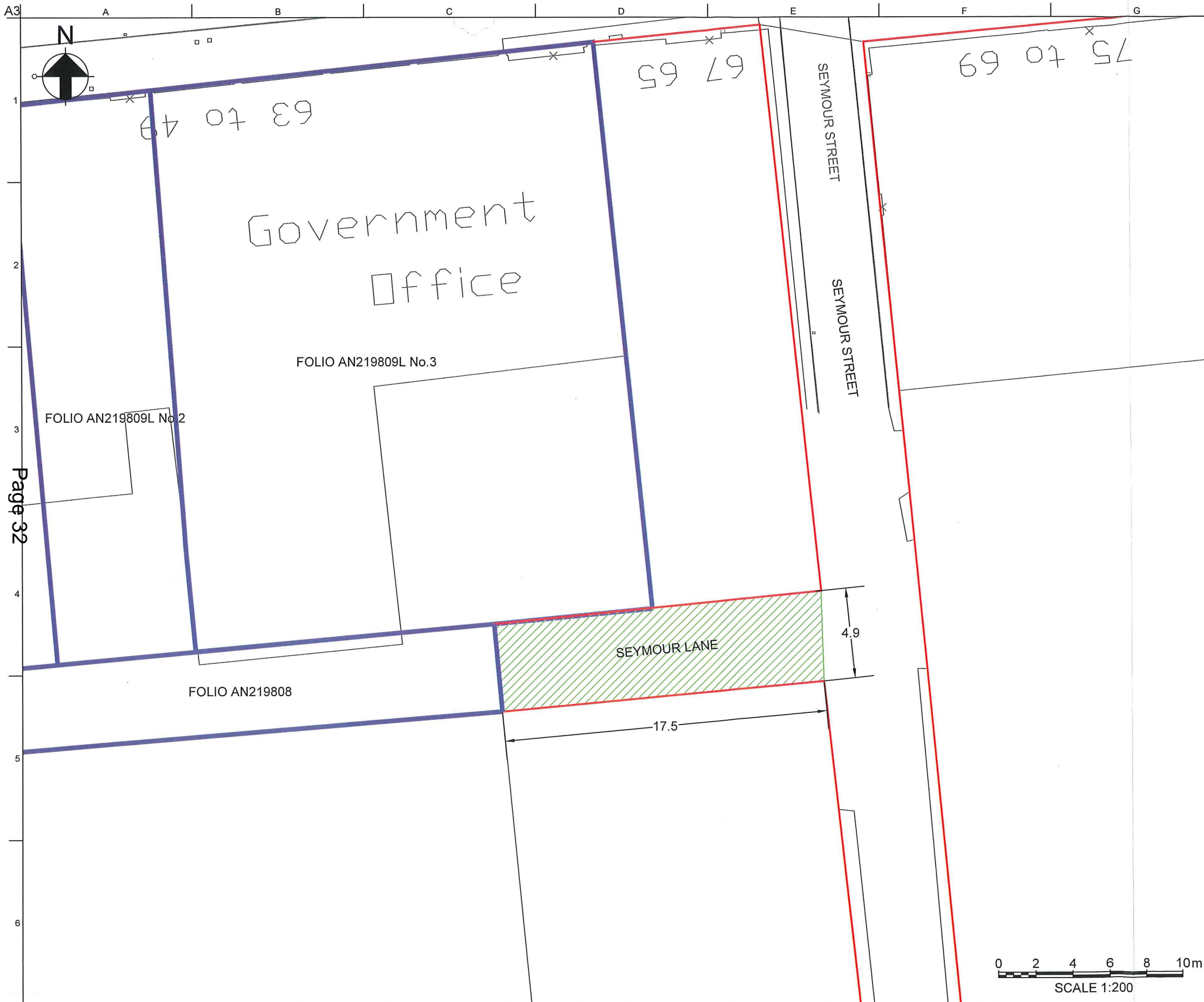
BCC
DEPARTMENT FOR
PLACE AND ECONOMY
RECEIVED

31 JAN 2020

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SERVICE







NOTES

1. ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED.
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KEY

- CLIENT OWNED FOLIOS
- EXISTING LINE OF DFI ROADS ADOPTION
- AREA TO BE ABANDONED

P01	09/12/19	PSC	PSC	ES
Rev	Date	By	Chkd	Appd

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Scale at A3 1:200

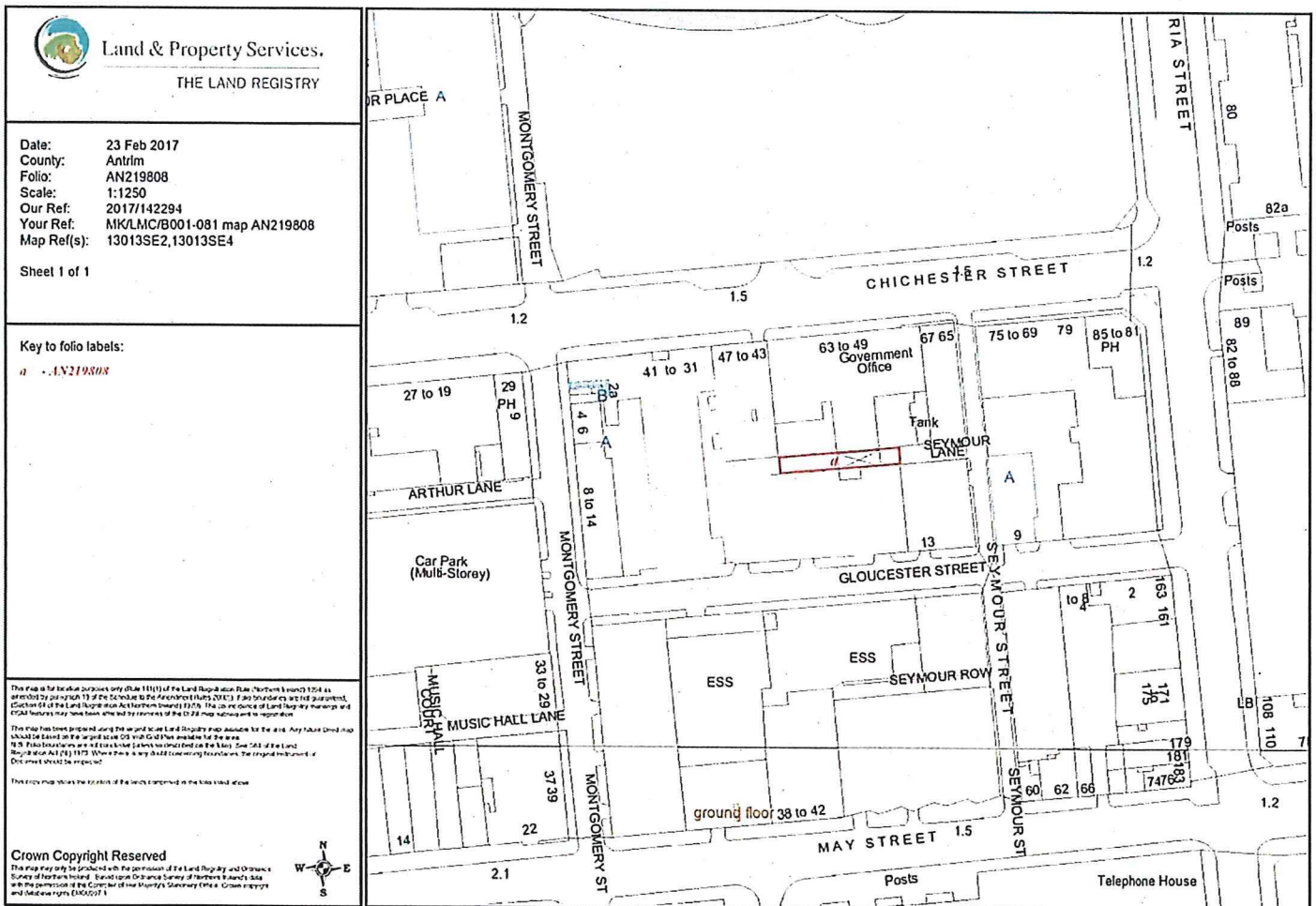
Role Consulting - Transport Planning

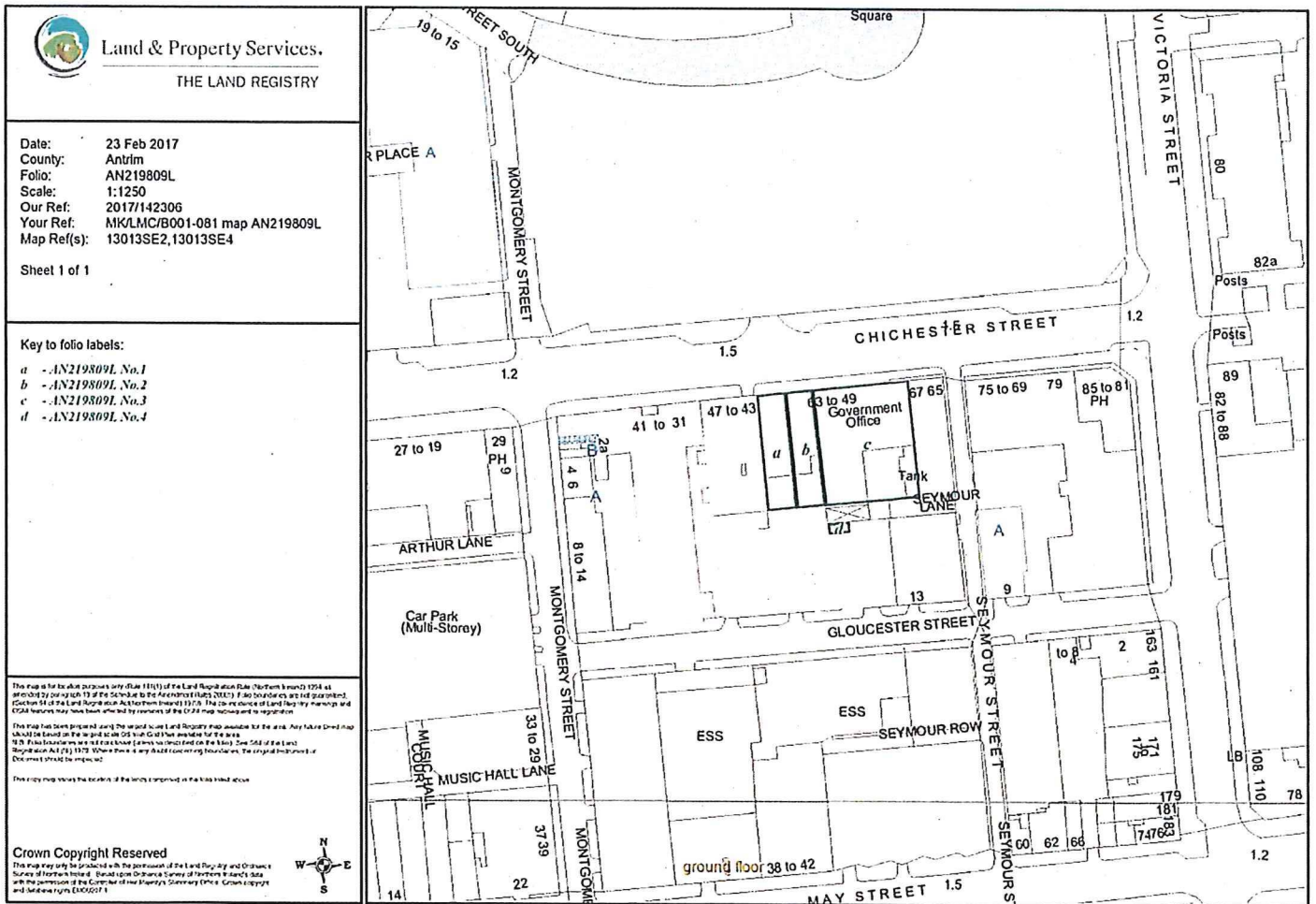
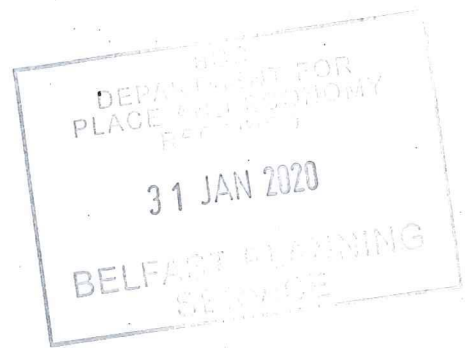
Suitability - For Information

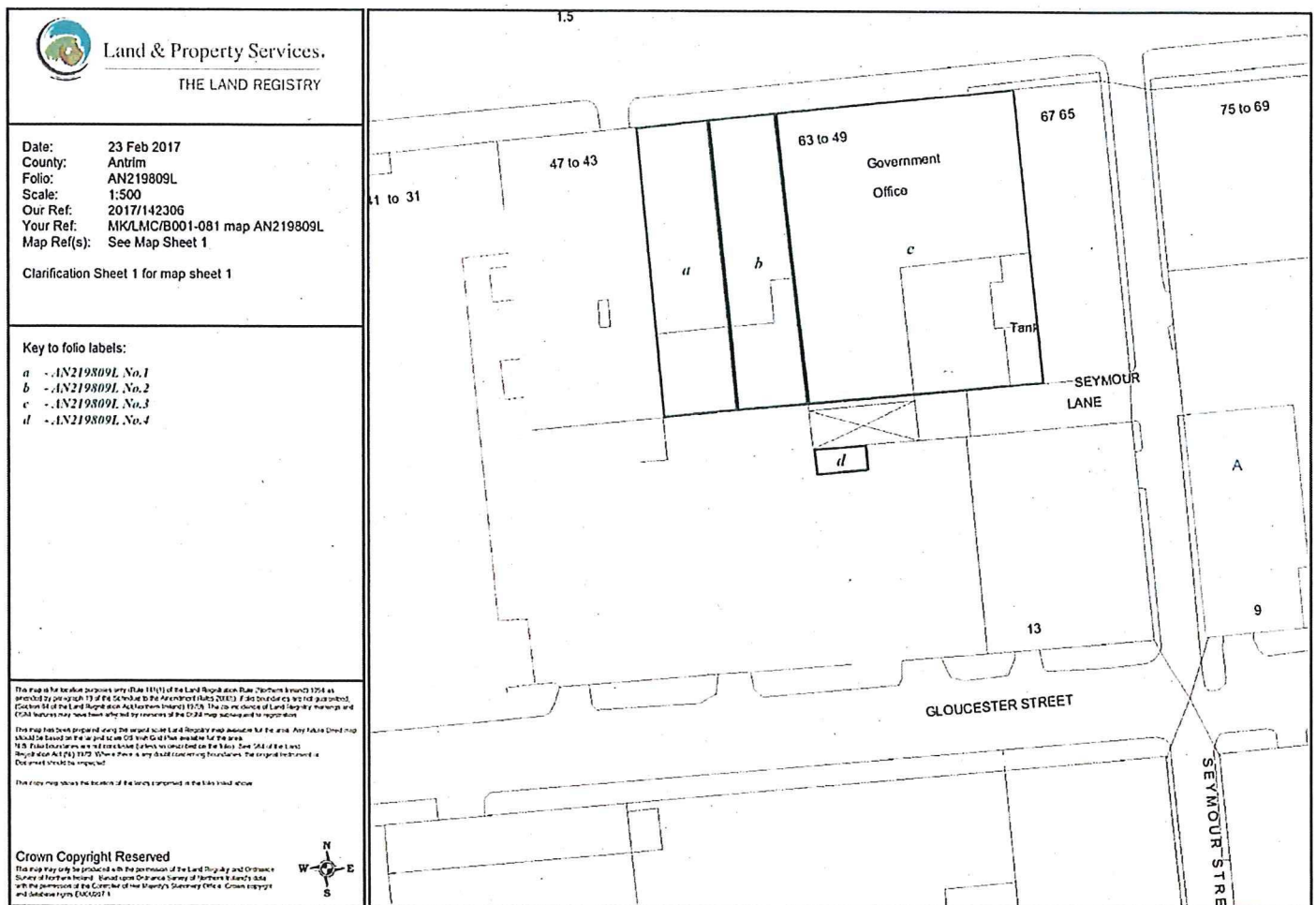
Arup Job No
263484-04

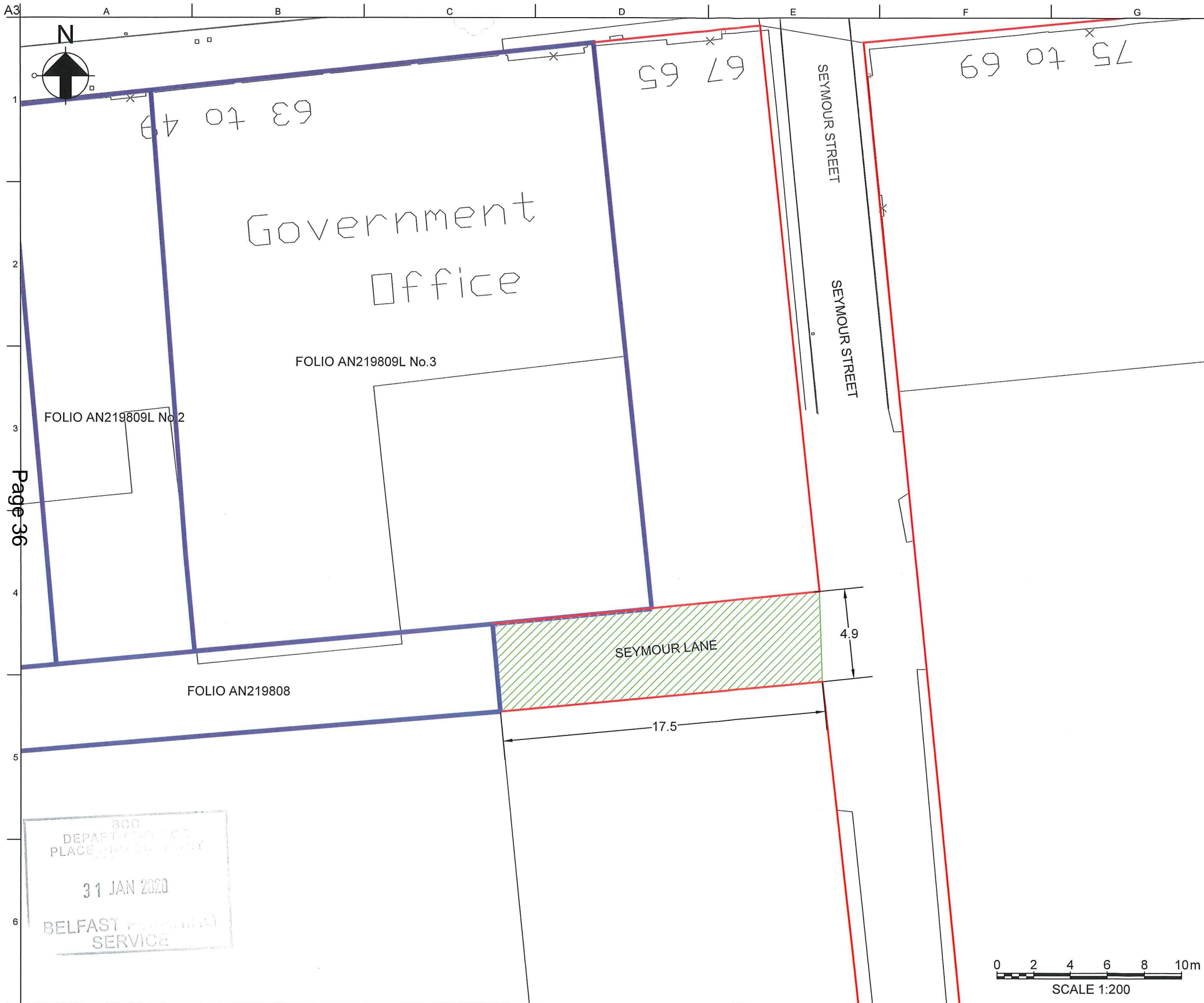
Rev
P01

Name
263484-SRU-ZZ-GF-DR-TR-2100









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 2. FOLIO BOUNDARIES SHOWN BASED ON ORDNANCE SURVEY MAPPING AND THE LAND REGISTRY.

KEY

CLIENT OWNED FOLIOS

EXISTING LINE OF DFI ROADS ADOPTION

AREA TO BE ABANDONED

P01	09/12/19	PSC	PSC	ES
Rev	Date	By	Chkd	Appd

ARUP

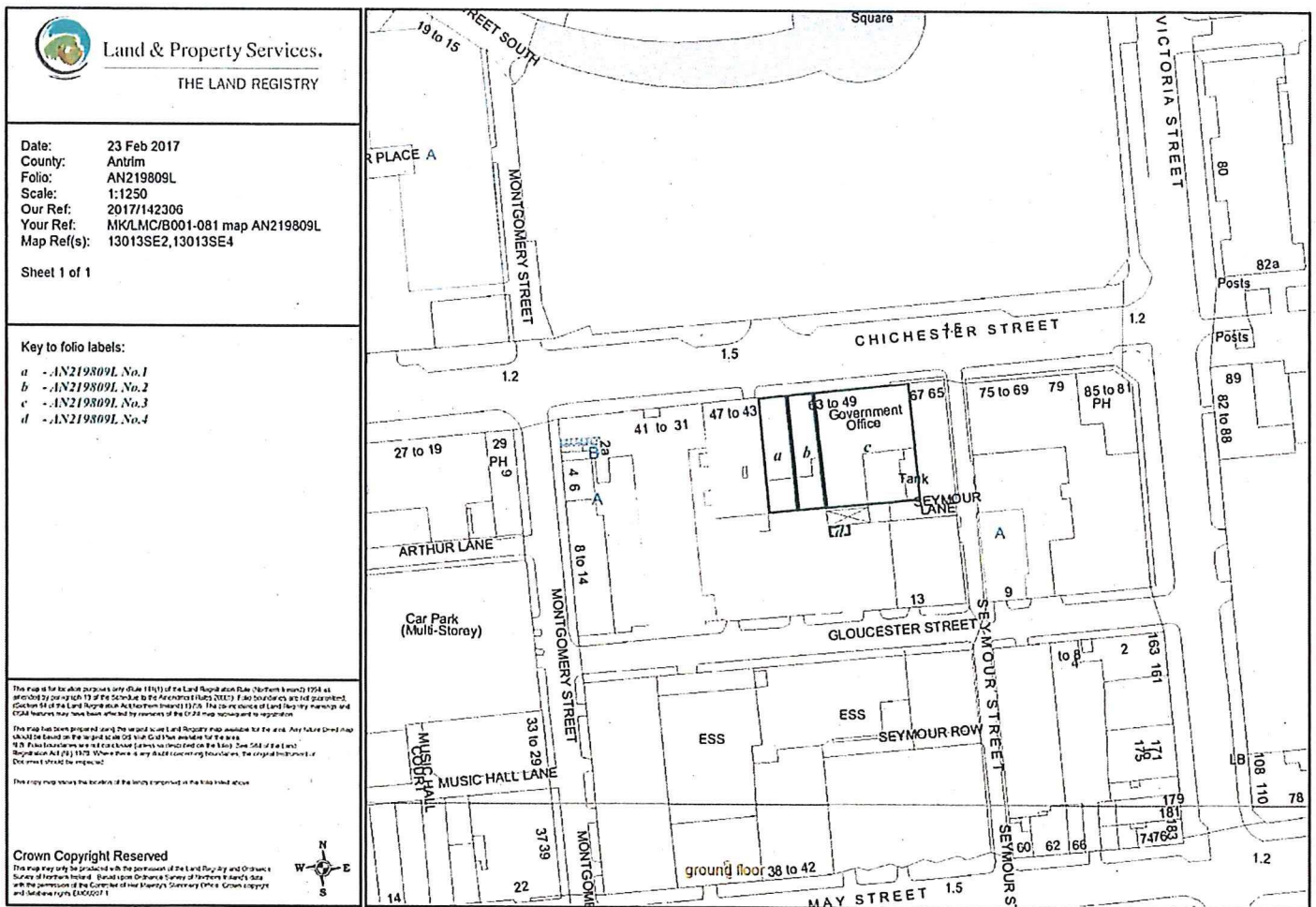
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Role	Consulting - Transport Planning
Suitability	- For Information
Arup Job No	263484-04
Name	263484-SRU-ZZ-GF-DR-TR-2100
Rev	P01





Land & Property Services.
THE LAND REGISTRY

Date: 23 Feb 2017
County: Antrim
Folio: AN219809L
Scale: 1:500
Our Ref: 2017/142306
Your Ref: MK/LMC/B001-081 map AN219809L
Map Ref(s): See Map Sheet 1

Clarification Sheet 1 for map sheet 1

Key to folio labels:

- a - AN219809L No.1
- b - AN219809L No.2
- c - AN219809L No.3
- d - AN219809L No.4

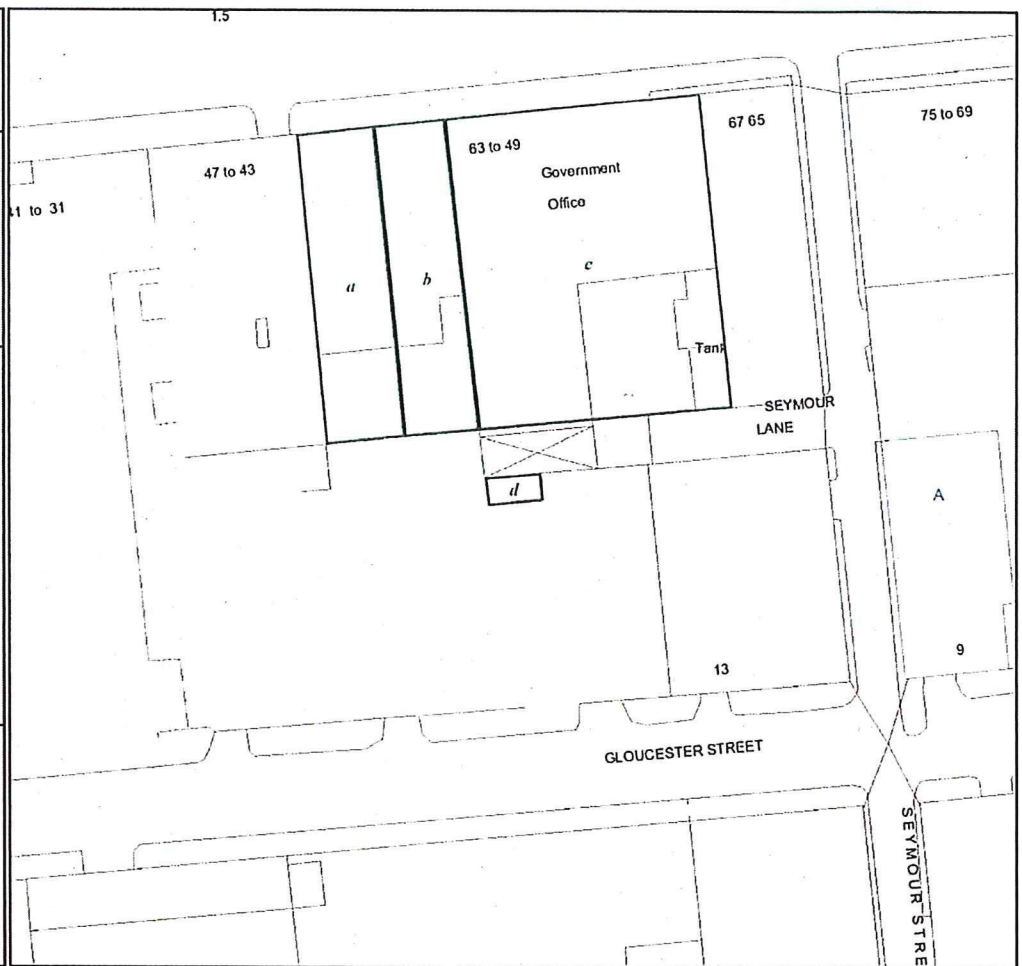
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Agenda Item 5

PLANNING COMMITTEE – 10 MARCH 2020

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2019/E0061

PLANNING REF: LA04/2018/0391/CA

APPLICANT: Mr Albert Pau

LOCATION: Land at the junction of Ormeau Embankment and Ravenhill Reach

PROPOSAL: Alleged unauthorised fence at the junction of Ormeau Embankment and Ravenhill Reach

PROCEDURE:

ITEM NO 2 PAC REF: 2019/A0220

PLANNING REF: LA04/2019/0923/F

APPLICANT: Ms Carole Wray

LOCATION: 14 Antrim Road, Newtownabbey, BT36 7JP

PROPOSAL: Demolition of existing dwelling and the construction of 10 houses and 12 apartments

PROCEDURE:

ITEM NO 3 PAC REF: 2019/E0062

PLANNING REF: EN/2020/0001

APPLICANT: Mr Patrick McManus

LOCATION: Land to the north and east of 11 Manse Road, Castlereagh

PROPOSAL: Alleged unauthorised change of use from an agricultural field to an unauthorised wood cutting business with associated storage of logs and chipping, two storage containers and hardstanding

PROCEDURE:

APPEALS NOTIFIED (CONTINUED)

ITEM NO	4	PAC REF:	2019/A0228
PLANNING REF:	LA04/2018/1817/F		
APPLICANT:	Mr Sean Matthews		
LOCATION:	Land at 25 Colinglen Road		
PROPOSAL:	Retention of existing fuel sales to include floodlights, fuel pipeline, fuel storage containers, fence and mobile office and proposed lean to shelter		
PROCEDURE:			
ITEM NO	5	PAC REF:	2019/A0231
PLANNING REF:	LA04/2019/2530/A		
APPLICANT:	Conor McGarry		
LOCATION:	Forecourt of 425 Upper Newtownards Road		
PROPOSAL:	Replace existing standard 48 sheet display panel with 1 x 48 sheet lightbox display unit		
PROCEDURE:			
ITEM NO	6	PAC REF:	2019/E0064
PLANNING REF:	EN/2019/0216		
APPLICANT:	Mr Steven Nicoll		
LOCATION:	Upper Floor, 33 Church Lane, Belfast, BT1 4QN		
PROPOSAL:	Alleged unauthorised change of use of the upper floor of 33 Church Lane from office (Class 2 – Financial, Professional and other Services) to Escape Rooms, Belfast (Class D Assembly and Leisure)		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2019/E0011
PLANNING REF:	LA04/2018/2583/LDE		
RESULT OF APPEAL:	Allowed		
APPLICANT:	Farrons Construction		
LOCATION:	8A Glenmachan Park, Ballymaghan, Belfast		
PROPOSAL:	Unoccupied 2 storey dwelling house		

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Planning decisions issued between 3 February and 2 March 2020 - No. 224

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2017/1439/F	LOCDEV	lands opposite Ruby Cottages and St Ellens Terrace Edenderry road Edenderry Village BT8 8JN	Proposed construction of 13 no. dwellings comprising 3 no. detached dwellings and 6 no. semi detached dwellings along with 4 no. apartments. Development also includes alteration of an existing access, parking, landscaping, pumping station and ancillary works (Amended proposal description and drawings)	PERMISSION GRANTED
LA04/2018/1049/LBC	LOCDEV	RBAI (Royal Belfast Institution) College Square East Belfast BT1 6DL	Refurbishment works, classroom upgrade.	PERMISSION GRANTED
LA04/2018/2445/LBC	LOCDEV	Former Butchers Building 108 North Street and 1 Gresham Street Belfast and adjacent lands to the North-West.	Internal and external alterations to existing building to facilitate a change of use and extension.	PERMISSION GRANTED
LA04/2018/2464/F	LOCDEV	Former Butchers Building 108 North Street and 1 Gresham Street Belfast and adjacent lands to the North West.	Alteration and extension of existing listed building including change of use from retail (all floors) to cafe/restaurant at ground floor and office at first and second floors with all associated site works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2018/2470/O	MAJDEV	Vacant lands at existing level Carpark bounded by Winetavern Street Gresham Street and North Street including 108 North Street and 1 Gresham Street Belfast.	Mixed use regeneration and development of vacant surface level car park and refurbishment of existing listed Butchers building, with erection of new fixed use buildings (heights varying between 3-9 storeys). Proposal to comprise basement level car parking, ground floor retail/restaurant/coffee shop/workspace uses, with Grade A and SME offices above. Provision of new pedestrian accesses from Gresham and Winetavern Street; associated public realm, landscaping, associated plant, and all site and access works.	PERMISSION GRANTED
LA04/2018/2890/F	LOCDEV	1-3 Eglantine Place Belfast BT9 6EY.	Proposed full rear extension and change of use from use class B1 to C1 (11 no. 1-bed apartments) including demolition of existing rear elevation, single storey rear return and some internal floors and walls (Amended Description and Drawings)	PERMISSION GRANTED
LA04/2018/2903/F	LOCDEV	16-20 Dunbar Street Belfast BT1 2LH.	Change of use of warehouse and offices to event space including internal and external alterations [amended site location plan to show fire escape route]	PERMISSION GRANTED
LA04/2019/0266/F	LOCDEV	1 Wedderburn Gardens Finaghy Belfast.	Proposed extension and alterations to rear of existing dwelling and construction of new end terrace dwelling	PERMISSION GRANTED
LA04/2019/0282/F	LOCDEV	Balmoral Hotel Blacks Road Dunmurry Belfast BT10 0NF.	Extension consisting of 26 No.bedrooms/ensuites, passenger lift and replacement store	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0324/DCA	LOCDEV	1-3 Eglantine Place Belfast BT9 6EY.	Demolition of existing rear wall, rear part of the slab on first, second and third floor, rear part of the roof and internal walls (Amended Description).	PERMISSION GRANTED
LA04/2019/0374/F	LOCDEV	Roumania Rise Belfast BT12 4SX.	5 person 3 bedroom semi detached house 1No. units. 3 person 2 bedroom semi detached house 1No. unit.	PERMISSION GRANTED
LA04/2019/0413/F	LOCDEV	2D-E Lower Clonard Street Town Parks Belfast BT12 4NH.	Construction of 2No. general needs houses	PERMISSION GRANTED
LA04/2019/0780/F	LOCDEV	Land adjacent to 12-22 Broom Park Heights and formerly 53 Gardenmore Road Kileaton Belfast.	Residential development with 14 new houses, comprising 8No. 3 person 2 bed, 5No. 5 person 3 bed ♦, 1No. 5 person 3 bed complex needs house (amended P1 form ♦ P2 form)	PERMISSION GRANTED
LA04/2019/0811/F	LOCDEV	21 Linenhall Street Belfast BT2 8AD.	Removal of existing roof void and replacement with single storey, flat roof extension to provide one residential unit, provision of associated plant at roof level and internal reconfiguration of existing office building to facilitate access to residential unit. (AMENDED PLANS)	PERMISSION GRANTED
LA04/2019/0927/DC	LOCDEV	Land adjacent to McKinney House Musgrave Park Malone Lower Belfast BT9 7HZ.	Discharge of condition no. 8 of LA04/2015/1492/F (details of boundary walls)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/0991/F	MAJDEV	57-59 & 61-63 Dublin Road Belfast BT2 7HE.	Demolition of existing buildings and erection of 10 storey mixed use development comprising a restaurant on the ground and mezzanine floors and 71 No. apartments.(amended description and further information received)	PERMISSION GRANTED
LA04/2019/0995/F	LOCDEV	Lands east of and adjacent to 63 Dundela Street including 87A Dundela Street Belfast	Construction of 4No. (1No Bedroom) Townhouses.	PERMISSION GRANTED
LA04/2019/0997/O	LOCDEV	Lands at 200 Stewartstown Road Dunmurry Belfast BT17 0LE.	Petrol Filling Station with associated retail unit, Restaurant/deli/coffee shop, individual retail units and office/community use space, workshop units with associated car parking.	PERMISSION GRANTED
LA04/2019/0999/F	LOCDEV	1b Ballarat Street Belfast BT6 8FW.	Demolition of existing building and construction of new residential apartment building comprising 6 No. apartments.	PERMISSION GRANTED
LA04/2019/1009/LBC	LOCDEV	62-64 Donegall Pass Belfast BT9 1BU.	Extensions to offices on ground floor and above existing annex to upper first floors (AMENDED DESCRIPTION AND AMENDED PLANS).	PERMISSION GRANTED
LA04/2019/1087/F	LOCDEV	62-64 Donegall Pass Belfast BT7 1BU.	Extensions to offices on ground floor and above existing annex to upper first floors. (AMENDED DESCRIPTION AND AMENDED PLANS)	PERMISSION GRANTED
LA04/2019/1093/DCA	LOCDEV	21 Linenhall Street Belfast.	Removal of existing roof void	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1232/F	LOCDEV	Land surrounding Glenview Terrace and Woodbourne Crescent off the Suffolk Road Belfast BT11 9PG.	Environmental improvement scheme comprising repaving, installation of street furniture, tree planting, cycle parking and street lights; including the introduction of a one way traffic system, new pedestrian footpath, new delivery area, railings and gates; and the rationalisation of existing car parking to form 50 public and 6 in-curtilage spaces.	PERMISSION GRANTED
LA04/2019/1385/A	LOCDEV	Raidio Failte 30 Divis Street Belfast BT12 4AL.	Raised metal letters on north elevation	PERMISSION GRANTED
LA04/2019/1392/DC	LOCDEV	Robinson Leisure Centre Montgomery Road Belfast BT6 9HS.	Discharge of conditions no's. 11, 24 and 26 of LA04/2016/2560/F (details of walls fences, Artificial Light Verification Report ♦ odour system)	CONDITION NOT DISCHARGED
LA04/2019/1498/F	LOCDEV	Broadcasting House Ormeau Avenue Belfast BT2 8HQ.	Redevelopment of BBC Broadcasting House to include: internal reconfiguration and refurbishment of existing buildings (studio block, office block and Broadcasting House), extension to the rear of Broadcasting House, landscaped plaza fronting onto Linenhall Street, new energy centre building, facade treatment to office and studio blocks, new entrance onto Linenhall Street, new BBC signage and the removal of 7no. on street parking spaces to facilitate the public realm treatment of Linenhall Street to incorporate a pickup/drop-off zone.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1500/LBC	LOCDEV	Broadcasting House Ormeau Avenue Belfast BT2 8HQ.	Demolition of unlisted buildings to the rear of Broadcasting House, service yard wall and associated plant (located on roof) to enable the proposed extension of Broadcasting House and new landscaped plaza onto Linenhall Street.	PERMISSION GRANTED
LA04/2019/1629/F	LOCDEV	4a Newforge Lane Belfast BT9 5NU.	Variation of condition 4 (Boundary retention) and 5 (hard soft landscaping) of Z/2012/0770/F to allow for removal of boundary vegetation and amendments to approved landscaping plan. (AMENDED LANDSCAPING PLAN)	PERMISSION GRANTED
LA04/2019/1636/F	MAJDEV	Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road Belfast.	Erection of hotel comprising 276 beds, conference facilities, restaurant /cafe/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works.	PERMISSION GRANTED
LA04/2019/1652/F	LOCDEV	22 Lower Windsor Avenue Belfast BT9 7DW.	Change of use from offices to meeting rooms for a religious organisation. Addition of dormers to front and back and first floor extension to existing rear return.	PERMISSION GRANTED
LA04/2019/1657/DCA	LOCDEV	Broadcasting House Ormeau Avenue Belfast BT2 8HQ.	Demolition of unlisted buildings to rear of Broadcasting House, service yard wall and associated plant to enable extension of Broadcasting House and landscaped plaza onto Linenhall Street.	PERMISSION GRANTED
LA04/2019/1664/F	LOCDEV	21 Fountain Street Belfast BT1 5EA.	Change of use from retail to offices on first and second floor, refurbishment of existing ground floor retail unit and elevational alterations.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1665/DCA	LOCDEV	21 Fountain Street Belfast BT1 5EA.	Demolition of walls (Internal and external), stairs and roof parapet.	PERMISSION GRANTED
LA04/2019/1668/F	LOCDEV	Rock Building North Boundary Street Belfast BT13 9LE.	Change of use of church halls to community offices and local history and interpretive exhibition area and social space, elevational changes and landscaping to derelict site.	PERMISSION GRANTED
LA04/2019/1746/DCA	LOCDEV	18 Kings Road Belfast BT5 6JJ	Demolition of existing detached garage and single storey rear extension, to enable a new single storey rear extension. Part demolition of existing low garden wall and steps.	PERMISSION GRANTED
LA04/2019/1747/F	LOCDEV	18 Kings Road Belfast BT5 6JJ	Demolition of existing detached garage and existing single storey rear extension to enable a new single storey rear and side extension with landscaping works.	PERMISSION GRANTED
LA04/2019/1762/F	LOCDEV	291 North Queen Street Belfast BT15 1HS.	Change of use of existing dwelling house to a holiday let (retrospective)	PERMISSION GRANTED
LA04/2019/1845/F	LOCDEV	12-15 Donegall Square West Belfast BT1 6JS.	Replacement generator to the rear of building, on site of former condensers at fifth floor roof level.	PERMISSION GRANTED
LA04/2019/1850/LBC	LOCDEV	Danske Bank HQ 12-15 Donegall Square West Belfast BT1 6JS.	Replacement generator to the rear of building, on site of former condensers at fifth floor roof level.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1866/LDE	LOCDEV	Academy One Fitness Gym 3rd Floor Conway Mill Conway Street Belfast BT13 2DE.	Retention of change of use to gym.	PERMITTED DEVELOPMENT
LA04/2019/1885/F	LOCDEV	27 Innisfayle Road Belfast BT15 4ES.	Erection of single dwelling and associated external works and landscaping.	PERMISSION GRANTED
LA04/2019/1903/F	LOCDEV	Bank buildings (bound by Castle Street Bank Street and Royal Avenue) Royal Avenue Belfast BT1 1BL.	Conservation led redevelopment and restoration of Bank Buildings, including reinstatement of previously removed upper floor structures from Bank Street, Royal Avenue and Castle Street facades and reinstatement of 1970s wall on Bank Street, for the erection of a retail store connecting to existing Primark store on Castle Street with ancillary cafe and associated site works.	PERMISSION GRANTED
LA04/2019/1905/LBC	LOCDEV	Bank buildings (bound by Castle Street Bank Street and Royal Avenue) Royal Avenue Belfast BT1 1BL.	Conservation led redevelopment and restoration of Bank Buildings, including reinstatement of previously removed upper floor structures from Bank Street, Royal Avenue and Castle Street facades and reinstatement of 1970s wall on Bank Street, for the erection of a retail store connecting to existing Primark store on Castle Street.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/1998/DC	LOCDEV	The Kings Hall and RUAS Site South of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North East of Balmoral Golf Club Belfast BT9 6GW.	Discharge of condition No.32 LA04/2018/0040/F	CONDITION DISCHARGED
LA04/2019/2028/LBC	LOCDEV	Danske Bank 10 Donegall Square West Belfast BT1 6JS	Replacement of 4no aluminium panels and 1no aluminium cill to provide new anodised aluminium panels and cill to match the original building.	PERMISSION GRANTED
LA04/2019/2037/A	LOCDEV	Laganview House 93-95 Ann Street Belfast BT1 4QG	Company/business sign	PERMISSION GRANTED
LA04/2019/2060/LBC	LOCDEV	Orange Hall Clifton Street Belfast BT13 1AB	Retrospective application for the regularization of existing suspended ceilings and platform lift	PERMISSION GRANTED
LA04/2019/2083/LBC	LOCDEV	Orange Hall Clifton Street Belfast BT13 1AB	Works to include: extending the existing lift to an additional floor up. Refurbishment of the ground floor toilets, to include a disabled access toilet facility. Installation of security windows to the facade of the building and removing the block-work that is sitting in front of the windows. Installation of additional CCTV cameras throughout via WIFI. Minor internal improvements through painting of the walls, matching it to the existent.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2094/F	LOCDEV	Danske Bank 10 Donegall Square West Belfast BT1 6JS.	Replacement of 4 No. ground floor level aluminium panels and 1No. aluminium cill to provide new anodised aluminium panels and cill to match the original building at time of listing.	PERMISSION GRANTED
LA04/2019/2156/F	LOCDEV	657 Antrim Road Belfast BT15 4EF	Draught lobby from external door (retrospective)	PERMISSION GRANTED
LA04/2019/2157/F	LOCDEV	Paisley Park West Circular Road Belfast Co. Antrim BT13 3QB	Erection of 12no floodlights of height 10m; and ancillary equipment	PERMISSION GRANTED
LA04/2019/2159/F	LOCDEV	24 Ann Street Belfast BT1 4EF	Proposed change of use from retail to restaurant at ground floor and elevational improvements on all floors	PERMISSION GRANTED
LA04/2019/2160/DCA	LOCDEV	24 Ann Street Belfast BT1 4EF	Partial demolition of external walls to create openings	PERMISSION GRANTED
LA04/2019/2170/F	LOCDEV	55 Cliftonville Road Belfast BT14 6JN.	Sub-division of property from 3 No. apartments to 5No. residential units (3 apartments & 2 bedsits) (Retrospective).	PERMISSION GRANTED
LA04/2019/2187/F	LOCDEV	Cedar Grove Veterinary Clinic 132 Upper Knockbreda Road Castlereagh Belfast BT6 9QB	New outbuilding to provide veterinary surgery	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2270/F	LOCDEV	On footpath approximately 125m west of 10 Cadogan Park Belfast BT9 6HH.	Proposed 17.5m telecommunications column, with 6No. antennae (3No. enclosed with a shroud, 3No. not enclosed) NS 3No. radio units. Proposal includes the provision of 4No. new equipment cabinets and associated ground works.	PERMISSION REFUSED
LA04/2019/2275/F	LOCDEV	Lands at Castlehill 110m north of Quarry Hill and 175m south of no 8 Woodcroft Heights Ballygowan Rod Belfast	Proposed erection of 1no detached dwelling, parking, landscaping and all other associated site/access works (Change of house type at plot no 82 of ref LA04/2017/0510/RM)	PERMISSION GRANTED
LA04/2019/2283/F	LOCDEV	33 Innishfayle Park Belfast BT15 5HS.	Two storey rear and side extension including alterations to roof profile. Alterations to front elevation. (Amended description and plans).	PERMISSION GRANTED
LA04/2019/2304/F	LOCDEV	Area of public lands comprising the full extent of public footpaths and boundary treatments to Lanark Way Belfast BT13 3BH boundary treatments extending to No.6 Mayo Link and boundary treatments extending to 12 Cupar Way.	Environmental improvements to include resurfacing of footpaths, new boundary treatments, new street furniture, new tree/shrub planting.	PERMISSION GRANTED
LA04/2019/2313/LDE	LOCDEV	6 Rathgar Street Belfast BT9 7GD.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2317/F	LOCDEV	352 Lisburn Road Belfast BT9 6GJ.	Ground floor change of use to hairdressing salon with associated office to first floor.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2320/DC	LOCDEV	Greater Belfast Development York Street/Donegall Street/Frederick Street Belfast.	Discharge of condition 5 Z/2013/1122/F	CONDITION DISCHARGED
LA04/2019/2343/F	LOCDEV	Walkway Community Association 1-9 Finvoy Street and lands between 31 Upper Newtownards Road and Bloomfield Baptist Church Belfast BT5 5DH	Proposed demolition/removal of existing temporary building and erection of new two-storey Community Centre (Reduced Scheme ♦ Updated Address)	PERMISSION GRANTED
LA04/2019/2378/F	LOCDEV	3 Fitzwilliam Street Belfast BT9 6AW.	Change of use from office use to serviced accommodation (Retrospective).	PERMISSION GRANTED
LA04/2019/2381/LDE	LOCDEV	63 Donnybrook Street Malone Lower Belfast BT9 7DB.	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2388/F	LOCDEV	27 Rochester Avenue Belfast BT6 9JW.	Amendment to previous approval (LA04/2016/2422/F) to allow for section of facing brick on first floor elevation to boundary.	PERMISSION GRANTED
LA04/2019/2406/F	LOCDEV	Land adjacent to 20 Donegall park Gardens BT15 5EU and the former Chapel of the Resurrection accessed via the Antrim Road Belfast.	Ancillary building providing accommodation for refuse and meter rooms servicing the apartments in the former Chapel of the Resurrection as well as a single unit comprising a 1 bed 35sqm dwelling.	PERMISSION REFUSED
LA04/2019/2409/F	LOCDEV	513 Ormeau Road Ballynafoy Ormeau Belfast BT7 3GU	Change of use to estate agents office	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2451/F	LOCDEV	Down and Dromore See House 32 Knockdene Park Belfast.	Rear extension and alterations to dwelling & disabled access ramp.	PERMISSION GRANTED
LA04/2019/2478/DC	LOCDEV	14-46 and 11-39 Hogarth Street 38 and 40 and 74 to 90 Mervue Street Belfast BT15.	Discharge of condition no. 6 of LA04/2016/0706/F (drainage scheme)	CONDITION DISCHARGED
LA04/2019/2494/F	LOCDEV	44 Broadway Belfast BT12 6AS.	Change of use of existing dwelling to HMO property.	PERMISSION GRANTED
LA04/2019/2495/F	LOCDEV	11 Diamond Gardens Belfast BT10 0HD.	First floor extension to rear of existing dwelling with one bedroom granny flat to rear and side.	PERMISSION GRANTED
LA04/2019/2505/A	LOCDEV	21 Carolan Road Belfast BT7 3HE.	estate agent V board at the front of the development.	PERMISSION GRANTED
LA04/2019/2530/A	LOCDEV	Forecourt of 425 Upper Newtownards Road Belfast.	Replace existing standard 48 sheet display panel with one standard 48 sheet light box display unit.	PERMISSION REFUSED
LA04/2019/2533/DC	LOCDEV	Land at 33-39 Bridge End Belfast South of Bridge End and East of Belfast/Londonderry railway line	Discharge of condition no. 6 of LA04/2015/0707/F (verification report)	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2541/F	LOCDEV	17-21 Bruce Street Belfast BT2 7JD.	Re-instate windows to rear and side elevation.	PERMISSION GRANTED
LA04/2019/2572/F	LOCDEV	8 Malone Ridge Belfast BT9 5NJ.	Single storey rear extension and first floor side extension over existing garage (amended plans/description).	PERMISSION GRANTED
LA04/2019/2588/F	LOCDEV	17 Jocelyn Street Belfast BT6 8HL.	Change of use from residential dwelling to HMO	PERMISSION GRANTED
LA04/2019/2594/LDE	LOCDEV	27-29 Thorndale Avenue Belfast BT14 6BJ.	Guest house/ hostel	PERMITTED DEVELOPMENT
LA04/2019/2602/F	LOCDEV	4 Rochester Avenue Belfast	Two storey side extension	PERMISSION GRANTED
LA04/2019/2616/F	LOCDEV	35 Houston Park Belfast BT5 6AT.	Single storey rear extension	PERMISSION GRANTED
LA04/2019/2618/F	LOCDEV	12 Glendarragh Mews Belfast BT4 2WE	Two storey and single storey side extension.	PERMISSION GRANTED
LA04/2019/2620/NMC	LOCDEV	Site of former "The Old Mill Bar" (now demolished) Good Shepherd Road Poleglass Belfast Antrim BT17 0PP	NMC to LA04/2017/2700/F	NON MATERIAL CHANGE GRANTED
LA04/2019/2621/F	LOCDEV	20 Bloomfield Road Belfast BT5 5LT.	Two storey rear extension	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2630/F	LOCDEV	57 Norfolk Drive Belfast BT11 8AF	Enlargement of dormer to rear of dwelling	PERMISSION GRANTED
LA04/2019/2631/A	LOCDEV	Site directly opposite Kellys Cellars Public House 30-32 Bank Street in Bank Square Belfast BT1 1HL.	10no. retractable awnings with associated advertising (amended description)	PERMISSION GRANTED
LA04/2019/2643/DC	LOCDEV	48-52 York Street Belfast BT15 1AS	Discharge of condition no. 9 of LA04/2016/1213/RM (Construction Noise Management Plan)	CONDITION NOT DISCHARGED
LA04/2019/2644/DC	LOCDEV	46-52 Upper Queen Street and 11a Wellington Street Belfast BT1 6FD.	Discharge of condition 14 - LA04/2016/2359/F	CONDITION NOT DISCHARGED
LA04/2019/2646/DC	LOCDEV	Falls Park 513 Falls Road Belfast - 125m South of Whiterock Leisure CentreBT12 5HQ	Discharge of condition no. 5 of Z/2013/1293/F (Artificial Light Verification report)	CONDITION DISCHARGED
LA04/2019/2657/F	LOCDEV	18 Ashley Avenue Belfast BT9 7BT	Single storey rear extension.	PERMISSION GRANTED
LA04/2019/2672/F	LOCDEV	2 Orangefield Park Belfast BT5 6BY	Single storey side/rear extension	PERMISSION GRANTED
LA04/2019/2689/F	LOCDEV	401-405 Woodstock Road Belfast BT6 8PM	Change of use from former bank building to apartment development facilitating 4 no units. (3no. 2 bed and 1no. 1 bed.)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2694/LDE	LOCDEV	18 Stranmillis Park Belfast BT9 5AU	HMO - House in Multiple Occupancy	PERMITTED DEVELOPMENT
LA04/2019/2702/F	LOCDEV	6 Notting Hill Belfast BT9 5NS	Single Storey rear extension	PERMISSION GRANTED
LA04/2019/2704/F	LOCDEV	46 Wellington Park Belfast BT9 6DP.	Amendments to internal layout and external elevations of scheme approved under LA04/2018/0181/F for change of use to 3 apartments (amended description)Amendments to internal layout and external elevations of scheme approved under LA04/2018/0181/F for change of use to 3 apartments Amendments to internal layout and external elevations of scheme approved under LA04/2018/0181/F for change of use to 3 apartments	PERMISSION GRANTED
LA04/2019/2719/LDE	LOCDEV	Flat 2 111 Wellesley Avenue Belfast BT9 6DH	House in multiple occupation - HMO	PERMITTED DEVELOPMENT
LA04/2019/2720/LDE	LOCDEV	100 Tates Avenue Belfast BT9 7BZ	Existing house of multiple occupation	PERMITTED DEVELOPMENT
LA04/2019/2722/LDE	LOCDEV	10 Dunluce Avenue Belfast BT9 7AY	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2729/LDE	LOCDEV	17 Jerusalem street Belfast BT7 1QN	House of multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2734/F	LOCDEV	Bradley Manor Care Home 420 Crumlin Road Belfast BT14 7GE	Two storey extension to southern side of existing care home to provide assisted living accommodation (11 units) and associated facilities, and two additional bedrooms at first floor on western elevation (all in substitution for planning permission already granted under LA04/2019/0276/F).	PERMISSION GRANTED
LA04/2019/2736/F	LOCDEV	20 Ardcarney way Dundonald Belfast BT5 7RP.	New vehicular access with hardstanding and ramped access.	PERMISSION GRANTED
LA04/2019/2741/A	LOCDEV	Lesley Exchange 24 East Bridge Street Belfast BT1 3PH	Erection of 1no. static illuminated building sign and 1no. non-illuminated building sign(2no. signs in total) on south elevation.	PERMISSION GRANTED
LA04/2019/2743/F	LOCDEV	15 Kirkliston Park Belfast BT5 6EB	Two storey side extension and single storey rear extension with patio. Elevational changes and landscaping works.	PERMISSION GRANTED
LA04/2019/2744/NMC	LOCDEV	Lands at No.s 43-63 Chichester Street 29-31 Gloucester Street and Seymour Lane Belfast.	Non material change of LA04/2019/0909/F.	NON MATERIAL CHANGE GRANTED
LA04/2019/2747/DCA	LOCDEV	32 Knockdene Park Belfast	Demolition of a single storey rear return. (Extent of demolition shown on existing ground floor plan).	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2750/F	LOCDEV	69-73 Glenmachan Street Belfast	Proposed demolition of 3 units and the change of use of one remaining unit to 2no. car show rooms, works canteen, toilets, parts dept and service reception space.	PERMISSION GRANTED
LA04/2019/2752/F	LOCDEV	222 Ormeau Road Belfast BT7 2FY.	Part change of use of ground floor from gallery only to tea rooms/coffee shop and art gallery. New access ramp to front entrance.	PERMISSION GRANTED
LA04/2019/2758/DC	LOCDEV	Lands at no.s 43-63 Chichester Street 29-31 Gloucester Street and Seymour Lane Belfast.	Discharge of condition 18 - LA04/2019/0909/F	CONDITION NOT DISCHARGED
LA04/2019/2762/DC	LOCDEV	The Kings Hall and RUAS site South of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North East of Balmoral Golf Club Belfast	Discharge of condition no.12 - LA04/2018/0040/F	CONDITION DISCHARGED
LA04/2019/2780/LBC	LOCDEV	School of Natural & Built Environment Geography Building 6AZ Elmwood Avenue Belfast BT9 6AW	Temporary removal of brickwork and railings to provide a safe pedestrian entrance from Elmwood Avenue to the Geography building. The railings will then be positioned back when the works from the Student's Union are completed.	PERMISSION GRANTED
LA04/2019/2785/F	LOCDEV	502 Upper Newtownards Road Belfast BT4 3HB	Extension and refurbishment of existing dental practice with partial demolition.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2788/DC	LOCDEV	The Kings Hall and RUAS site South of Upper Lisburn Road/Balmoral Avenue West of Harberton Park and North East of Balmoral Golf Club Belfast BT9 8GW	Discharge of Condition no.12 - LA04/2018/0048/LBC	CONDITION DISCHARGED
LA04/2019/2794/LDE	LOCDEV	2 Collingwood Avenue Belfast BT7 1QT	Existing house of multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2798/LDE	LOCDEV	22 Upper Courtyard Belfast	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2802/F	LOCDEV	15 Ravenhill Park Belfast BT6 0DE.	2 storey rear and side extension, demolition of existing garage and all other associated ground works.	PERMISSION GRANTED
LA04/2019/2820/A	LOCDEV	Former Belvoir Park Hospital- Adjacent to Gate Lodge entrance.	Free-standing double sided totem sign (temporary for 2 years)	PERMISSION GRANTED
LA04/2019/2822/A	LOCDEV	Adjacent to Milltown Road Belfast BT8 7XP.	Free-standing double sided totem sign (temporary for 3 years)	PERMISSION REFUSED
LA04/2019/2823/F	LOCDEV	365 Upper Newtownards Road Belfast BT4 3LF.	Single storey rear + side extension incorporating replacement of attached garage (Retrospective)	PERMISSION GRANTED
LA04/2019/2827/LDE	LOCDEV	74 Rugby Road Belfast BT7 1PT	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2832/LDE	LOCDEV	Flat 2 44 University Avenue Belfast BT7 1BY	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2839/DC	LOCDEV	lands to the rear of 21 Finaghy Park Central Finaghy Belfast BT10 0HP	Discharge of Condition no.16 of LA04/2018/0328/F (Landscape Plan)	CONDITION DISCHARGED
LA04/2019/2841/DC	LOCDEV	Brookfield Mill 307-355 Crumlin Road Belfast BT14 7EA	Discharge of condition no.14 - LA04/2019/0845/F	CONDITION DISCHARGED
LA04/2019/2857/LDP	LOCDEV	Lands at the existing coal yard south of Stormont Road and adjacent to and directly east of 20 McCaughey Road West Twin Island Belfast BT3 9AG.	Erection of 6No. steel storage silos with associated cross catwalk and ladders.	PERMITTED DEVELOPMENT
LA04/2019/2862/LDE	LOCDEV	60 Palestine Street Belfast BT7 1QL.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2870/DCA	LOCDEV	46 Wellington Park Belfast BT9 6DP.	Isolated sections of internal and external masonry demolition to facilitate conversion works from a dwelling to 3 apartments	PERMISSION GRANTED
LA04/2019/2874/DC	LOCDEV	Botanic Link land created over the Belfast/Dublin railway line between University Road and Botanic Avenue Belfast.	Discharge of condition 10 LA04/2019/0417/F.	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2876/LDE	LOCDEV	47 Agincourt Avenue Belfast BT7 1QB.	House in multiple occupation (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2883/F	LOCDEV	10 Upton Park Belfast BT10 0LZ.	Two storey rear extension	PERMISSION GRANTED
LA04/2019/2885/LDE	LOCDEV	45 Colenso Parade Stranmillis Belfast BT9 5AN.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2900/F	LOCDEV	20 Glendun Park Dunmurry	Single storey side extension	PERMISSION GRANTED
LA04/2019/2902/F	LOCDEV	7 Houston Park Belfast BT5 6AT	2 storey side and rear extension	PERMISSION GRANTED
LA04/2019/2903/F	LOCDEV	40 Denorrtan Park Belfast BT4 1SF	Extension of dwelling into basement	PERMISSION GRANTED
LA04/2019/2908/A	LOCDEV	Former Belvoir Park Hospital - Adjacent to Gate-lodge Entrance	Banner sign	PERMISSION REFUSED
LA04/2019/2909/F	LOCDEV	23 Sicily Park Belfast BT10 0AJ	Single and two storey rear extension. Rear dormer. Elevational changes.	PERMISSION GRANTED
LA04/2019/2910/F	LOCDEV	14 Edgcumbe Drive Belfast BT4 2EN	New vehicular access	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2911/F	LOCDEV	14 Glenhurst Parade Belfast BT36 7JR	Single storey front extension. Two storey and single storey extension to rear of dwelling (amended description)	PERMISSION GRANTED
LA04/2019/2916/F	LOCDEV	43 Norglen Drive Belfast BT11 8DH	Single storey side extension. Demolish side carport.	PERMISSION GRANTED
LA04/2019/2920/F	LOCDEV	21 Rosscoole Gardens Belfast	Single Storey Extension to Rear of Dwelling	PERMISSION GRANTED
LA04/2019/2923/DC	LOCDEV	Brooke Activity Centre 25 Summerhill Road Belfast	Discharge of Condition no. 28 of LA04/2016/2561/F (samples)	CONDITION DISCHARGED
LA04/2019/2925/DC	LOCDEV	43 Deacon Street Belfast BT15 3EG	Discharge of Condition No.3 of LA04/2019/1620/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2926/DC	LOCDEV	162 Alexandra Park Avenue Belfast BT15 3GJ	Discharge of Condition no.2 of LA04/2019/1666/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2927/DC	LOCDEV	223 Alexandra Park Avenue Belfast BT15 3GB	Discharge of Condition no. 2 of LA04/2019/1667/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2928/F	LOCDEV	Lands at the existing Invest NI Forthriver Industrial Estate boundary gates located on the Woodvale Avenue Belfast and bounded by an electrical substation & house number 33 to the south and house number 11 to the North.	Realigned fence and vehicle & pedestrian gates to replace existing. Widened pedestrian gates with additional landscaping, widened footpaths and the resurfacing of an existing road entrance.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2930/LDE	LOCDEV	6 Jerusalem Street Belfast BT7 1QN.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2942/LDE	LOCDEV	46 Elaine Street Stranmillis Belfast BT9 5AR.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2945/LDE	LOCDEV	Flat 2 95 Rugby Avenue Belfast BT7 1RE	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2947/LDE	LOCDEV	70 Palestine Street Belfast BT7 1QL	House in Multiple Occupancy - (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2955/LDE	LOCDEV	31 Hatfield Street Belfast BT7 2FB.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2956/LDE	LOCDEV	12 Cadogan Street Belfast BT7 1QW.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2957/F	LOCDEV	174 Belmont Road Belfast BT4 2AR.	Single storey extension to rear, garage conversion to living accommodation and roof space conversion.	PERMISSION GRANTED
LA04/2019/2967/DC	LOCDEV	The Kings Hall and RUAS site south of Upper Lisburn Road/Balmoral Avenue West of Harberton park and North-East of Balmoral Golf Club Belfast BT9 6GW	Discharge of Condition no.23 - LA04/2018/0040/F	CONDITION NOT DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2019/2968/DC	LOCDEV	10 Deacon Street Belfast BT15 3EG.	Discharge of condition no. 2 of LA04/2019/1603/F (Management Plan)	CONDITION DISCHARGED
LA04/2019/2974/LDE	LOCDEV	12 Pretoria Street Belfast BT9 5AQ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2019/2983/DC	LOCDEV	Grand Opera House Great Victoria Street Belfast BT2 7HR	Discharge of condition no. 2 of LA04/2018/1936/F ♦ LA04/2018/1743/LBC	CONDITION DISCHARGED
LA04/2019/2987/CON	LOCDEV	82 Marlborough Park North Belfast BT9 6HL	Tree felling to 1 x tree.	WORKS TO TREES IN CA - AGREED
LA04/2019/2991/LDP	LOCDEV	45 North Parade Belfast BT7 2GH	Demolition of existing rear single-storey extension and outhouse and replacement single-storey extension.	PERMITTED DEVELOPMENT
LA04/2019/2996/LDE	LOCDEV	Flat 2 67 Wellesley Avenue Belfast BT9 6DG	House of Multiple occupation (HMO)	PERMITTED DEVELOPMENT
LA04/2019/2998/F	LOCDEV	20 Nendrum Gardens Belfast BT5 5LZ	Two storey rear and side extension	PERMISSION GRANTED
LA04/2020/0005/F	LOCDEV	19 Wingrove Gardens Belfast BT5 5NA	Single storey rear extension	PERMISSION GRANTED
LA04/2020/0006/F	LOCDEV	31 Knockbreda Gardens Belfast BT6 0HH	Two storey side extension and loft conversion with rear dormer	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0007/DC	LOCDEV	Lands at Kings Works Channel Commercial Park Queen's Road Titanic Quarter Belfast	Discharge of condition 7 - LA04/2019/0683/F	CONDITION DISCHARGED
LA04/2020/0011/LDE	LOCDEV	109 Edinburgh Street Belfast BT9 7DT	HMO	PERMITTED DEVELOPMENT
LA04/2020/0012/F	LOCDEV	14 Prince Edward Gardens Belfast BT9 5GD	Single storey side and rear extension	PERMISSION GRANTED
LA04/2020/0014/F	LOCDEV	131 Haypark Avenue Belfast BT7 3FG	Demolition of existing single storey rear return and proposed two storey rear and side extension, single storey rear extension, and alterations to front elevation.	PERMISSION GRANTED
LA04/2020/0016/LDE	LOCDEV	9 Stranmillis Street Belfast BT9 5FE	HMO	PERMITTED DEVELOPMENT
LA04/2020/0020/LDE	LOCDEV	11 Eglantine Avenue Belfast BT9 6DW	HMO	PERMITTED DEVELOPMENT
LA04/2020/0021/F	LOCDEV	72 Olympia Drive Belfast BT12 6NH	Change of use to HMO	PERMISSION GRANTED
LA04/2020/0028/LDE	LOCDEV	9 Eglantine Avenue Belfast BT9 6DW	House of multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0029/LDE	LOCDEV	20 Penrose Street Belfast BT7 1QX	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0031/LBC	LOCDEV	Monico Bars 17 Lombard Street Belfast BT1 1RB	Internal alterations to public house	PERMISSION GRANTED
LA04/2020/0035/DC	LOCDEV	Lands at Kings Works Channel Commercial Park Queens Road	Discharge of Condition No.6 - LA04/2019/0683/F	CONDITION DISCHARGED
LA04/2020/0039/A	LOCDEV	Land adjacent to No.58 Boucher Place Located on lands at the junction of Boucher Place and Boucher Crescent.	[Building mounted signage, signage totem at site entrance and sandblasted lettering onto building cladding.	PERMISSION GRANTED
LA04/2020/0046/F	LOCDEV	Fisherwick Presbyterian Church Malone Road Belfast BT9 5BQ.	New external bronze handrail to side path to match existing handrails. New external barrier to left hand side entrance on Malone Road.	PERMISSION GRANTED
LA04/2020/0048/F	LOCDEV	346 Lisburn Road Belfast BT9 6GH.	Ground floor glazed screen to main entrance facing Marlborough Park.	PERMISSION GRANTED
LA04/2020/0052/DC	LOCDEV	School of Mechanical and Aerospace Engineering (SoMAE) at the Ashby Building Stranmillis Road Belfast BT9 5AH.	Discharge of conditions no's 2 & 3 of LA04/2019/0482/F & condition no. 2 of LA04/2019/0502/LBC (window sample).	CONDITION DISCHARGED
LA04/2020/0053/DC	LOCDEV	134 University Avenue Belfast BT7 1GY.	Discharge of condition 2.1b & 2 of Z/2004/2034/F (Validation Report)	CONDITION DISCHARGED
LA04/2020/0054/DC	LOCDEV	94-100 Sunnyside Street Belfast BT7 3EG.	Discharge of conditions 14 & 15 of LA04/2016/2543/F (Verification report)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0055/NMC	LOCDEV	Site North of 18 Bethany Street Ballyhackamore Belfast.	Non material change LA04/2019/1424/F.	NON MATERIAL CHANGE GRANTED
LA04/2020/0061/LDE	LOCDEV	Flat 2 68 Malone Avenue Belfast Bt9 5JB	House in Multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0084/A	LOCDEV	32 Upper Malone Road Belfast County Antrim BT9 5NA	1 x fascia only logo illuminates - Sign A 6875 x 800 x 92mm aluminium, steel, acrylic 1 x projection sign - internally illuminates sign B - 585 x 500 x 130mm aluminium, steel, acrylic 1 x non illuminated aluminium panel - sign C - 2575 x 800 x 2mm aluminium 1 x non illuminated aluminium panel - sign E - 600 x 600 x 3mm aluminium	PERMISSION GRANTED
LA04/2020/0088/NMC	LOCDEV	47A Clara Park Belfast BT5 6FE	Non material change - LA04/2018/2867/F	NON MATERIAL CHANGE GRANTED
LA04/2020/0096/LDE	LOCDEV	49 Elaine Street Belfast BT9 5AR	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0099/LDE	LOCDEV	87a Great Northern Street Belfast BT9 7FL	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0100/F	LOCDEV	68 My Ladys Road Ballymacarret Belfast BT6 8FB	Change of use from dwelling house to a house in multiple occupation	PERMISSION GRANTED
LA04/2020/0101/DC	LOCDEV	11 Upper Crescent Belfast BT7 1NT	Discharge of Condition no.8 of LA04/2019/0898/F (Noise Assessment)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0134/LDE	LOCDEV	58C University Street Belfast BT7 1HB.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0135/LDE	LOCDEV	21 Ulsterville Gardens Belfast BT9 7BA.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0137/F	LOCDEV	19 Trossachs Drive Belfast	Two storey rear extension	PERMISSION GRANTED
LA04/2020/0147/LDE	LOCDEV	5 Claremont Street Belfast BT9 6AU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0148/CON	LOCDEV	Riddel Hall Stranmillis Road Belfast BT9 5EE	Felling and tree surgery to 50 trees.	WORKS TO TREES IN CA - AGREED
LA04/2020/0150/DC	LOCDEV	Land adjacent to 2 Gray's Lane Belfast BT15 4HT and 792 Shore Road	Discharge of Conditions no's. 8-11 - LA04/2015/0463/F (Verification Report)	CONDITION DISCHARGED
LA04/2020/0151/LDE	LOCDEV	Flat 2 78 Cromwell Road Belfast BT7 1JY.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0155/F	LOCDEV	7 Orchardville Gardens Belfast BT10 0JU.	Single storey rear extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0156/F	LOCDEV	61 Ballyhanwood Road Belfast BT5 7SW	Extension to roof height over one bedroom, 6 new dormers, provision of dormer windows to rear annex and single storey glazed front porch.	PERMISSION GRANTED
LA04/2020/0157/DC	LOCDEV	Land on Foyle Court Belfast BT14 6DF	Discharge of Condition 7 of LA04/2018/2102/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0158/DC	LOCDEV	Lands on Southport Court Belfast BT14 6GF	Discharge of Condition 7 of LA04/2018/2105/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0159/DC	LOCDEV	Land on Manor Court Belfast BT14 6FF	Discharge of Condition no. 7 of LA04/2018/2103/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0160/DC	LOCDEV	Land on Shannon Court and Shannon Street Belfast BT14 6DG	Discharge of Condition no. 7 of LA04/2018/2104/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0166/LDE	LOCDEV	62 Sandhurst Gardens Belfast BT9 5AX	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0168/LDE	LOCDEV	20 Elaine Street Belfast Bt9 5AR	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0171/DC	LOCDEV	29 Balmoral Avenue Belfast	Discharge of condition no.2 of LA04/2018/0047/DCA (contract for the redevelopment)	CONDITION DISCHARGED
LA04/2020/0172/DC	LOCDEV	Land on Bann Court Belfast BT14 6DG	Discharge of condition no. 7 of LA04/2018/2107/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0173/DC	LOCDEV	Land on Bandon Court Belfast BT14 6PU.	Discharge of condition no. 7 of LA04/2018/2106/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0175/DC	LOCDEV	12 Upper Crescent Belfast BT7 1NT.	Discharge of condition no.7 of LA04/2019/0929/F (Noise Assessment)	CONDITION DISCHARGED
LA04/2020/0176/DC	LOCDEV	Land on Liffey Court Belfast BT14 6JG	Discharge of condition no.7 of LA04/2018/2108/F (Generic Quantitative Risk Assessment)	CONDITION DISCHARGED
LA04/2020/0179/LDE	LOCDEV	Flat 1 14 Cromwell Road Belfast BT7 1JW	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0180/LDE	LOCDEV	Flat 2 14 Cromwell Road Belfast BT7 1JW	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0192/CON	LOCDEV	79 Bawnmore Road Belfast BT9 6LD	Felling of 1 x 60ft lime tree beside entrance gate at front of house.	WORKS TO TREES IN CA - AGREED
LA04/2020/0196/F	LOCDEV	17 Brentwood Park Belfast BT5 7LR	Provision of replacement conservatory to rear of existing dwelling.	PERMISSION GRANTED
LA04/2020/0201/LDE	LOCDEV	145 Stranmillis Road Belfast BT9 5AJ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0215/LDE	LOCDEV	65 Jerusalem Street Belfast BT7 1QP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0236/LDE	LOCDEV	20C Brookvale Avenue Belfast BT14 6BW	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0238/LDE	LOCDEV	Flat 1 no.4 India Street Belfast BT7 1LJ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0251/DC	LOCDEV	780 Shore Road and 2 Grays Lane Greencastle Belfast.	Discharge of conditions no's. 4 & 5 of LA04/2019/0228/F (Programme of archaeological work)	CONDITION DISCHARGED
LA04/2020/0255/PAN	MAJDEV	41-49 Tates Avenue Belfast BT9 7BY.	Demolition of existing buildings and structures and erection of 56 apartments with underground car parking.	PROPOSAL OF APPLICATION NOTICE IS ACCEPTABLE

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0271/NMC	LOCDEV	Lands immediately North of Stanhope Street West of Clifton Street and East of Regent Street 7a Stanhope Street Belfast BT12 1BL.	Non material change LA04/2018/0875/F.	NON MATERIAL CHANGE GRANTED
LA04/2020/0274/LDE	LOCDEV	Flat 2 47 Magdala Street Belfast BT7 1PU.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2020/0279/CON	LOCDEV	Danesfort Apartments Malone Road Belfast. Left hand side behind car park of first apartment building.	4-5m reduction/thinning of 6 x trees	WORKS TO TREES IN CA - AGREED
LA04/2020/0291/LDE	LOCDEV	4 Donnybrook Court Belfast BT9 7GH.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2020/0292/DC	LOCDEV	Lands at Kings Works Channel Commercial Park Queens Road Titanic Quarter	Discharge of Condition no.7 - LA04/2019/0683/F	CONDITION DISCHARGED
LA04/2020/0304/DC	LOCDEV	Open space west of Stewartstown Road and south of Pantridge Road	Discharge of condition no.9 - LA04/2018/1890/F	CONDITION DISCHARGED
LA04/2020/0305/NMC	LOCDEV	780 Shore Road and 2 Grays lane Belfast BT15 4HT	Non material change to LA04/2019/0228/F	NON MATERIAL CHANGE GRANTED
LA04/2020/0339/DC	LOCDEV	Lands north west of 1-6 Linen Mill Grove Edenderry Village Belfast	Discharge of condition no.15 of LA04/2018/1795/F (programme of archaeological work)	CONDITION DISCHARGED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0381/NMC	LOCDEV	24 Deramore Gardens Belfast BT7 3FN	Non material change to LA04/2019/2070/F	NON MATERIAL CHANGE REFUSED

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Subject:	Listing of Buildings
Date:	Tuesday, 10 th March 2020
Reporting Officer:	Keith Sutherland, Ext 3578
Contact Officer:	Dermot O'Kane, Ext 2293

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

1.0	Purpose of Report or Summary of main Issues
1.1	Correspondence has been received from the Historic Environment Division (HED) regarding the proposed listing of a building in Belfast. Article 80 (3) of the Planning Act (NI) 2011 requires the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.
2.0	Recommendations
2.1	Committee is requested to: <ul style="list-style-type: none"> • note the contents of Appendix 1; and • Support the proposed listing of the building as detailed in paragraphs 3.5 of this report.
3.0	Main report
3.1	The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974.
3.2	In considering whether to include a building as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider: <ul style="list-style-type: none"> • any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and • the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.
3.3	Should the Department for Communities decide to list a property, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.

3.4	The summary set out in Appendix 1 for the proposed listed building is taken from the property evaluation and details the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed Buildings in Northern Ireland under the ongoing work as part of the Second Survey.
3.5	The Department based on the completion of detailed surveys, is currently considering the listing of the following property and has requested the Council's comments in relation to: <ul style="list-style-type: none"> • Catholic Chaplaincy QUB, 28-38 Elmwood AVE, Belfast, BT9 6AY
3.6	<u>Financial & Resource Implications</u> None
3.7	<u>Equality or Good Relations Implications</u> None
4.0	Appendices – Documents Attached
	APPENDIX 1: Property Evaluation APPENDIX 2: Imagery

APPENDIX 1: Listed Building Property Evaluation

Background

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

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

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

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

The summary below is taken from the property evaluation and details the main features alongside the recommended class of listing.

1. Catholic Chaplaincy QUB, 28-38 Elmwood AVE, Belfast, BT9 6AY, HB26/28/115

Property evaluation

A two storey plus attic, 6 bay building, carefully scaled, planned and built using contemporary materials by Rooney and McConville; an infill to a gap in a Victorian terrace on Elmwood Avenue; situated within the Queens Conservation Area of South Belfast.

As described by David Evans in 'Modern Ulster Architecture' (First Edition – p. 14), "A spirit of respect and architectural good neighbourliness is evident in this elegant example of 'infill' designed by Laurence McConville." ... "The form of the Victorian canted bay window is...employed but in a daring and un-Victorian manner; raised above street level and cantilevered out, these prismatic steel and glass forms march along in rhythm with their brickwork neighbours. These two storey height bays are raised above a flat glazed façade at street level which express the form of the large main hall within. The floor to ceiling windows establish a sense of spatial continuity between the street and the cloistered courtyard and chapel beyond the main hall. The ground floor can be perceived as a series of visually-linked spaces." The proportions of the building, its scale and plan form are unique to Belfast if not Northern Ireland.

The building by known architect Lawrence McConville, once had external panelling designed by Ray Carroll, whose work also features internally in the liturgical furnishings and detailed design of the chapel. Both were part of the Catholic Churches Advisory Committee on Sacred Art and Architecture in the 1960's and contributed to the Irish Episcopal Commission for Liturgy's 'Place of Worship' Directory – the Church's own guidance document on Designing Places of Worship. The Catholic Chaplaincy embodies the recommendations made by the Committee, which requires that '...space and light, materials and furnishings, suitable places for the various liturgical activities, ambiance and atmosphere – all must combine to help Christians become what they are when they worship'. The guidance mentions the Architect and Artist – 'All the liturgical elements in the church, as well as images and shrines should be designed by artists and the work coordinated by the architect...Architects and artists give glory to God through their work.' All of the original

ornament and craftsmanship remains in situ throughout the building and also within the chapel, from the fixed liturgical furnishings through to the artist designed copper hopper which feeds rainwater into the pond within the courtyard.

The building and chapel in particular are fine examples of the design quality which was required of the building. Through form follows function where necessary, the deliberate attention to detail and craftsmanship and the high quality materials such as copper, bronze and steel used throughout the building embody the aim of the Catholic Church at the time of the building's construction to 'mediate presence'. Much importance was placed on the details of the building: 'The place of the artist can never be taken by the craftsperson or by the provider of 'religious' goods. Art builds upon craft, giving to merely practical objects a quality of transcendence that links the material and the spiritual world. The work of the artist is not a superfluous luxury.'

As such, this is an authentic, intact building of not only architectural but historical, social and cultural importance in its demonstration of the intention of the Catholic Church to embody the spirit of worship of its time through art and architecture combined, using materials which were cutting edge in Belfast in the 1970's.

The building occupies a section of what was once a mainly residential Victorian terrace on Elmwood Avenue. Though uncompromisingly modern, the large steel framed glazed bays and eaves line maintain the rhythm and scale of the terrace. The views outwards from these large windows are unique and designed to maximise visibility and appreciation of the Avenue and of the high quality buildings captured in each vista. The spatial organisation and layering of spaces from the street to chapel allows a large public space to be quietly slotted in amongst its neighbours. The scale and depth of the building, the use of brick between canted bays, the employment of dormers and the carefully subservient 'mews' chapel to the rear ally with the rhythm, pattern, materials and scale set up by the historic buildings adjacent and the wider context of the Queens Conservation Area.

Proposed NIEA listing – **B1**

Extent of proposed listing – **Chapel and ancillary accommodation**

Image:



Note:

Listed buildings in Northern Ireland are divided into four categories:

Grade A

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

Grade B+

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

Grade B1 and B2

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

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Committee Application

Development Management Report	
Application ID: LA04/2018/2726/F	Date of Committee: 10 th March 2020
Proposal: Social housing development of 20no semi-detached dwellings and 2no apartments.	Location: Lands to the rear of 7-19 Aghery Walk and 86 - 112 Areema Drive, Dunmurry
Referral Route: Residential development in excess of 12 units with objections	
Recommendation:	Approval
Applicant Name and Address: Apex Housing Association The Gasworks 6 Cromac Place Belfast BT7 2JB	Agent Name and Address: JNP Architects 2nd Floor Alfred House 21 Alfred Street Belfast BT2 8ED
<p>Executive Summary: This application seeks full planning permission for a social housing development consisting of 20 no. semi-detached dwellings and 2 apartments (Total 22 units) with access from Areema Drive.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Principle of development • Design and impact on character and appearance of the area • Impact on trees / draft Local Landscape Policy Area / ecology • Impact on amenity • Access, Movement and Parking • Archaeology • Flooding / Infrastructure Capacity • Contamination <p>The application site is unzoned 'whiteland' within the settlement limits of the Lisburn Area Plan 2001. In Draft BMAP (2004), the site is zoned for social housing under ML06/05. At examination of Draft BMAP (2004), the Planning Appeals Commission (PAC) recommended that there should be no change to the site being indicated as existing open space. In the BMAP Adoption Statement 2014 by the then DOE, they did not except this recommendation and stated that the site was in fact zoned for Social Housing on Map. 3/019. The site was subsequently zoned for social housing under ML 04/08 of Draft BMAP 2015 (final draft version prior to adoption).</p> <p>The site would fall under the definition of open space as per the annex to PPS8 and the proposal would result in the loss of open space. However, it is considered that there are material considerations that would outweigh the loss of open space in this exceptional instance. These considerations include the zoning of land for social housing within both Draft BMAP (2004) and Draft BMAP 2015 (final draft version prior to adoption), the extensive housing need within this area and the remaining retention of open space of the larger site.</p> <p>In addition, the proposal would not adversely impact the character and appearance of the area including the draft LLPA and amenity of nearby residents or human health. The proposal is acceptable in terms of highway safety, parking, flooding, archaeology and contamination.</p>	

Rivers Agency, HED, NI Water, DAERA, BCC Environmental Health, BCC Planning Policy, BCC Tree Officer, BCC Landscaping Section were consulted and have offered no objection to the proposal. Whilst there is an outstanding final consultation response from DFI Roads, the consultee has raised no issues of principle with only minor detailing required in respect of the proposed layout.

A total of 171 letters of objection have been received (104 letters based on the amended plans), summarised as:

- Encroachment on the Green Belt;
- Obstruction of light;
- Pressure on aged infrastructure;
- Flooding;
- Impact on wildlife;
- Loss of greenspace, important for physical and mental well-being;
- Traffic congestion;
- Encasement of playground which will make it unsafe for children;
- Mixed community, proposed social housing will change this balance;
- Will cause great physical and mental concern to the whole community
- No Environmental Impact Assessment or Air Quality Assessment;
- Pollution, impact on human health;
- Japanese knotweed, decrease to property values;
- Contrary to policies to encourage public transport, improving air quality and public health;
- Lack of transparency.

These matters are addressed in the main body of the report below.

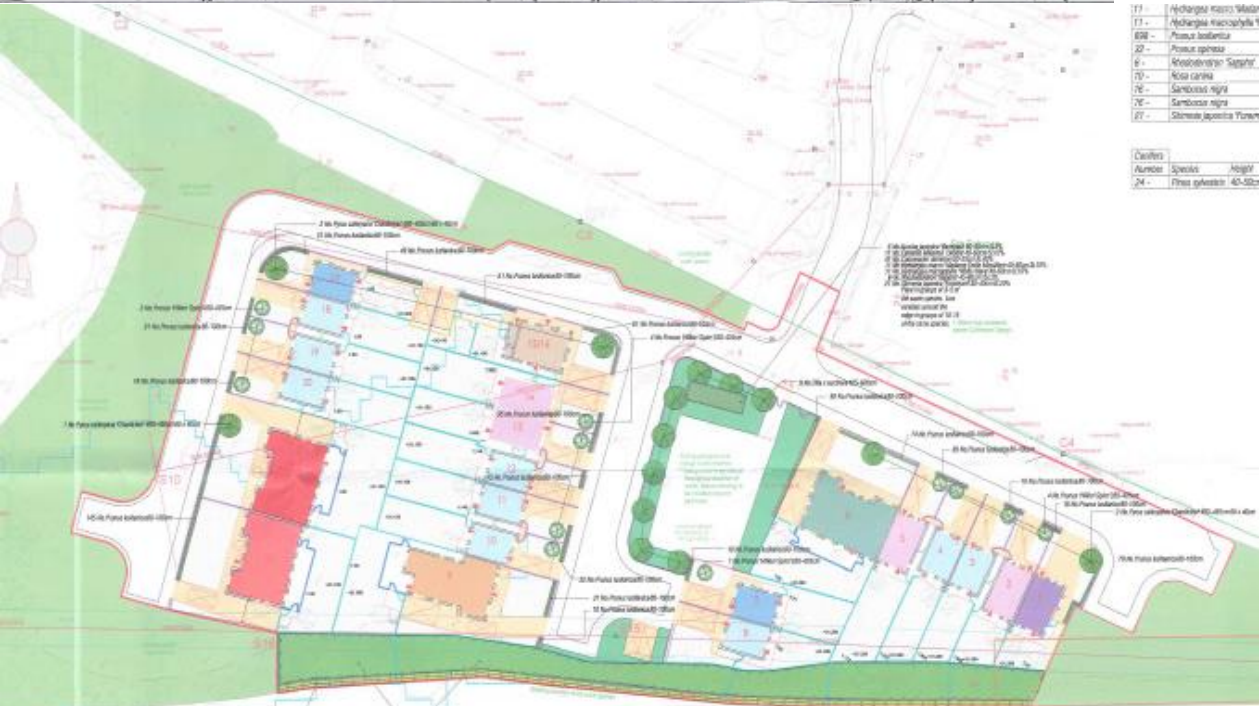
The proposal has been assessed against and is considered to comply with PPS2, PPS3, PPS6, PPS7, PPS7 Addendum, PPS8, PPS12, PPS15 the SPPS, Draft BMAP and Lisburn Area Plan 2001. Having regard to the development plan, relevant planning policies, and other material considerations including third party representations, on balance, it is recommended that the proposal is approved.

Recommendation – Approved subject to conditions

It is requested that the committee delegates authority to the Director of Planning and Building Control to grant conditional planning permission and to finalise the final wording of conditions.

Case Officer Report

Site Location Plan



17	Hedyscopia macrophylla
18	Hedyscopia macrophylla
19	Prunus laurocerasus
20	Prunus laurocerasus
21	Prunus laurocerasus
22	Prunus laurocerasus
23	Prunus laurocerasus
24	Prunus laurocerasus
25	Prunus laurocerasus
26	Prunus laurocerasus
27	Prunus laurocerasus

Number	Species	Height
24	Prunus laurocerasus	4.5-5.0m

Characteristics of the Site and Area		
1.0	Description of Proposed Development This application seeks full planning permission for the construction of a social housing development consisting of 20 no semi-detached dwellings and 2 no apartments. The housing mix consists of the following; <ul style="list-style-type: none">• 2 x 1 bedroom apartments;• 4 complex needs bungalow;• 16 dwellings. The development is to be accessed via Areema Drive and the existing playground is to be retained. The scheme was amended over the course of the application to the include the following; <ul style="list-style-type: none">• Additional elevational detailing to house types;• Reduction in hardstanding along frontage of plots.	
2.0	Description of Site and Area The application site comprises an area of existing grassed open space (approx. 1.2 hectares) in front of housing along Areema Drive. There is an existing playground in the centre of the site. The ground is relatively flat with a dip in levels towards the south western corner. The site is bounded to the south and west by mature hedgerows, trees and Derryaghy River further to the west. The surrounding area is characterised by two storey terraced and semi-detached housing to the north and east of the site. Dunmurry Cricket grounds and Dunmurry Rec FC football grounds lie to the south	
Planning Assessment of Policy and other Material Considerations		
3.0	Site History S/2014/0839/PREAPP - Outline permission for housing development – Withdrawn LA04/2015/0465/PAD - Social Housing Development – PAD concluded LA04/2015/1412/PAD - Proposed social housing development consisting of approximately 40 units including associated amenity space, parking, site works and access roads and infrastructure – PAD concluded LA04/2019/2914/F - Proposed foul pumping station with associated landscaping in connection with application LA04/2018/2726/F (housing) – Pending	
4.0	Policy Framework	
4.1	Lisburn Area Plan (2001)	
	4.1.1	Policy H2 Housing
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.	
	Draft BMAP 2004	
	4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits

	4.2.2	Policy HOU3 Social Housing
	4.2.3	Policy ENV3 Local Landscape Policy Areas
		Designation ML01 Metropolitan Development Limit Lisburn
	4.2.4	Designation ML06/05 – Social housing
	4.2.5	Designation ML17 Local Landscape Policy Area Derryaghy River
		Draft BMAP 2015 (purported to be adopted)
	4.2.6	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
	4.2.7	Allocation HOU 2 Social Housing
	4.2.8	Policy ENV1 Local Landscape Policy Area
	4.2.9	Policy OS1 Community Greenways
	4.2.10	Zoning ML 04/08 Social Housing - Key Site Requirements
	4.2.11	Designation ML15 Local Landscape Policy Area Areema Derryaghy River
4.3		Regional Development Strategy 2035
4.4		Strategic Planning Policy Statement 2015
4.5		Planning Policy Statement 2: Natural Heritage Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 6: Planning, Archaeology and The Built Environment Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 7 (Addendum): Safeguarding the Character of Established Residential Areas Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 12: Housing in Settlements Planning Policy Statement 15: (Revised) Planning and Flood Risk
5.0		Statutory Consultees Responses
5.1		DFI Roads – No objection in principle, awaiting final response – Will be reported as a committee update
5.2		Rivers Agency – No objection
5.3		DAERA (Water Management Unit) – No objection subject to conditions
5.4		DAERA (Land and Groundwater Team) – No objection subject to condition
5.5		DAERA (Natural Environment Division) (NED) – No objection
5.6		Historic Environment Division (HED) – No objection
5.7		NI Water – Advice
6.0		Non-Statutory Consultees Responses
6.1		BCC Environmental Health – No objection
6.2		BCC Planning Policy Team – No objection, zoning of land within BMAP as social housing merits considerable weight. Proposed density of development seems lower than the potential capacity. Given emerging Local Development Plan (LDP) dPS 2035, maybe more appropriate to consider some provision of private or intermediate housing. Suggest Housing Executive are consulted in relation to housing need in terms of tenure, size and type.
6.3		BCC Tree Officer – No objection subject to conditions
6.4		BCC Landscaping Section – Scheme could be enhanced by refurbishment of existing playground. Recommend some minor amendments to landscaping / boundary treatment around playground. Request copies of Landscape Management and Maintenance Plan and Invasive Species Management Plan
7.0		Representations
7.1		The amended plans and additional information was neighbour notified on the 13 th January 2020. It was re-advertised in the local press on the 24 th January 2020. This consultation period expired on the 7 th February 2020.

A total of 171 objections have been received.

67 letters of objection were received based on the original plans, summarised as;

- There is plenty of unused properties within Northern Ireland that should be used;
- Proposal will change character of the estate;
- Encroachment on the Green Belt;
- Obstruction of light;
- Unsustainable pressure on aged infrastructure;
- Area prone to flooding, proposal will only exacerbate this;
- Removal of trees will make flooding worse;
- Impact on local wildlife;
- There is a large development planned for cricket grounds, this development risks overdevelopment the area;

Officer Response: *There is no current planning applications nor has planning permission been granted for the redevelopment of the cricket grounds.*

- Greenspace is a focal point for the community, and is important for its physical and mental wellbeing. To remove would hold a health and safety risk for all residents;
- We are a mixed community for over 30 years and only one of three in Northern Ireland, proposed social housing would change the balance of the area forever, there is no guarantee from any of the public bodies;

Officer Response: *Whilst this is not a material planning consideration, the applicant has confirmed that the proposed social housing is to be carried out as part of the Housing Executive's 'Shared Future Scheme'.*

- Proposal will cause traffic congestion;
- The proposed road and dwellings encase the playground which will make it unsafe for children.

104 letters of objection were received on the latest set of amended plans that were subject to re-consultation, summarised as;

- Area is prone to flooding;
- Greenspace is a focal point for the community, and is important for its physical and mental wellbeing. To remove would hold a health and safety risk for all residents;
- We are a mixed community for over 30 years and only one of three in Northern Ireland, proposed social housing would change the balance of the area forever;
- Proposal will cause traffic congestion and pollution;
- Impact on human health from pollution;
- The proposed road and dwellings encase the playground which will make it unsafe for children;
- Japanese knotweed is present and if disturbed will not only damage any new building but will spread to existing properties, this would result in existing housing losing their value;

Officer Response: *Impacts on property value is not a material planning consideration.*

- No Environmental Impact Assessment and Air Quality Assessment has been undertaken;
- Development encourages private car use in an areas with accessibility to buses and trains – this is contrary to policies of encouraging public transport use, improving air quality and public health;
- Lack of transparency to this whole process;

Officer Response: *Publicity and consultation of the application has been carried out in line with statutory requirements. A meeting was also facilitated for the local elected representative on behalf of the residents. The applicant also undertook public consultation prior to submitting the application.*

	<p>These issues are addressed either directly above or in the main body of the report below.</p> <p>A meeting was held with Councillor Heading and the applicant Apex on Tuesday 25th February 2020.</p>
8.0	Other Material Considerations
8.1	<p>Living Spaces: An Urban Stewardship and Design Guide or Northern Ireland</p> <p>Creating Places</p> <p>The Belfast Agenda</p> <p>DCAN 15</p> <p>Parking Standards</p>
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Design, Impact on character and appearance of the area - Impact on trees / Draft LLPA / ecology - Impact on amenity - Access, Movement and Parking - Archaeology - Flooding / Infrastructure Capacity - Contamination
9.3	<p><u>Principle of development</u></p> <p>The application site is unzoned 'whiteland' within the settlement limits of the Lisburn Area Plan 2001. In Draft BMAP (2004), the site is zoned for social housing under ML06/05. At examination of Draft BMAP (2004), the Planning Appeals Commission (PAC) recommended that there should be no change to the site being indicated as existing open space. In the BMAP Adoption Statement 2014 by the then DOE, they did not except this recommendation and stated that the site was in fact zoned for Social Housing on Map. 3/019 and NIHE confirmed that there is a substantial housing need in and around Areema and noted planning permission for 10 units had lapsed. Please note reference to previous planning permission was an error as there is no previous planning history. The site was subsequently zoned for social housing under ML 04/08 of Draft BMAP 2015 (final draft version prior to adoption).</p>
9.4	<p>Currently the site would fall under the definition of open space as per the annex to PPS8 and the proposal would result in the loss of open space. In accordance with Policy OS1 of PPS8 and the SPPS there is a presumption against the loss of open space and this should only be set aside in specific exceptional circumstances. One of these exceptions is where it is clearly shown that the redevelopment will bring substantial community benefits that decisively outweigh the loss of open space. In addition, regard must also be paid to the Local Development Plan.</p>
9.5	<p>The applicant has submitted an Open Space Statement in support of their application. This demonstrates that there is a high social housing need within the area with a 55% housing stress waiting list for families which this development would help address. Confirmation has also been provided from the Housing Executive that they would support the proposed housing mix. This represents a substantial community benefit.</p>
9.6	<p>The surrounding area has a large amount of existing open space, in addition, 34% of the site's existing green open space will remain and will continue to be maintained by the Housing Executive which will serve existing and proposed housing.</p>

9.7	Furthermore, the zoning of the land for social housing within both Draft BMAP 2004 and Draft BMAP 2015 (final version prior to adoption) merits substantial weight as confirmed by the BCC Planning Policy Team.
9.8	On this basis, the material considerations set out above are considered to outweigh the loss of open space in this exceptional instance. Therefore, the principle of housing is acceptable in accordance with Policies OS1 and OS2 of PPS8, the SPPS, Draft BMAP and the Lisburn Area Plan 2001.
9.9	<p><u>Design and Impact on the character and appearance of the area</u></p> <p>The proposed density of development at 18 dwelling per hectare (dph) would be in keeping with the surrounding area. It would also meet the key site requirement for 17 dwellings per hectare set out in Draft BMAP 2015 (final draft version prior to adoption). Whilst it is noted that Planning Policy consider the density of development seems lower than the potential site capacity and have recommended an increased density, not all the land indicated within the zoning is developable due to the flood plain in the south western corner, woodland buffers along the southern and western boundaries and existing NI Water infrastructure. In addition, following community consultation and pre-application discussions, the density of development was reduced to address concerns from residents and to ensure adequate amenity space.</p>
9.10	The proposed layout of development would be similar to that of the surrounding area and would include in-curtilage parking spaces and landscaped front gardens to reduce the dominance of cars.
9.11	The scale, massing, proportions and appearance of the proposed dwellings would be sympathetic with the existing streetscape with a mix of traditional two storey dwellings and bungalows finished in red brick, render and grey roof tiles with bay windows, gable ends, brick course, corbelled eaves to provide additional detailing. A variety of house types are also provided which would inject further visual interest.
9.12	Full details of boundary treatments have been provided which consist of railings, close boarded timber fence and brick walls. The proposed boundary treatments would be of a high quality nature, which help enclose site boundaries to clearly define private and public spaces. The development has been designed to deter crime and promote personal safety with back to back relationships and natural surveillance over parking areas and the playground.
9.13	Overall the proposal would respect its surrounding context, whilst making a positive contribution to the character and quality of the area. It would create a sustainable and quality residential environment in accordance with the SPPS, PPS7 and its addendum and Creating Places.
9.14	<p><u>Impact on Trees / Impact on Draft LLPA / Ecology</u></p> <p>A Tree Survey Report and Tree Constraints Plan have been provided. The proposed layout ensures the retention of the mature tree belts along the southern and western boundaries. Eight trees are required to be removed to accommodate the development, which are either dead or young in age class and as such, there is no objection to their loss. The loss of these trees is also compensated for by the planting of 26 new trees as per the proposed landscaping plan. The Council's Tree Officer was consulted and offers no objection to the proposal.</p>
9.15	The draft Derryaghy River LLPA is characterised by a wooded landscape of high visual amenity value, the trees being of particular significance along with the extensive areas of recreational open space. The proposed development retains the woodland buffers with areas of open space surrounding the site which would ensure that the proposal would not adversely

9.16	<p>impact the Draft LLPA. The proposal would therefore accord with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Policy ENV1 of Draft BMAP and the SPPS.</p> <p>An Ecological Survey Report was submitted in support of the application. No evidence of protected species was discovered on the site and the woodland buffers along the southern and western boundaries are to be maintained and protected. NED were consulted and are content with the proposal. On this basis, the proposal is unlikely to harm protected species or cause unacceptable adverse harm to natural heritage features in accordance Policies NH2 and NH5 of PPS2 and the SPPS.</p>
9.17	<p><u>Impact on Amenity</u></p> <p>The proposed housing is sufficiently separated from the existing dwellings by a minimum distance of 25 metres, which would ensure the development would not detrimentally affect their residential amenity.</p>
9.18	<p>Objections have been raised from local residents over air pollution. The Council's Environmental Health Department were consulted and offer no objection to the proposal. The addition of 22 units would not result in significant air pollution that would warrant refusal of the application. Any disturbance during construction would be for a temporary period and is covered by other environmental legislation. A construction management plan condition has been recommended to minimise disruption during the construction period.</p>
9.19	<p>The internal layout of the development has been sensitively designed to ensure sufficient separation distances to provide an adequate level of privacy for future occupiers of the development. The proposed dwellings would meet the space standards as set out in Annex A of PPS7 Addendum. Each dwelling would be provided with a suitable degree of outlook and light for their main habitable rooms.</p>
9.20	<p>Each property would be provided with their own private garden which would exceed the minimum recommended standard set out in Creating Places and would be in keeping with the prevailing character of surrounding area.</p>
9.21	<p>Further to the noise assessment carried out as part of the foul pumping station (ref: LA04/2019/2914/F), this identified elevated background noise levels mainly due to busy Creighton Road. A condition has subsequently been recommended requiring the inclusion of suitable noise mitigation measures within the proposed housing.</p>
9.22	<p>Having regard to Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, SPPS and Creating Places, the proposal is considered acceptable in respect of amenity for existing and future occupiers.</p>
9.23	<p><u>Access, Movement and Parking</u></p> <p>The planning application is accompanied by a Transport Assessment Form. A total of 48 car parking spaces would be provided within the development itself including 20 on-street spaces in line with the recommended parking standards.</p>
9.24	<p>The road is to be extended from Areema Drive to service the proposed development in line with the key site requirement set out in Draft BMAP 2015 (final draft version prior to adoption). The level of traffic generation from 22 dwellings is unlikely to have any significant impact on the local highway network. DFI Roads were consulted and offer no objection to the proposal in principle subject to minor revisions to the private streets determination drawing. Their final consultation response will be reported as a committee update.</p>
9.25	<p>Safety concerns have been raised from local residents regarding the new road around the playground. Boundary treatment is proposed around the perimeter of the playground with self-closing gated access. There are pedestrian crossing points directly in front of the playground</p>

	linking into the footpath and traffic calming measures within the road layout to reduce traffic speeds.
9.26	In light of the above, it is considered that the proposed development would be acceptable in terms of highway safety, capacity and car parking in accordance with the SPPS, Policies AMP1, AMP2 and AMP7 of PPS3 and Policy QD1 of PPS7.
	<u>Archaeology</u>
9.27	HED previously advised that the site was within an archaeologically sensitive landscape close to two recorded scheduled archaeological monuments (Dunmurry Fort and Mary Mount). An Archaeological Evaluation was carried out which would found no features of archaeological significance. This was reviewed by HED who offer no objection to the proposal. It is therefore considered to comply with Policies BH1, BH3 of PPS6 and the SPPS.
	<u>Flooding and Infrastructure Capacity</u>
9.28	A Flood Risk and Drainage Assessment has been submitted. The layout of development has been carefully designed to ensure that the proposed development does not fall within the 1 in 100 year fluvial flood plain extent in the south west corner of the site. The finished floor levels (FFL) of the proposed dwellings are set a minimum of 600mm above the predicted flood level.
9.29	An adequate maintenance buffer is maintained along the Derryaghy River in accordance with Policy FLD2 of PPS7. The Drainage Assessment includes attenuation to limit the discharge rate of surface water to the Greenfield run-off rate with an allowance for climate change. It demonstrates that adequate measures will be put in place to effectively mitigate flood risk to the proposed development and ensure that flood risk will not be increased elsewhere.
9.30	The submitted information has been reviewed by Rivers Agency who have cited no objection. The proposal would therefore accord with Policies FLD1, FLD2 and FLD3 of PPS 15 and the SPPS.
9.31	NI Water have confirmed that there is available capacity within the WWTW and a foul pumping station is proposed under application LA04/2019/2914/F to service the development. Water Management Unit (DAERA) were consulted on the application and are content with the proposal on the basis of the surface water environment.
	<u>Contamination</u>
9.32	A Contamination Assessment has been carried out on the site which has been reviewed by Environmental Health and DAERA (Land and Groundwater Team) who offer no objection to the proposal. The submitted evidence demonstrates that the site can be developed for its proposed end use with no unacceptable risks to human health or environmental receptors in accordance with the SPPS.
	<u>Other matters</u>
	<u>EIA Screening</u>
9.33	The proposed development falls within Schedule 2, Part 10(b) 'Urban development projects, including the construction of shopping centres and car parks' of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as the site area would exceed 0.5 hectares. The development has been screened and it has been determined that it does not constitute EIA development.
	<u>Developer Contributions</u>
9.34	The proposed development does not meet the threshold set out in the Developer Contributions Framework January 2020 for the provision of a children's play area. However, the applicant has offered to make a contribution to an upgrade of the existing playground. In line with the

9.35	<p>SPPS and the Framework, this benefit cannot be considered a material consideration in the determination of this application.</p> <p>Invasive Species</p> <p>Concern has been raised from local residents over the presence of Japanese knotweed. An Invasive Species Survey of the site was carried out which found one continuous strand of Japanese knotweed within the woodland along the southern boundary and Himalayan balsam along the western boundary. This matter is covered by separation legislation not planning. An Invasive Species Management Plan has been submitted in any case, which recommends various control measures to ensure that the proposed works do not cause them to spread on or off site.</p>
10.0	<p>Summary of Recommendation:</p> <p>Having regard to the development plan, relevant policy context and other material considerations including third party representations, on balance, the proposal is considered acceptable. It is requested that the Planning Committee delegates authority to the Director of Planning and Building Control to grant conditional planning permission and to finalise the wording of conditions.</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. Prior to the occupation of any of the dwellings hereby permitted, the foul pumping station approved under application LA04/2019/2914/F shall be fully constructed and maintained thereafter to NI Water adoption standards. Reason: In the interests of public health. The development hereby permitted shall be constructed in the materials shown on the approved plans. Reason: To protect the visual amenities of the area. The development hereby permitted shall be carried out in accordance with the approved landscaping plan Drawing Number XX stamped received by Belfast City Council XX. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the completion of the development and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of amenity and to preserve and enhance the character and appearance of the locality. Prior to any work commencing on the site, all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and

	<p>all associated materials and equipment are removed from site. Please notify council to inspect the erection of the fencing prior to the beginning of construction works on site.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained.</p> <p>6. The development hereby permitted shall be carried out and maintained in accordance with the Landscape Management and Maintenance Plan (MWA Ref:83755.Doc.01) prepared by MWA Partnership Ltd. stamped received by Belfast City Council 18th December 2019 unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of biodiversity and to protect the general amenity and character and appearance of the locality.</p> <p>7. No trees which are shown as being retained on approved drawing no XX stamped received by Belfast City Council XX shall be cut down, uprooted or destroyed nor shall any retained tree be pruned or reduced without the prior written approval of the Local Planning Authority.</p> <p>Reason: To protect the trees to be maintained on the site and safeguard the character and appearance of the surrounding area and in the interests of biodiversity.</p> <p>8. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <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 XX bearing the Department for Infrastructure Determination date stamp XX (Drawing No XX).</p> <p>Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>9. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No XX stamped received by Belfast Planning Service XX 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.</p> <p>Reason: To ensure adequate provision has been made for parking within the site.</p> <p>10. Should any unforeseen ground contamination be encountered during the development, and in order to protect human health and environmental receptors, all works on the site should immediately cease. Belfast City Council should be informed and a full written risk assessment in line with current government guidance (Model Procedures for the Management of Land Contamination - CLR11) that details the nature of the risks and any necessary mitigation measures (and if required a Verification Report) should be prepared and submitted for appraisal.</p> <p>Reason: Protection of environmental receptors and human health.</p> <p>11. The development hereby permitted shall be carried out in accordance with approved Drawing Numbers XX stamped received by Belfast City Council XX. The means of enclosure including walls and boundary treatments shall be fully implemented in</p>
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	<p>accordance with the approved details prior to the occupation of any part of the development and thereafter maintained in accordance with the approved details.</p> <p>Reason: In the interests of visual amenity and ensure a satisfactory level of amenity for future occupiers.</p> <p>12. A detailed Construction Method Statement, for works in, near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999, must be submitted to NIEA Water Management Unit, at least 8 weeks prior to the commencement of the works or phase of works.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment</p> <p>13. The development hereby permitted shall be carried out in accordance with the submitted Construction Management Plan. The Management Plan shall be implemented as approved and maintained for the duration of the construction works.</p> <p>Reason: In the interests of public safety and amenity.</p> <p>14. Prior to the first occupation of the dwellings hereby permitted, noise mitigation measures shall be implemented and retained as such thereafter to ensure that internal noise levels within each dwelling shall:</p> <ul style="list-style-type: none"> - not exceed 35 dB LAeq,(16hrs) at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; - not exceed 30 dB LAeq,(8hrs) between the hours of 23:00 and 07:00hrs within the proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; - not exceed 45 dB L_{Amax} for any single sound event between the 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements. <p>Reason: Protection of residential amenity.</p>
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Notification to Department (if relevant): N/A

Representations from Elected members: Meeting held with Councillor Heading and the applicant Apex on Tuesday 25th February 2020.

Details of Neighbour Notification (all addresses)

10 – 68 Alina Gardens, Dunmurry, Antrim, Northern Ireland, BT17 0QJ

10 - 132 Areema Drive, Dunmurry, Dunmurry, Antrim, BT17 0QH

9 - 19 Aghery Walk, Dunmurry, Dunmurry, Antrim, BT17 0QQ

7, Flat A-D, Aghery Walk, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17 0QQ

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Committee Application

Development Management Report	
Application ID: LA04/2019/2914/F	Date of Committee: 10 th March 2020
Proposal: Foul pumping station with associated landscaping in connection with application LA04/2018/2726/F for housing	Location: Lands to rear of 7-9 Aghery Walk Belfast Dunmurry
Referral Route: Associated with application LA04/2018/2726/F which is required to be brought to committee	
Recommendation:	Approval
Applicant Name and Address: Apex Housing Association The Gasworks 6 Cromac Place Belfast BT7 2JB	Agent Name and Address: JNP Architects 2nd Floor Alfred House 21 Alfred Street Belfast BT2 8ED
<p>Executive Summary: This application seeks full planning permission for a foul pumping station with associated landscaping which is required to serve a social housing development proposed under application LA04/2018/2726/F.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Principle of development • Design and impact on character and appearance of the area including Draft Local Landscape Policy Area • Impact on amenity / human health • Flooding <p>The application site is unzoned 'whiteland' within the settlement limits of the Lisburn Area Plan 2001. In Draft BMAP (2004), the site is zoned for social housing under ML06/05. At examination of Draft BMAP (2004), the Planning Appeals Commission (PAC) recommended that there should be no change to the site being indicated as existing open space. In the BMAP Adoption Statement 2014 by the then DOE, they did not except this recommendation and stated that the site was in fact zoned for Social Housing on Map. 3/019. The site was subsequently zoned for social housing under ML 04/08 of Draft BMAP 2015 (final draft version prior to adoption).</p> <p>The site would fall under the definition of open space as per the annex to PPS8 and the proposal would result in the loss of open space. However, it is considered that there are material considerations that would outweigh the loss of open space in this exceptional instance. These considerations include the zoning of land for social housing within both Draft BMAP (2004) and Draft BMAP 2015 (final draft version prior to adoption), the extensive housing need within this area and the remaining retention of open space of the larger site.</p> <p>The proposal would not adversely impact the character and appearance of the area including the draft Derryaghy LLPA and amenity of nearby residents or human health. In addition, the proposal raises no unacceptable flooding risks.</p>	

NI Water, DAERA (Drainage and Water) and BCC Environmental Health were consulted and have offered no objection to the proposal.

105 letters of objection have been received, summarised as:

- Smell from sewage waste;
- Already have carriageway traffic at back of Areema Drive;
- Drainage of sewage adding to an area already prone to flooding;
- Disturbance of Japanese knotweed causing damage to properties;
- Will cause great physical and mental concern to the whole community.

These matters are addressed in the main body of the report below.

The proposal has been assessed against and is considered to comply with PPS7, PPS8 and PPS11, the SPPS and Draft BMAP. Having regard to the development plan, relevant planning policies, and other material considerations including third party representations, on balance, it is recommended that the proposal is approved.

Recommendation – Approved subject to conditions

It is requested that the committee delegates authority to the Director of Planning and Building Control to grant conditional planning permission and to finalise the final wording of conditions.

Characteristics of the Site and Area		
1.0	Description of Proposed Development This application seeks full planning permission for a foul pumping station with associated landscaping which is required to serve a social housing development proposed under application LA04/2018/2726/F. The foul pumping station is to be enclosed by a 1.8m high timber fence with a landscaping buffer surrounding it. The footprint of the enclosure is 5m x 5m with an area of 25 sq.m. The majority of the plant is to be underground with the exception of the 1.8m control panel/ kiosk, hose reel and 5m light pole.	
2.0	Description of Site and Area The application site comprises an area of existing grassed open space in front of housing along Areema Drive. The surrounding area is defined by mix of housing and open spaces.	
Planning Assessment of Policy and other Material Considerations		
3.0	Site History S/2014/0839/PREAPP - Outline permission for housing development – Withdrawn LA04/2015/0465/PAD - Social Housing Development – PAD concluded LA04/2015/1412/PAD - Proposed social housing development consisting of approximately 40 units including associated amenity space, parking, site works and access roads and infrastructure – PAD concluded LA04/2018/2726/F - Social housing development of 20no semi-detached dwellings and 2no apartments – Pending	
4.0	Policy Framework	
4.1	Lisburn Area Plan (2001)	
	4.1.1	Policy H2 Housing
4.2	(Draft) Belfast Metropolitan Area Plan (BMAP) 2015 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.	
	Draft BMAP 2004	
	4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	4.2.2	Policy HOU3 Social Housing
	4.2.3	Policy ENV3 Local Landscape Policy Areas
		Designation ML01 Metropolitan Development Limit Lisburn
	4.2.4	Designation ML06/05 – Social housing
	4.2.5	Designation ML17 Local Landscape Policy Area Derryaghy River
	Draft BMAP 2015 (purported to be adopted)	
	4.2.6	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
	4.2.7	Allocation HOU 2 Social Housing
	4.2.8	Policy ENV1 Local Landscape Policy Area
	4.2.9	Policy OS1 Community Greenways
	4.2.10	Zoning ML 04/08 Social Housing - Key Site Requirements
	4.2.11	Designation ML15 Local Landscape Policy Area Derryaghy River
4.3	Regional Development Strategy 2035	

4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 11: Planning and Waste Management
5.0	Statutory Consultees Responses
5.1	NI Water – Advice
5.2	DAREA (Drainage and Water) – No objection
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection
7.0	Representations
7.1	<p>The application was neighbour notified on the 23rd January 2020. It was advertised in the local press on the 27th December 2019. The consultation period expired on the 6th February 2020.</p> <p>A total of 105 letters of objection have been received from residents, summarised as:</p> <ul style="list-style-type: none"> • Smell from sewage waste which would be a constant environmental issue; • Already have carriageway traffic at back of Areema Drive; • Drainage of water from sewage would add to an area already prone to flooding; • Japanese knotweed along the back of the river, which if disturbed will cause damage to properties; • Will cause great physical and mental concern to the whole community. <p>These issues are addressed in the main body of the report below.</p> <p>A meeting was held with Councillor Heading and the applicant Apex on Tuesday 25th February 2020.</p>
8.0	Other Material Considerations
8.1	Living Spaces: An Urban Stewardship and Design Guide or Northern Ireland Creating Places The Belfast Agenda
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Design, Impact on character and appearance of the area including draft Local Landscape Policy Area (LLPA) - Impact on amenity / human health - Flooding - Other matters
9.3	<p><u>Principle of development</u></p> <p>The application site is unzoned 'whiteland' within the settlement limits of the Lisburn Area Plan 2001. In Draft BMAP (2004), the site is zoned for social housing under ML06/05. At examination of Draft BMAP (2004), the Planning Appeals Commission (PAC) recommended that there should be no change to the site being indicated as existing open space. In the BMAP Adoption Statement 2014 by the then DOE, they did not except this recommendation and stated that the site was in fact zoned for Social Housing on Map. 3/019 and NIHE confirmed that there is a substantial housing need in and around Areema and noted planning permission</p>

	for 10 units had lapsed. Please note reference to previous planning permission was an error as there is no previous planning history. The site was subsequently zoned for social housing under ML 04/08 of Draft BMAP 2015 (final draft version prior to adoption).
9.4	Currently the site would fall under the definition of open space as per the annex to PPS8 and the proposal would result in the loss of open space. However having regard to the zoning of the land as social housing within both Draft BMAP (2004) and Draft BMAP 2015 (final draft version prior to adoption) which merits substantial weight, the extensive housing need within this area which would represent a substantial community benefit and remaining retention of open space of the larger site, these material considerations are considered to outweigh the loss of open space in this instance. Therefore, the principle of housing and proposed foul pumping station which is essential infrastructure required serve the housing is considered acceptable in accordance with Policy OS1, the SPPS and Draft BMAP.
9.5	<p><u>Design and Impact on the character and appearance of the area including draft LLPA</u></p> <p>The proposed pumping station is limited in scale and footprint. A 1.8 metre high timber fence with a surrounding landscaping buffer and tree planting would screen all the associated plant and equipment with the exception of the light pole, which would be akin to a normal street light. The landscaping buffer would provide the structure with a soft edge ensuring that it would not adversely impact the character and appearance of the area including the draft LLPA. The proposal would therefore comply with Policy QD1 of PPS7, Policy WM1 of PPS11, the SPPS and Draft BMAP.</p>
9.6	<p><u>Impact on Amenity/ Human Health</u></p> <p>There would be a 15 metre buffer maintained between the proposed plant and the nearest residential property at 7 Aghery Walk. The foul pumping station is to be built to NI Water's adoption standards. A Noise Impact Assessment has been submitted which demonstrates that any noise generated from the foul pumping station plant would be well below the background noise levels for both day and night time for the site, therefore no impact is likely to occur in respect of noise.</p>
9.7	An Odour Impact Assessment was also carried out which demonstrates that odour concentrations would be low / negligible and therefore unlikely to have an adverse impact on surrounding properties. NI Water and DAERA were consulted and offer no objection. Environmental Health also reviewed the reports and are content with the proposal.
9.8	On this basis, it is considered that the proposal would not result in an unacceptable adverse impact on the amenity of neighbouring properties or human health in accordance with Policy QD1 of PPS7, Policy WM1 of PPS11 and the SPPS.
9.9	<p><u>Flooding</u></p> <p>This part of the site is not located within the fluvial or pluvial flood plain. A Drainage Plan has been submitted showing the integration of the pumping station with the housing proposed under application LA04/2018/2726/F. The Flood Risk and Drainage Assessment submitted under the housing application included an allowance for the pumping station. The discharge rates proposed mimic the Greenfield run-off rate and Rivers Agency have offered no objection under the housing application. Therefore, it is considered that the proposal raises no unacceptable flooding risks in accordance with Policy WM1 of PPS11.</p>
9.10	<p><u>Other matters</u></p> <p>Concern has been raised from local residents over the presence of Japanese knotweed. An Invasive Species Survey of the wider site has already been carried out as part of application LA04/2018/2726/F. The survey found one continuous strand of Japanese knotweed within the woodland along the southern boundary and Himalayan balsam along the western boundary. The proposed pumping station is not located within close proximity to any of these areas. In</p>

	any case, this matter is covered by separation legislation not planning. An Invasive Species Management Plan has been submitted under application LA04/2018/2726/F, which recommends various control measures to ensure that the proposed works do not cause them to spread on or off site.
9.11	The only traffic associated with the foul pumping station would for servicing and maintenance purposes, which would be infrequent raising no concerns in relation to traffic generation.
10.0	Summary of Recommendation: Having regard to the development plan, relevant policy context and other material considerations including third party representations, on balance, the proposal is considered acceptable. It is requested that the Planning Committee delegates authority to the Director of Planning and Building Control to grant conditional planning permission and to finalise the wording of conditions.
11.0	Conditions <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The foul pumping station hereby permitted shall be fully constructed prior to the occupation of any of the dwellings approved under application LA04/2018/2726/F and maintained thereafter in accordance with NI Water adoption standards. Reason: In the interests of public health. 3. The development hereby permitted shall be carried out in accordance with the approved landscaping plan Drawing Number 06 stamped received by Belfast City Council 18th December 2019. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the completion of the development and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of amenity and to preserve and enhance the character and appearance of the locality. 4. The development hereby permitted shall be carried out and maintained in accordance with the Landscape Management and Maintenance Plan stamped received by Belfast City Council XX unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of biodiversity and to protect the general amenity and character and appearance of the locality.

Notification to Department (if relevant): N/A

Representations from Elected members: Meeting held with Councillor Heading and the applicant Apex on Tuesday 25th February 2020.

Details of Neighbour Notification (all addresses)

9 – 19 Aghery Walk, Dunmurry, Dunmurry, Antrim, BT17 0QQ

44- 86 Areema Drive, Dunmurry, Dunmurry, Antrim, BT17 0QG

Flat A - D, 7 Aghery Walk, Dunmurry, Dunmurry, Antrim, BT17 0QQ

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2299/F + LA04/2019/2303/DCA	
Proposal: Demolition of existing property and re-development of the site including the provision of approximately 230,730sqft gross new build floorspace comprising class B1(a) office on 6 levels over active ground floor uses including retail (A1), restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment.	Location: 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street Belfast BT1 5EA.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: ES NUH Limited 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Todd Architects 6 Queens Road Belfast BT3 9DT
Executive Summary: The application seeks full planning permission for demolition of existing buildings and re-development of the site including the provision of approximately 230,730sqft gross new build floorspace comprising class B1(a) office on 6 levels over active ground floor uses including retail (A1), restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment. The application originally proposed a hotel as part of the redevelopment proposals, however, this element has been removed from the scheme and replaced by additional office accommodation. Re-consultation has been carried out on the amended description. The key issues in the assessment of the proposed development are: <ul style="list-style-type: none"> - Principle of redeveloping the site for office and retail uses - Demolition in a Conservation Area - Impact on the setting of Listed Buildings - Scale, Massing and Design - Traffic and Parking - Contamination - Impact on Amenity - Impact on Protected Species - Flooding and Drainage - Waste Management - Pre-application Community Consultation 	
Statutory Consultees DfI Roads – No objection subject to conditions	

DAERA Waste Management Unit – No Objection
DAERA Water Management Unit – No objection
DAERA Natural Environment Division – No objection
DfI Rivers Agency – No Objection
Belfast City Airport – No Objection
Rivers Agency – Awaiting final response
HED Historic Buildings Unit – No objections
HED Historic Monuments Unit – No objection subject to conditions

Non-Statutory Consultees

Environmental Health (BCC) – Approval subject to conditions
Urban Design Officer – No objection
Conservation Officer – No objection
City Regeneration and Development (BCC) – No objection
Building Control (BCC) – No objection

The proposal would support the regeneration of the area and create modern commercial business premises which would support employment and be beneficial to the economy.

The buildings proposed to be demolished do not make a positive contribution to the character of the City Centre Conservation Area.

The proposal is considered sympathetic to the characteristic built form of the wider area, and would not be harmful to the scale, form, materials and detailing of adjoining buildings. Important views within, into and out of the area would be suitably protected, and overall it would provide a positive contribution greater than that which currently exists on site. The character and appearance of the Conservation Area would be enhanced. The setting of nearby Listed Buildings would be safeguarded.

No third party representations have been received regarding this proposal to date.

Recommendation

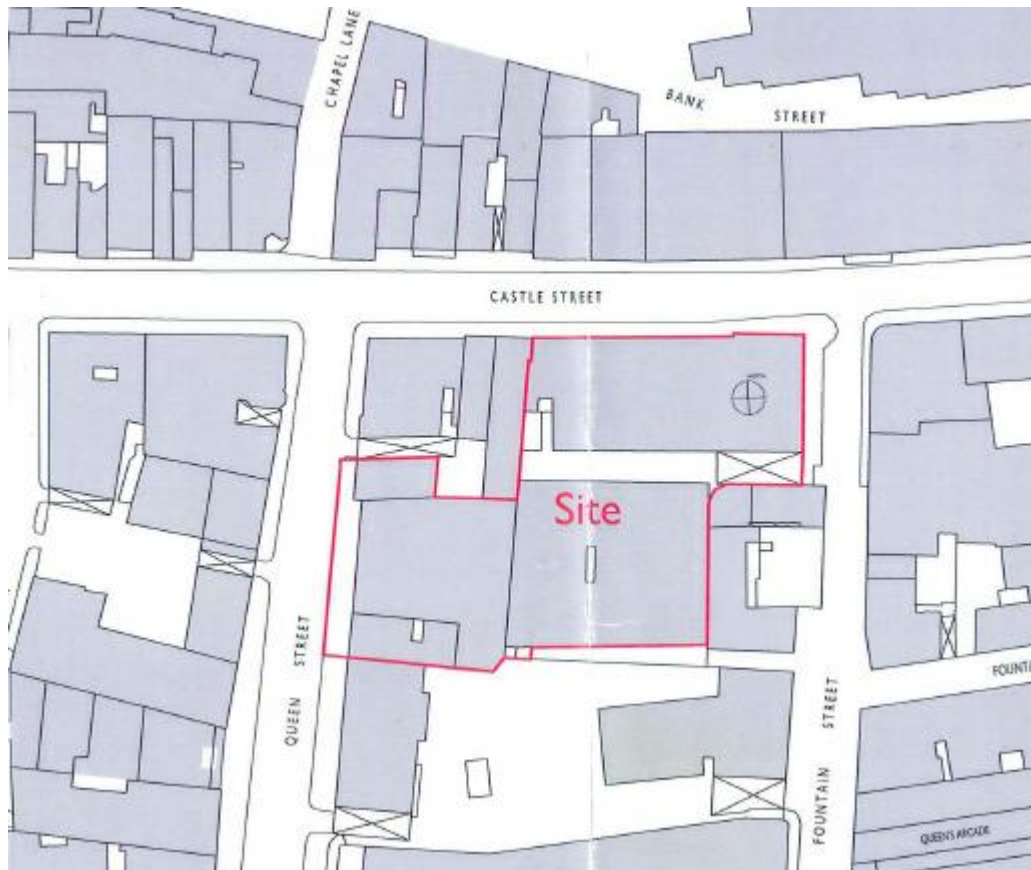
Having regard to the Development Plan and relevant material considerations, it is considered that the proposal is acceptable.

It is recommended that planning permission and Conservation Area Consent are granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.

Signature(s):

Case Officer Report

Site Location Plan

**1.0 Description of Proposed Development**

- 1.1 The proposal is for a 7 storey building with a frontage on three city centre streets – Fountain Street, Castle Street and Queen Street. It would comprise approximately 21,435sqm gross new build floorspace including Class B1 (a) office on 6 levels over active ground floor uses including retail, restaurants and cafes and undercroft carparking of 37 spaces.

1.2	Along Fountain Street, Castle Street and Queen Street, the building comprises a uniform five storey shoulder height (21.0m) which includes an extended parapet, with a further two floors setback above which rise to around 28.0m.
1.3	Four retail Units are proposed at ground floor level along Castle Street and one along Queen Street.
1.4	37 basement car parking spaces will be provided, accessed only from Queen Street. Pedestrian access to the offices provided from Fountain Street, and for the retail units from Castle Street and Fountain Street.
2.0	Description of Site
2.1	The site consists of "Norwich Union House" fronting onto Castle Street and Fountain Street, a gap site onto Queen Street and a multi-storey car park in between.
2.2	Norwich Union House is a six storey building comprising retail units at ground floor on Castle Street and commercial/office units above. Constructed in 1962, Norwich Union House is typically of its time being clad in concrete panels and curtain walling.
2.3	The site currently provides 2,560 sqm of office space, 810 sqm of retail space and a 200 space multi-storey car park.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Planning History
3.1	Z/2004/2278/F Proposal: Renewal of permission granted for a 6 storey building (previous planning ref: Z/1999/2151) Address: 6-8 Queen Street, Town Parks, Belfast, Northern Ireland, BT01 6ED Decision: Approval Decision Date: 28.02.2005
3.2	Z/2006/2044/F Proposal: Demolition of existing building and erection of new 7 storey building, retail on ground and first floor with offices on upper floors. Address: Olive Tree House, 23-31 Fountain Street, Belfast Decision: Approval Decision Date: 24.01.2008
3.3	Z/2008/2433/F Proposal: Amendment to previous scheme (Z/2006/2044/F) to include demolition of existing building and erection of an 8 storey building with retail on ground and first floors and offices above. Address: Olive Tree House, 23-31 Fountain Street, Belfast. Decision: Approval Decision Date: 16.04.2009
3.4	Z/2009/0622/F Proposal: Erection of 122 room budget hotel with bar/ restaurant and conference facilities, 2 No. retail units & associated car parking. Address: 6-8 Queen Street, Belfast. BT1 Decision: Approval Decision Date: 14.11.2012

3.5	LA04/2019/0068/F Proposal: Demolition of existing building and construction of 54 apartments with associated landscaping and a retail unit at ground floor. Address: Westgate House, 2-4 Queen Street, Belfast., Decision: Resolved to be granted permission by Planning Committee
4.0	Policy Framework
4.1	Belfast Urban Area Plan Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area' Developer Contribution Framework 2020
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 – Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 – Planning and Flood Risk Development Control Advice Note 4 – Restaurants, Cafes and Fast Food Outlets
5.0	Statutory Consultees DfI Roads – No objection subject to conditions DAERA Waste Management Unit – No objection DAERA Water Management Unit – No objection DAERA Natural Environment Division – No Objection DfI Rivers Agency – No objection Belfast City Airport – No objection Rivers Agency – Awaiting final response HED Historic Buildings Unit – No objections HED Historic Monuments Unit – No objection subject to conditions
6.0	Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions Urban Design Officer – No objections Conservation Officer – No objections City Regeneration and Development (BCC) – No objection Building Control (BCC) – No objections
7.0	Representations None Received
8.0	Other Material Considerations City Centre Conservation Area guidance document The Belfast Agenda The Belfast City Centre Regeneration and Investment Strategy (BCCRIS) (2015)
9.0	PLANNING ASSESSMENT
9.1	The key issues in the assessment of the proposed development are: <ul style="list-style-type: none"> - Principle of redeveloping the site for office and retail uses - Demolition in a Conservation Area - Impact on the setting of Listed Buildings - Scale, Massing and Design - Traffic and Parking - Contamination

	<ul style="list-style-type: none"> - Impact on Amenity - Impact on Protected Species - Flooding and Drainage - Waste Management - Pre-application Community Consultation
9.2	<p>Principle of redeveloping the site for office and retail uses</p> <p>Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan (BUAP). However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
9.3	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
9.4	<p>In the BUAP the site is located on unzoned “whiteland”. In the earlier version of Draft Belfast Metropolitan Area Plan 2004 the site is located within the Main Office Area and Primary Retail Core. In the latest version of Draft BMAP 2015 the site is within the Primary Retail Core and Old City Character Area. The proposed uses are considered acceptable in principle having regard to these designations. The proposal would support the regeneration of the area and create modern commercial business premises which would support employment and be beneficial to the economy.</p>
9.5	<p><u>Objections to Designations and Development Opportunity Sites in Draft BMAP</u></p> <p>There were a number of general objections to all Character Areas and in particular to specific design criteria. The PAC concluded that in general the design criteria were merited and basic expectations of responsive urban design within a City Centre context.</p>
9.6	<p><u>Acceptability of Ground Floor Retail Uses</u></p> <p>The retail element of the proposal has been assessed against the SPPS. The proposed ground floor retail units are located within the Primary Retail Core and in keeping with the overall thrust of the SPPS in terms of locating retail proposals in city and town centres. These ground floor units will also help the ongoing regeneration of Castle Street area, promote vibrancy and contribute to addressing issues of vacancy in the area identified within Belfast City Centre Regeneration and Investment Strategy (BCCRIS). The Inner North West Masterplan acknowledges “that retail will continue to be an important use along Castle Street with mixed-use development incorporated in the areas to the north of Castle Street, while office development is likely to the south”.</p>
9.7	<p>Demolition in a Conservation Area</p> <p>The proposal has been assessed against Policy BH14 of PPS6. The existing building is considered to have little in the way of architectural merit and does not considered to contribute to the character and appearance of the Conservation Area. The Conservation Officer has expanded on this by stating:</p> <p><i>‘It (the existing building) features a variety of massing and elements ranging from 3 to 6 storeys, with various setbacks and articulation that overall present a fractured, unattractive and uneven massing across the site and which is highly visible from both street frontages; in particular from Queen Street where direct views are afforded through the open site to the back of house, servicing and car-parking elements. It does not incorporate any redeeming features of architectural or historical interest that would be</i></p>

	<p><i>worthy of retention, and its removal would not have a negative impact on its surroundings or the wider area as a whole</i>’.</p> <p>Demolition is therefore acceptable, subject to an adequate replacement scheme. The consent to demolish has been sought separately under application LA04/2019/2303/DCA.</p>
9.8	<p>Impact on the setting of Listed Buildings</p> <p>The proposal has been assessed against Policy BH11 of PPS6. Historic Environment Division (HED) has considered the potential impacts of the proposal on the following listed buildings:</p> <ul style="list-style-type: none"> • HB26/50/027 Former Children’s Hospital (RUC Barracks) Queen Street (Grade B1) • HB26/50/032 Anderson and McCauley, 1-9 Donegall Place, 2-16 Castle Street (Grade B1) • HB26/50/153 Bank Buildings Castle Place (Grade B1)
9.9	<p>To improve the impact of the proposed development on the setting of Nos. 1-9 Donegall Place/2-16 Castle Street to the south (Zara - Anderson & McCauley building), and on the advice of HED, the upper two floors incorporate a deep setback of 6.5m along Fountain Street, whereas a shallower setback of 2.5m is proposed along Castle Street.</p>
9.10	<p>HED (Historic Buildings) has no objection. It is considered that the scale, form and design of the proposal would not harm the setting of the nearby Listed Buildings.</p>
9.11	<p>Impact on Historic Monuments</p> <p>The application site is in close proximity to the 17th Century town ditch of Belfast (ANT 061:022). The recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site, with particular focus on 17th Century settlement and the later industrial development of Belfast.</p>
9.12	<p>Historic Environment Division (Historic Monuments) has considered the impacts of the proposal and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH 4 of PPS 6. These conditions (6, 7 and 8) are detailed below in Section 11.</p>
9.13	<p>Impact on the character and appearance of the City Centre Conservation Area</p> <p>The proposal has been assessed against Policy BH12 of PPS6. The site is located within the City Centre Conservation Area. Section 104 of the Planning (NI) Act 2011 places a statutory duty on the Planning Authority to pay special desirability to the preservation or enhancement of the character or appearance of the conservation area.</p>
9.14	<p>New buildings should be designed with respect for their context, and should be sympathetic and complimentary to the existing character and appearance of the area as a whole. There is a varied and eclectic mix of individual height, scale and massing in the area, with the building line of Castle Street diminishing in height as you move west on Castle Junction from 5 to 7 storeys to smaller units of 2 to 3 storey. On Queen Street the massing is more unified at 4 to 6 storeys, however the open nature of the application site on Queen Street directly contradicts this and allows direct and unattractive views of the back of house car-parking and servicing.</p>

9.15	<p>The Conservation Officer notes that:</p> <p><i>'The combination of this gap (on Queen Street) in the streetscape and high visibility of the unattractive rear elements significantly detracts from the character and appearance of the conservation area.'</i></p>
9.16	<p>Due cognisance has been given to the Conservation Area context, with the Conservation Officer makes the following comment:</p> <p><i>'.....shoulder heights and design cues generally correspond to other taller buildings including those that are listed, whilst additional massing above would be set back to reduce the risk of over-dominance or competing focus. Its built form would complement the higher scale and massing of both streets (Castle Street and Queen Street)....'.</i></p>
9.17	<p>In terms of the smaller units adjacent to the site on Castle Street, the Conservation Officer notes that:</p> <p><i>'the existing building is already higher than both, as is Westgate House to the other side; therefore whilst the proposed scheme would increase this height differential further, it would not necessarily introduce a new impact. Neither of the buildings in question are considered to hold any heritage, architectural or historical value....'.</i></p>
9.18	<p>The architectural appearance of the proposed building is considered to be a significant improvement over Norwich Union House in terms of form, design and materials. It is considered that it would be in keeping with the local vernacular and surrounding buildings. To conclude it is considered that the proposal would provide a stronger contribution to the character and appearance conservation area than the existing circumstances, ensuring an overall enhancement the City Centre Conservation Area, particularly in relation to the existing gap site along Queen Street.</p>
9.19	<p>Scale, Massing and Design</p> <p>The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS and Policy PED9 of PPS4.</p>
9.20	<p>Policy CC12 of the BUAP applies. This seeks to ensure that new high buildings:</p> <ul style="list-style-type: none"> • do not mar or dominate the surrounding hills or the scale of attractive Belfast Views • relate sympathetically in design to the urban structure of the City • relates sympathetically to their immediate surroundings • relate sympathetically to buildings or groups of buildings of architectural and historic interest
9.21	<p>The site is located within the Old City Character Area as designated in the original version of the draft Belfast Metropolitan Area Plan (2004) and also within the latest version of draft BMAP (2014) (CC009). This sets out a number of urban design criteria for the area and criteria specific to the area. There is a general criterion that affects the site:</p>
9.22	<p><i>'That part of any development which fronts onto Donegall Place, Royal Avenue, Castle Street, Castle Place, or High Street shall be a minimum height of 5 storeys, or 17 metres to building shoulder height, and a maximum of 7 storeys with use of setback, articulated roof forms reinforcing traditional character.'</i></p>

9.23	<p>There are no site specific criteria which affect the proposal however there are three further criteria which apply throughout the Character Area:</p> <ul style="list-style-type: none"> • New development shall respect the established building line. Exceptions may only be permitted where development creates significant public open space. • Building heights shall be a minimum of 3 storeys and a maximum of 4 storeys, or 5 storeys with use of set-back, articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected; • Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units – subdivision of block into 4 to 2 buildings.
9.24	<p>The proposed building has a predominant ridge height of approximately 28m (21m to shoulder height on Castle Street and Queen Street) and is 7 storeys high. This meets the design criteria in terms of number of storeys. It is higher than the shoulder height specified by the policy, however, this is considered to be outweighed by the fact the building will enhance the character of this part of the city centre conservation area, will safeguard the setting of adjacent Listed Buildings and is similar in terms of scale to the existing Norwich Union House. This increase beyond the recommended shoulder height is not considered significant, particularly given the conclusions of HED and the Conservation Officer, with neither objecting to the application.</p>
9.24	<p>Moreover, the Urban Design Officer advises that:</p> <p><i>'It is considered that a building of increased height at the corner of Castle Street and Fountain Street would help place emphasis on this junction and provide visual interest, aiding in orientation and legibility. While it does rise above the height of neighbouring two storey building along Fountain Street, this relationship exists as present with the six storey Norwich Union House. The relationship with the adjacent three storey property along Castle Street will change, in that the shoulder height of the new replacement building will rise an additional 8.5m above this building (with the upper two setback floors rising a further 7.0m). However it is acknowledged that the townscape in this area is changing as witnessed at the corner of Castle Street at Queen Street (Westgate House) where a seven storey residential scheme was recently considered, which may place future development pressure on the two remaining lower scale buildings between (Nos. 42-48 Castle Street).'</i></p>
9.25	<p>In terms of the Queen Street façade, the shoulder height has been dropped by a storey in order to reflect the shoulder heights of the existing and proposed buildings at either side. An amendment acknowledged by the Urban Design Officer:</p> <p><i>'The five storey shoulder height, which in earlier iterations was a storey higher, now sits more comfortably with neighbouring buildings in relation to both to the six/seven storey Westgate House scheme to the north and the existing six storey Queens House to the south'.</i></p>
9.26	<p>In relation to detailing and materials the Urban Design Officer has provided the following comments:</p> <p><i>'.....key facades pick up contextually on the horizontal and vertical rhythms provided by façade details on surrounding buildings, most notably 1-9 Donegall Place (Zara - Anderson & McAuley building), the Bank Buildings, 18-22 Castle Street and the former RUC Barracks along Queen Street. These include the strong horizontal rhythm of mouldings/cornices along the upper portions of buildings, vertical rhythm of bays and a</i></p>

	<i>strong horizontal rhythm of mouldings above GF level. The predominant use of red brick throughout is considered contextually appropriate as are those subservient upper floors which by contrast are framed in off-white reconstituted stone’.</i>
9.27	In relation to the proposed materials, the Conservation Officer has noted that although the proposed composition and material palette is considered acceptable, given the site is within the conservation area and close to listed buildings, appropriate samples of materials and finishes should be secured through condition for agreement prior to any development on site, as per condition No. 12, Section 11.
9.28	The Council’s City’s Regeneration and Development team have commented on the wider permeability of the area: <i>‘The development proposal currently does not include the extension of Fountain Mews from Fountain Lane / Fountain Street through to Queen Street, as identified within the 2009 Westside Masterplan and 2018 Inner North West Masterplan’.</i>
9.29	Although the aspiration for such a link has been included within a number of masterplans relating to the wider area, including the Westside Masterplan (DfC, 2009) and the Inner North West Masterplan (BCC, 2018), there is no strong planning policy basis to require such a link and in terms of permeability there is considered to be sufficient east to west pedestrian linkages in the vicinity, with Castle Street to the north and Fountain Lane to the south. There would be no reasonable grounds to refuse permission on this issue. The Regeneration and Development Team have went on to say in their most recent response:
9.30	‘While this potential new link which would enhance east-west connectivity has not been realised, CRD recognises the wider regeneration benefits arising from redevelopment of the NUH building and development of the Queen Street surface car park’.
	Traffic and Parking
9.31	The application site falls within the Belfast Core Parking Restraint Area as set out in the BUAP and draft BMAP. The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. DFI Roads have offered no objections to the proposal subject to Condition Nos. 16-19, detailed in Section 11.
9.32	37 basement car parking spaces are proposed, accessed solely from Queen Street.
9.33	The Travel Plan, submitted in support of the application, points to the sites proximity to the Europa bus/train centre and Laganside bus centre. There are also Belfast Bike docking stations close to the site at Great Victoria Street, College Square East and Blackstaff Square.
9.34	The Travel Plan also states that a Travel Co-Ordinator will be employed to promote car sharing, encourage staff to review their business and work travel and introduce a ride home scheme. These measures will reduce the reliance on the private car. 150 cycle parking spaces will also be provided to encourage staff to cycle to work, with the employer participating in the Bike2Work Initiative. These measures, including the cycle parking, will be secured by condition (Condition Nos. 17 and 18, Section 11).
	Contamination
9.35	An Environmental Site Assessment and Generic Quantitative Risk Assessment (GQRA) has been provided in support of the application.
9.36	The GQRA is informed by site investigations and environmental monitoring data to

	<p>assess the potential risks from ground and groundwater contaminants to human health and environmental receptors for the development. No unacceptable risks have been identified to environmental receptors.</p>
9.37	<p>DAERA Regulation Unit Land and Groundwater Team have no objections to the development provided condition Nos. 11 and 12 are attached as detailed below in Section 11. In addition, there is no objection from Environmental Health.</p>
9.38	<p>Impact on amenity</p> <p>The proposal has also been assessed against paragraphs 4.12 and 4.13 of the SPSS in terms of potential impact on amenity of adjacent properties. The building is set within a busy city centre context, and there are no existing residential properties in close proximity to the site.</p>
9.39	<p><u>Noise, dust and vibration</u></p> <p>Given the built-up location of the development site, as well as the size and nature of development proposed (which includes demolition), Environmental Health recommends that a Construction Environmental Management Plan is required via condition (No. 6 Section 11) to agree measures to control noise, dust and vibration during the demolition / construction phase, demonstrating the use of 'best practicable means'. This will be submitted before commencement of any works on the site, including demolition.</p>
9.40	<p><u>Noise - office internal noise levels</u></p> <p>Supporting information advises that the office accommodation will be fitted with double glazing which should achieve a sound reduction performance of 30dB_{Rw} which will be sufficient to achieve a suitable internal noise level for open plan offices of 45-50dB_{L_{Aeq}} as recommended in British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'. Environmental Health do not object on noise grounds.</p>
9.41	<p><u>Air Quality</u></p> <p>In view of the lack of known detail at this stage regarding the proposed combustion processes for heating and hot water provision, Environmental Health has requested that full specifications for the proposed heating systems are submitted to and agreed by the Council prior to commencement of development. These details will be secured via condition as detailed in Condition No. 4 in Section 11 of the report.</p>
9.42	<p><u>Odour</u></p> <p>Environmental Health notes the final design and location of kitchen extraction discharge outlets or the proposed processes for heating and hot water provision has not been confirmed at this early stage. In view of the lack of detail available at this stage in relation to the eventual tenants of the ground floor, in relation to the type of foods to be cooked, Environmental Health recommends the details of proposed odour abatement systems are submitted for approval prior to their installation, as required under Condition Nos. 10 and 11, Section 11 below.</p>
9.43	<p>Impact on Protected Species</p> <p>Natural Environment Division (NED) has considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns. NED is content that the buildings to be demolished are unlikely to support roosting bats or breeding swifts.</p>
9.44	<p>Flooding and Drainage</p> <p>A watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as the 'Farset River' is located in proximity to the</p>

	northern boundary of the site. The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.
9.45	There is no objection from DFI Rivers, they have however sought confirmation of stormwater discharge arrangements. This information was included in an updated Drainage Assessment. DFI Rivers were consulted and a response remains outstanding.
	Waste Management
9.46	Building Control has stated that the applicant has sufficient development opportunity to comply with the Building Regulations (NI) 2012.
	Pre-application Community Consultation
9.50	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.
9.51	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 Proposal of Application Notice (PAN) LA04/2019/0447/PAN was submitted to the Council on 25 th February 2019.
9.52	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.
9.53	A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:
9.54	The Public Consultation Event took place in the Linen Hall Library Library, 17 Donegall Sq. North on 11 th April 2019. This event was advertised in the News Letter, Irish News and Belfast Telegraph on 3 rd April 2019.
9.55	Information leaflets were issued to properties in the vicinity of the site on 4 th April 2019.
9.56	The PAN was circulated to a number of local Councillors and MLAs on 25 th February 2019. In addition it was circulated to Councillors and Aldermen in the adjacent Court DEA and MLAs and MPs for South and West Belfast.
9.57	Around 30 people took part in the public exhibition with 14 providing feedback. Approximately one third were supportive of the scheme with the remainder undecided. Support was particularly strong with regard to the ground floor retail units.
9.58	Specific comments included potential disruption on Castle Street during construction, impact on parking, potential for a pedestrian link between Fountain Lane and Queen Street and the need for the proposed uses. In response the planning agent has pointed to the long term regeneration of this part of the city centre, provision of parking spaces on site, employment opportunities, lack of active frontage/ safety issues with a pedestrian link and provision of accessible, high quality office space, in line with the ambitions of the Belfast Agenda.

9.59	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	Summary of Recommendation:
10.1	Having regard to the Development Plan and relevant material considerations, it is considered that the proposal is acceptable.
10.2	It is recommended that planning permission and Conservation Area Consent are granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.
11.0	<p>Draft Conditions (transport conditions to be added following receipt of DFI's comments):</p> <ol style="list-style-type: none"> 1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: Time Limit. 2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council, Department for Communities. The POW shall provide for: <ul style="list-style-type: none"> - The identification and evaluation of archaeological remains within the site; - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and - Preparation of the digital, documentary and material archive for deposition. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 2. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 4. 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 2. These measures shall be implemented and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council. Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition. 5. Prior to commencement of the hereby permitted development, the applicant must submit an updated air quality impact assessment providing full specification details, including emission rates and flue termination heights, of the proposed combustion

systems for heating and hot water. The updated assessment must demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of human health.

6. Prior to commencement of development on site, including demolition, site clearance or site preparation, a Construction Environmental Management Plan (CEMP) shall be produced by the appointed contractor. The CEMP shall include measures to control noise, dust and vibration during the demolition / construction phase, demonstrating the use of 'best practicable means'. The CEMP shall include rationale for and details of the chosen piling methodology and demonstrate that noise and vibration levels will not have an adverse impact on nearby premises. The CEMP must incorporate the dust mitigation measures as detailed in Chapter 5 the AONA Air Quality Impact Assessment, dated March 2019. The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

Reason: Protection against adverse construction impacts.

7. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination:

Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

8. After completing the remediation works under Condition 7; and prior to occupation of the 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 Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination:

Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable.

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

9. Prior to installation of proposed plant and equipment to serve the hereby permitted development, the applicant shall submit to the planning authority, for review and approval in writing, a noise assessment of the impact of proposed plant and

equipment, conducted in line with British Standard BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound'. The noise assessment shall demonstrate that the noise rating level of the combined operation of all plant will be at least 3dB below the existing background sound level (dBL_{A90}) for daytime and night time when determined in line with BS4142 at the nearest residential premises.

Plant and equipment at the hereby permitted development shall be installed as approved and retained thereafter.

Reason: Protection of residential amenity.

10. Prior to installation of any kitchen extraction and odour abatement system to serve the hereby permitted development, the applicant must submit to the Council, for approval in writing, full specification details of the extraction and odour abatement system including: the location and height of the discharge duct, the discharge velocity and details of all stages of grease, smoke and odour control. The submitted specification shall demonstrate that it has been selected in line with the risk based approach as presented in relevant industry guidance: 'Control of odour and Noise from Commercial Kitchen Exhaust Systems' produced by DEFRA and updated by EMAQ+ in 2018.

The approved kitchen extraction and odour abatement system must be installed prior to the operation of any proposed café or restaurant within the development. The approved system must be retained thereafter and be cleaned and maintained in accordance with manufacturer's instructions.

Reason: Protection of amenity against adverse odour impact.

11. Prior to commencement of the hereby permitted development, the applicant must submit an updated air quality impact assessment providing full specification details, including emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The updated assessment must demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of human health.

12. No development shall commence until a detailed specification and samples of the external materials have been submitted to and approved in writing by the Council. The details shall include a sample panel of the proposed brick which will be retained on site for the duration of the construction. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area and setting of nearby Listed Buildings.

13. No development shall commence until details of external windows and doors 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: In the interests of the character and appearance of the Conservation Area and setting of nearby Listed Buildings.

	<p>14. No development shall commence until details of rainwater goods including downpipes and gutters 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.</p> <p>Reason: In the interests of the character and appearance of the Conservation Area and setting of nearby Listed Buildings.</p> <p>15. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 04A 'Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 05 February 2020 to provide adequate facilities for parking, servicing and circulating within the site.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p> <p>16. The development hereby permitted shall not become operational until visibility splays of 4.0 m x 45.0 m have been provided. The area within the visibility splays 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>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>17. 150 No. secure cycle parking spaces shall be provided and permanently retained within the ground floor of the building for use by staff and hotel residents and 4 No. cycle parking spaces shall be provided and be permanently retained close to each of the accesses of the proposed development for use by visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <p>18. The development hereby permitted shall operate in accordance with the approved Travel Plan published by Belfast City Council Planning Office on 14 February 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> <p>19. The development hereby permitted shall operate in accordance with the approved Service Management Plan published by Belfast City Council Planning Office on 14 February 2020.</p> <p>Reason: in the interests of road safety and the convenience of road users.</p> <p>Informatives:</p> <ol style="list-style-type: none"> 1. In the event that unexpected contamination is encountered during the approved development of this site, the development should cease and the applicant should contact the Planning Authority. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with current best practice. 2. The applicant is further advised that 'Medium Combustion Plant' may require authorisation as a consequence of the transposition of the Medium Combustion
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	<p>Plant Directive into Northern Ireland legislation via the Pollution Prevention and Control (Industrial Emissions) (Amendment) Regulations (Northern Ireland) 2018. This Legislation is enforced by the Northern Ireland Environment Agency and Local Authorities. The relevant statutory body for this plant will contact the applicant with details of the authorisation process in due course.</p> <ol style="list-style-type: none"> 3. Notwithstanding the terms and conditions of the Belfast City Council approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Office whose address is Belfast North Section Office, 1a Airport Road, Belfast BT3 9DY (ph. 028 9025 4600), Email: TNI.BelfastNorth@infrastructure-ni.gov.uk, for advice or to arrange an appointment. A monetary deposit will be required to cover works on the public road. 4. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor. 5. All construction plant and materials shall be stored off the adopted road. 6. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site. 7. Pedestrian Crossing Points across the proposed entrances are to be provided in accordance with the DTER/Scottish Office publication 'Guidance on the use of Tactile Paving'.
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ANNEX	
Date Valid	18th September 2019
Date First Advertised	11th October 2019
Date Last Advertised	14th February 2020
Details of Neighbour Notification (all addresses) 10 – 19 Queen Street,Belfast,Antrim,BT1 6ED 15 - 29 Fountain Street,Belfast,Antrim,BT1 5EA 1st Floor, 42 Castle Street,Belfast,Antrim,BT1 1HB 1st Floor, 44 Castle Street,Belfast,Antrim,BT1 1HB 1st Floor, 55a Castle Street,Belfast,Antrim,BT1 1GH 1st Floor, West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED 2a Queen Street,Belfast,Antrim,BT1 6ED 2nd Floor, 44 Castle Street,Belfast,Antrim,BT1 1HB 2nd Floor, 55a ,Castle Street,Belfast,Antrim,BT1 1GH 2nd Floor, 7 Queen Street,Belfast,Antrim,BT1 6EA 2nd Floor, West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED 3rd Floor, 5-7 Queen Street,Belfast,Antrim,BT1 6ED 3rd Floor,West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED 4 Queen Street,Belfast,Antrim,BT1 6ED 51 Castle Street,Belfast,Antrim,BT1 1GH 55 Castle Street,Belfast,Antrim,BT1 1GH 6 Castle Street,Belfast,Antrim,BT1 1HB 6 Fountain Street, Belfast,Antrim,BT1 5ED 7 Fountain Lane, Belfast,Antrim,BT1 5FB 71 Castle Street,Belfast,Antrim,BT1 1GH 9 Queen Street,Belfast,Antrim,BT1 6EA 9-11 Fountain Street,Belfast,Antrim,BT1 5EA City Life, 44 Castle Street,Belfast,Antrim,BT1 1HB Concentrix House, 23 Fountain Street,Belfast,Antrim,BT1 5EP Executive Barbers, 44 Castle Street,Belfast,Antrim,BT1 1HB Floor 1, Concentrix House, 23 Fountain Street,Belfast,Antrim,BT1 5ES Floor 4, Concentrix House,23 Fountain Street,Belfast,Antrim,BT1 5EP Fountain News And Sandwich, Fountain Street,Belfast,Antrim,BT1 5EP Gordons Chemits, 57 Castle Street,Belfast,Antrim,BT1 1GH Greenhouse Cafe, Ground Floor, 9-15 Queen Street,Belfast,Antrim,BT1 6EA Harte Coyle Collins Solicitors Office, 9-15 Queen Street,Belfast,Antrim,BT1 6EA KRW Law Advocates Ltd, 9-15 Queen Street,Belfast,Antrim,BT1 6EA MSM Law Solicitors Office, 9-15 Queen Street,Belfast,Antrim,BT1 6EA Morgan And Murphy Solicitors Office, 9-15 Queen Street,Belfast,Antrim,BT1 6EA Office 1 1st Floor, Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED Pic And Mix Body Jewellery, 17 Fountain Street,Belfast,Antrim,BT1 5EP Sally Salon Supplies, Queens House,14 Queen Street,Belfast,Antrim, Tattoo Studio, 44 Castle Street,Belfast,Antrim,BT1 1HB The Beringer, Fountain Street,Belfast,Antrim,BT1 5EP The Faith Mission Bookshop, 5-7 Queen Street,Belfast,Antrim,BT1 6EA	

The Fountain Bar And Restaurant, Fountain Street,Belfast,Antrim,BT1 5EP The Pieces Project, 5-7 Queen Street,Belfast,Antrim,BT1 6EA The Spinning Wheel, 21 Fountain Street, Belfast,Antrim,BT1 5EA Utility Regulator, 1st Floor,Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED Utility Regulator, 2nd-5th Floor, Queens House, 14 Queen Street,Belfast,Antrim, Voodoo, 11a Fountain Street,Belfast,Antrim,BT1 5EP West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED White Dragon Tattoo, Fountain Street,Belfast,Antrim,BT1 5EP	
Date of Last Neighbour Notification	7th February 2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title (to be added) BO2c, B03A-B08A, B10A – Site location plan, block plan, floor plans, elevations and sections	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

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Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/0517/F	
Proposal: Residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage. (amended plans)	Location: El Divino Nightclub and car park and adjacent open space Mays Meadow Belfast BT1 3PH.
Referral Route: Major Application	
Recommendation:	APPROVAL
Applicant Name and Address: Benmore Property Management Services C/O Rushmere House 46 Cadogan Park Belfast BT9 6HH	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: <p>This application was to be considered by the Planning Committee in September 2019 with a recommendation to refuse planning permission. However, the application was withdrawn from the agenda to give the applicant opportunity to address the recommended refusal reasons. Officers have since had a number of meetings with the applicant to discuss the concerns, leading to the submission of a revised scheme. The application has been re-advertised in the press and neighbours notified of the revised scheme. The consultation period for comments concludes on 13th March 2020. The recommendation in this report is therefore subject to any new and substantive planning issues being raised during the remainder of the consultation period being resolved, where appropriate, by the Director of Planning and Building Control.</p> <p>The proposal has been revised from the original submission and seeks to construct a residential building of varying heights including 7 storey (23m), to 10 storey (31.4m), 2 storey (37.4m) and 18 storey (54.6m) elements. The proposed building comprises 154 units with ground floor retail unit on a narrow 0.247 hectare triangular site, with the building footprint occupying around 50% of the site. The site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the River Lagan. It currently comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. The building is approximately 10.5m – 12m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing office building opposite the site.</p>	

The principle of a retail unit and residential use here is acceptable given its City Centre location and proximity to residential uses adjacent and opposite the site. There would also be an element of environmental gain in terms of amenity of existing residents if this site was redeveloped for residential purposes and the existing licenced premises / nightclub was removed.

It is considered that the revised scale, height, massing and materials of the building are, on balance, acceptable and appropriate to the site context and the area. The height of the building has been reduced next to the existing apartments at St Johns Warf to 7 storeys – slightly higher than the adjacent building. This has reduced the dominance in relation to this building and a staggered/stepped design approach assists in mitigating the impacts to the Laganbank Road streetscape, taking account of the design and massing of existing commercial buildings adjacent to the site. The design has a tower element, which is considered acceptable when assessed from the key public viewpoints due to the surrounding built context/building heights and taking account of an extant permission to increase the height of the adjacent “Price Waterhouse Cooper” office building (ref: LA04/2018/1469/F). The internal floorplan layout has been revised to provide additional active uses along the Laganbank Road elevation in particular which will assist in animation of this elevation. The proposed materials are consistent with the area insofar as brick and glass are present. The fenestration has been revised and the resulting solid to void ratios assist in reducing the massing of the building.

The location of the tower element would have a limited impact on exiting residents due to the separation distances to St John Warf (approximately 52m at the closest point). The proposal would not therefore detrimentally impact on amenity in terms of overshadowing or overlooking/privacy.

Total communal amenity space provision equates to 770sqm or 5 sqm per apartment. The amount of provision is considered acceptable, on balance, given the circumstances of the site with the open space area adjacent to the building and the improvements proposed to it, and location on the riverbank with riverside access. Landscaping is also proposed, however additional details need to be provided to ensure acceptable details including future management arrangements. This can be secured by means of a Section 76 planning agreement.

Environmental Health has no objections to the proposal in terms of public health matters including contamination, noise, and disturbance, subject to conditions. However, they are considering addition information provided by the applicant in relation to air quality and accordingly delegated authority is requested for the Director of Planning and Building Control to resolve this issue.

All other consultees including DFI Roads, the Urban Design Officer, DEARA, HED, SES, NI Water, HED, and Belfast City Airport have no objections to the proposal.

9 representations comprising 7 objections and 2 letters of support were received in relation to the application.

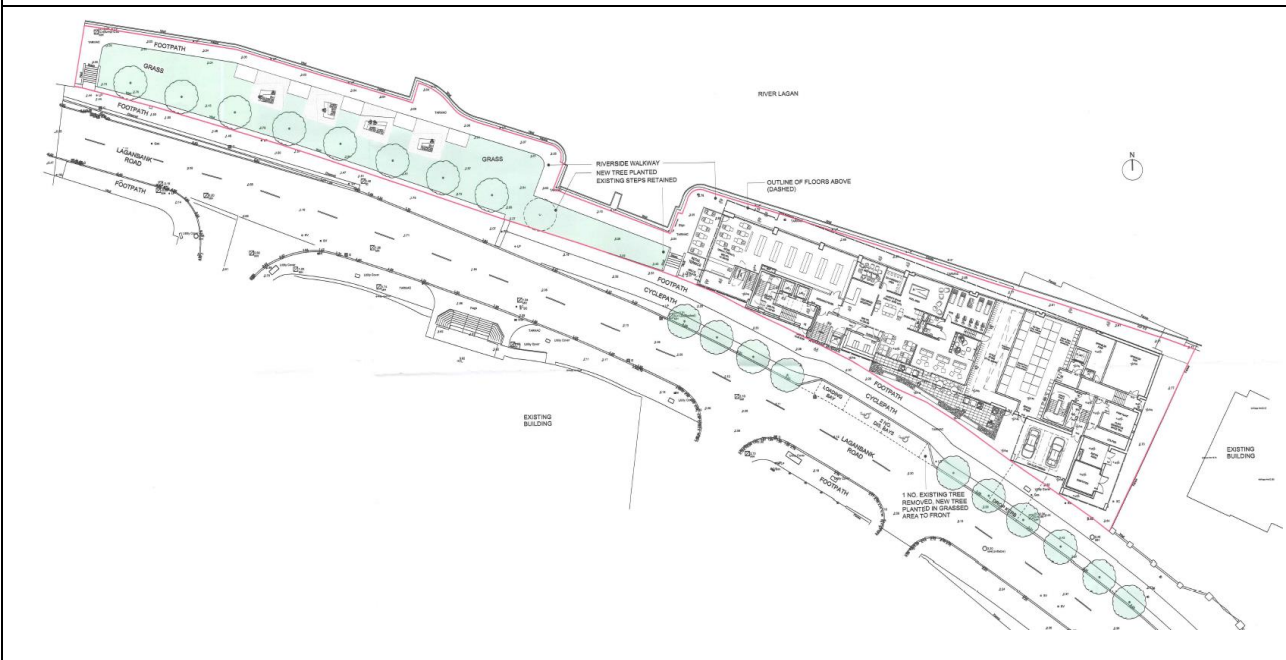
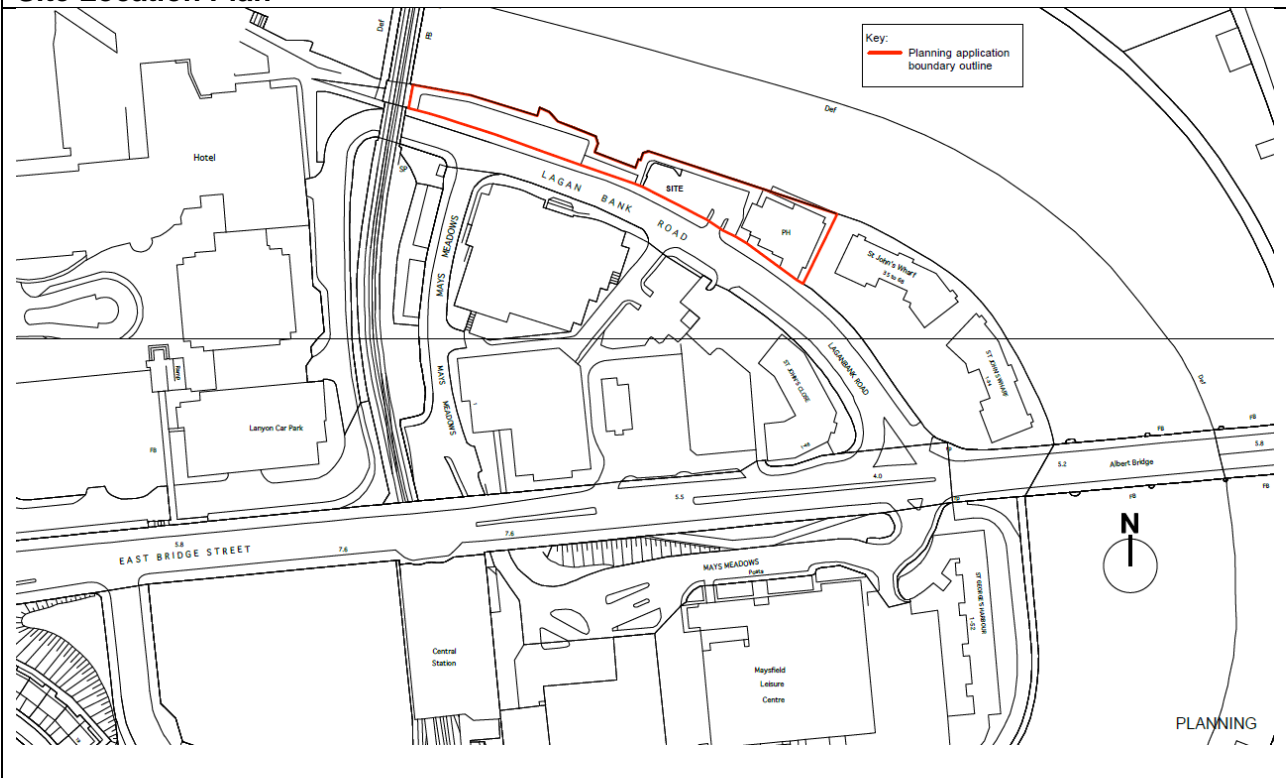
Having regard to the Development Plan and relevant material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and satisfactorily resolve outstanding issues, including:

- The outstanding consultation from Environmental Health in relation to air quality;
- The completion of a Section 76 planning agreement to secure contribution including green transport measures (i.e. travel plan, travel cards and car club); the provision and future maintenance of the public open space and external amenity space within the site;
- Any new and substantive planning issues raised during the remainder of the consultation period (ending on 13th March 2020)

Signature(s):

Case Officer Report

Site Location Plan











Representations:

Letters of Support	2
Letters of Objection	9
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	None received

Neighbour Notification Checked **Yes**

Planning Assessment of Policy and Other Material Considerations

1.0 Characteristics of the Site and Area

The application site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the river Lagan. It comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. It is approximately 0.25 hectares in size (building and nightclub c. 0.15 hectares and c 0.09 hectares open space area) Boundary treatments comprise a mixture of wall and railings approximately 2-3m in height. The topography of the entire site is relatively level, however the topography of Laganbank Road falls to the west, therefore the open space area sits at a higher level than Laganbank Road.

There is a block of apartments to the southeast of the site, with an office building to the south. There is a sheltered housing scheme further to the south at the junction of Laganbank Road and East Bridge Street.

2.0 Proposal

This application was to be considered by the Planning Committee in September 2019 with a recommendation to refuse planning permission. However, the application was withdrawn from the agenda to give the applicant opportunity to address the recommended refusal reasons. Officers have since had a number of meetings with the applicant to discuss the concerns, leading to the submission of a revised scheme. The application has been re-advertised in the press and neighbours notified of the revised scheme. The consultation period for comments concludes on 13th March 2020. The recommendation in this report is therefore subject to any new and substantive planning issues being raised during the remainder of the consultation period being resolved, where appropriate, by the Director of Planning and Building Control.

The application seeks full planning permission for residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage.

The proposal has been revised from the original submission and seeks to construct a residential building of varying heights including 7 storey (23m), to 10 storey (31.4m), 2 storey (37.4m) and 18 storey (54.6m) elements. The proposed building comprises 154 units with ground floor retail unit on a narrow 0.247 hectare triangular site, with the building footprint occupying around 50% of the site. The site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the River Lagan. It currently comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. The building is approximately 10.5m – 12m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing office building opposite the site.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

No relevant history.

4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001 (BUAP), draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004), draft Belfast Metropolitan Area Plan 2014 (dBMAP 2014), and Developer Contribution Framework (2020);

4.2 Strategic Planning Policy Statement (SPPS);

4.3 Planning Policy Statement 2 (PPS2) – Planning and Nature Conservation;

4.3 Planning Policy Statement 3 (PPS3) – Access, Movement and Parking;

4.4 Planning Policy Statement 13 (PPS13) – Transportation and Land Use;

4.5 Planning Policy Statement 7 (PPS7) – Residential Development;

4.6 Planning Policy Statement 12 (PPS12) – Housing in Settlements;

4.7 Planning Policy Statement 15 (PPS15) – Planning and Flood Risk;

4.8 Planning Policy Statement 8 (PPS8) – Open Space and Recreation.

4.9 Supplementary Planning Guidance including ‘Creating Places’, Development Control Advice Note 8 Housing in Existing Urban Areas, and Parking Standards.

5.0 Statutory Consultee Responses

5.1 NI Water - No objection;

<p>5.2 DARD - Rivers Agency – No objection;</p> <p>5.3 DEARA:</p> <ul style="list-style-type: none"> – Marine and Fisheries Division - No objection subject to conditions; - Land & Groundwater Team (Contamination) - No objection subject to conditions; - Water Management Unit - No objection subject to conditions; - Natural Environment Division – Considering additional information received; <p>5.4 DFI Roads – No objection subject to conditions;</p> <p>5.5 DFC HED – No objection subject to conditions.</p> <p>6.0 Non - Statutory Consultee Responses</p> <p>6.1 BCC Environmental Health - No objection subject to conditions in relation to noise and contamination. Response outstanding – considering further information required in relation to Air Quality;</p> <p>6.2 Shared Environmental Services – No objection subject to conditions;</p> <p>6.3 Urban Design Officer – no objections;</p>	
7.0	<p>Representations</p> <p>The application has been neighbour notified and advertised in the local press. 9 representations have been received, comprising 2 letters of support and 7 objections. These representations are set out in more detail later in the report.</p> <p>No representations from any elected representatives have been received.</p>
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	<p>Permission is sought for a residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage. The key issues in the assessment of the proposal are:</p> <ul style="list-style-type: none"> - The principle of the proposal at this location; - Layout, scale, form, massing and design; - Impact on amenity; - Impact on transport and associated infrastructure; - Flooding and drainage impacts; - Impact on natural heritage assets; - Contamination and remediation of the site; - Impact on civil aviation; <p>Regional Policy Context:</p>
9.2	The Regional Development Strategy 2035 (RDS) includes a number of policies relevant to the proposal supporting Urban Renaissance (RG7), and Conserve, protect and enhance where possible the built and natural heritage.
9.3	In relation to Belfast, the RDS includes policies to promote economic development, grow the city population, and protect and enhance the setting of the Metropolitan Area and its environmental assets. Policy SFG3 seeks to enhance the role of Belfast City Centre as

	the regional capital and focus of administration, commerce, specialised services and cultural amenities.
9.4	The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
9.5	<p>The SPPS states at paragraph 1.13 that a number of policy statements, including those listed at paragraph 4 of this report, remain relevant under the 'transitional arrangements' in advance of a council's adoption of its new Local Development Plan. Paragraphs 4.11 and 4.12 of the SPPS require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported.</p> <p>Development Plan Status:</p>
9.6	<p>Following the Court of Appeal decision that quashed the adoption of the Belfast Metropolitan Area Plan 2015, the extant Development Plan is now the Belfast Urban Area Plan 2001 (BUAP). The site is not subject to any zoning within the BUAP. Both the draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004) and the version purported as adopted Belfast Metropolitan Area Plan (dBMAP 2015) are material considerations. The weight to be afforded the draft Belfast Metropolitan Area Plan is a matter of judgement for the decision maker. In dBMAP 2004 and dBMAP 2015, the site falls within the City Centre boundary, the fringe area of parking restraint, and the Laganside Character Area.</p> <p>Principle of development and proposed uses:</p>
9.7	The SPPS requires a sequential test to be applied to 'town centre uses' including retail shops, directing them to the city centre in the first instance, then edge of city centre and lastly out of centre. In the BUAP, the site is located within the City Centre. The site is located within the City Centre boundary in the BUAP and both versions of BMAP where residential development is acceptable in principle. The proposal would support the aims of the <i>Belfast Agenda</i> around city centre living. Laganbank Road comprises a mix of residential and non-residential uses. Residential uses are located immediately adjacent to the site. The site is not located within the retail core, but within the city centre boundary. A retail unit is considered acceptable in this location due to the limited provision in close proximity to the site. These factors establish that the proposed uses are acceptable in principle.
9.8	<p>In relation to the demolition of the existing building and structures, the site is not located in a Conservation Area or Area of Townscape Character, and the buildings are not listed or of any historic interest. Accordingly the demolition of the existing structures does not require planning permission and is acceptable in principle.</p> <p>Planning History</p>
9.9	The application site is not subject to any planning history relevant to this case. However the proposals were subject to a Pre-Application Discussion process. This comprised a number of meetings with the applicant and agent, the focus of which was largely in relation to scale, height, and massing, design, and amenity issues of the proposed scheme. The Council provided feedback to the applicant at the Pre Application Discussion stage, expressing concerns in relation to these issues.

	<p>PPS7 – Design, Character and Appearance of Area and amenity</p>
9.10	<p>The proposal has been assessed against Policy QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. PPS7 addendum safeguarding character is also a material consideration and includes three policies, namely LC1-3.</p> <p>Proposal</p>
9.11	<p>The proposal seeks to construct a 9 to 18 storey residential building with ground floor retail unit on a narrow 0.247 hectare triangular site along Laganbank Road, with the building footprint occupying around 50% of the site. The longer southern and northern frontages of the site face onto Laganbank Road and the River Lagan respectively, while the southern edge sits immediately adjacent to St John's Wharf an existing residential apartment complex. To the north the narrowest section of the triangular site abuts the railway bridge over the River Lagan.</p> <p>Layout</p>
9.12	<p>The proposed layout of the building is roughly 'L' shaped and broadly replicates the siting and layout of the existing building on site in terms of setback/relationship with the river and Laganbank Road, however the building will extend across approximately half of the application site. The building incorporates a uniform building line along its northern elevation, being setback around 2.6m from the river's edge. This would enable extended public access along the river when compared to the existing nightclub arrangement, which is welcomed. Nevertheless it is disappointing to see that the extension of public access along the riverfront has not been adequately carried through and reflected in the articulation of the building at GF level. The cantilevered nature of the building line above GF which for a long stretch extends over the river walkway thereby creating an enclosed tunnel-like effect which is a questionable design approach. Along Laganbank Road the building incorporates a series of steps in its form to deal with the slight curvature of the street. Key challenges are presented here concerning the level change between the finished ground floor level of the building proper and the street (1.85m difference). These issues are considered further below.</p>
9.13	<p>The ground floor comprises a retail unit (approximately 159 sqm internally in size), entrance and amenity space area, cycle parking, bin store, and various plant rooms. The upper floors (1-18) comprise apartments, with an external amenity area on the 10th floor (c. 469sqm).</p>
9.14	<p>The building is approximately 10.5m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing Price Waterhouse office building also opposite the site.</p> <p>Scale, height, massing, and materials</p>

9.15	PPS7 QD1 criterion (a) requires proposals to “ <i>respect 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> ” Policy CC12 in the BUAP relates to high buildings and requires buildings to be sympathetic to their immediate surroundings.
9.16	<p>It is acknowledged that there were a number of taller buildings within the vicinity. These include;</p> <ul style="list-style-type: none"> - Price Waterhouse Cooper HQ (PWC) to the south of the site. It is noted that planning permission was also recently approved for additional storeys being added to this building; - The BT Tower and Hilton Hotel to the west of the site on the other side of the railway bridge; - The site also sits across the river from the former Sirocco Engineering Works site on which approval was recently granted for outline planning permission for a masterplan which included a number of taller buildings.
9.17	However, these buildings are for the most part located to the west of the site on the city centre side of the railway bridge in an area which is predominantly commercial/office in nature. While the PWC building was due south of the site on the eastern side of the railway bridge, officers noted it was located some distance from existing residential developments in the area. It is critical that any development of the site respects the adjacent residential buildings and scale of development within this section of Laganbank Road.
9.18	It is considered that the revised scale, height, massing and materials of the building are, on balance, acceptable and appropriate to the site context and the area. The height of the building has been reduced next to the existing apartments at St Johns Warf to 7 storeys – slightly higher than the adjacent building. This has reduced the dominance in relation to this building and a staggered/stepped design approach assists in mitigating the impacts to the Laganbank Road streetscape, taking account of the design and massing of existing commercial buildings adjacent to the site. The design has a tower element, which is considered acceptable when assessed from the key public viewpoints due to the surrounding built context/building heights and taking account of an extant permission to increase the height of the adjacent “Price Waterhouse Cooper” office building (ref: LA04/2018/1469/F).
9.19	The design also addresses existing level changes within the building albeit in a stepped approach. The internal floorplan layout has been revised to provide additional active uses along the Laganbank Road elevation in particular, which will assist in animation of this elevation. On balance the design solution is considered acceptable.
9.20	The proposed materials are consistent with the area insofar as brick and glass are present. The fenestration has been revised and the resulting solid to void ratio assists in reducing the massing of the building. Whilst additional glazing areas would further assist and improve the elevations, the proposal is considered, on balance, acceptable. A condition is necessary to agree the finer details of the materials proposed to ensure an appropriate solution is provided.
9.21	The Urban Design Officer considers the scale, massing, and design of the proposal to be acceptable. The proposed designs are therefore compliant with criteria [g] of PPS7. Accordingly, it is considered that the proposal would not adversely affect the character of the area.

	Impact on Amenity
9.22	Criteria (h) of QD1 PPS7 requires the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties. Paragraph 4.38 highlights the importance of privacy and daylight for residents, whilst 7.11 of Creating Places also highlights the importance of 'attractive outlook' onto existing and proposed roads.
9.23	The floorplan layout is broadly split longitudinally, with the majority of the apartment's main aspect towards either the river or Laganbank Road. The layout includes apartments within the middle section of the eastern section of the building, adjacent to the boundary with the neighbouring apartment building. The internal layout places the living area at the Laganbank Road end of the apartment, with the associated window positioned at this end of the apartment. Whilst outlook to the public street would not be provided, views would be available over the car park of the adjacent apartment building and distance views to East Bridge Street. Floors 5 and above would benefit from additional views/aspect as the front section of the adjacent St Johns Warf section is 4 storeys in height. On balance the outlook proposed is considered acceptable.
9.24	In relation to overlooking and loss of privacy, the majority of apartments would not impact on privacy due to their location and separation distances to existing buildings. However, the apartments on the eastern gable of the building include gable window openings. The adjacent St Johns Wharf building also include gable windows, however these, as with the proposal, are predominately secondary with the main windows for outlook located on either the Riverfront or Laganbank road elevations, and are sufficiently 'staggered' to ensure no direct overlooking or loss of privacy will result.
9.25	In terms of loss of light/overshadowing, the building steps up in height in relation to the neighbouring apartment building St Johns Wharf, which is sited due east of the application site. Accordingly the building would reduce the daylighting in the evening as the sun occupies a westerly position. Notwithstanding the height and proximity of the building, it would not unacceptably overshadow the existing adjacent apartments building as it would benefit from sunlight for the majority of the day.
9.26	The location of the tower element would have a limited impact on exiting residents due to the separation distances to St John Warf (approximately 52m at the closest point). The proposal would not detrimentally impact on amenity in terms of overshadowing or overlooking/privacy.
9.27	The proposal would not adversely impact on the amenity of commercial premises due to separation distances and layout/aspect of these properties.
9.28	The apartments comprise a mix of 1bed and 2 bed units and range in size from approximately 43sqm to 65sqm. The size of these apartments would fall slightly below space standards set out in the Addendum to PPS7 (1P1B 35/40sqm, 2P1B 50/55sqm, 3P2B 60/65sqm, 4P2B 70/75sqm), however, Members should note that these standards only apply to "established residential areas" of medium to low density.
9.29	In relation to amenity space provision, Policy QD1 [c] PPS7 and Policy OS2 of PPS8 require the level of provision of private space to be appropriate to the surrounding context, be useable, with further guidance on amenity space provided in Creating Places. PPS 7 indicates that, where appropriate management arrangements are in place, private open space to serve apartment developments may be in the form of communal gardens. Guidance set out in Creating Places specifies that private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. Creating Places

	quantifies the level of communal private open space that should be incorporated in new flat developments with a required provision in the range of 10 sqm to 30 sqm per apartment (paragraph 5.20). This paragraph goes on to state that inner urban/high density locations will tend towards the lower figure.
9.30	<p>Communal amenity space arrangements have been increased to include an external amenity area at the front of the building of approximately 56.6 sqm in size (excluding the planted area). The communal amenity area at the 10th floor has also been increased to 469sqm (including internal hire area of 107sqm approx.) (previous total c. 266 sqm). There is also an internal area at ground floor (c. 244sqm). The total communal amenity space provision equates to 770sqm or 5 sqm per apartment. The amount of provision is considered acceptable, on balance, given the circumstances of the site with the open space area adjacent to the building and the improvements proposed to it, and location on the riverbank with riverside access. Landscaping is also proposed, however additional details need to be provided to ensure acceptable details including management arrangements are secured. These arrangements can be secured by a Section 76 planning agreement.</p> <p>PPS15 – Flooding and drainage</p>
9.31	Rivers Agency and NI Water have been consulted on the application, and assessed the submitted flood risk assessment.
9.32	The intensification of use of the site as discussed under FLD1 is considered acceptable in principle, subject to adequate flood management arrangement being proposed and taking account of wider policy aims of regeneration and increased residential uses within the city centre. The Flood Risk Assessment by Albert Fry Associates dated May 2018 has included mitigation and taken into account DfI Rivers recent updated Technical Flood Risk Guidance in relation to Allowances for Climate Change in Northern Ireland on 25th February 2019. The habitable locations and plant rooms (containing essential infrastructure) including amenity spaces are to have finished floor levels (4.15m.O.D.). They are designed to have greater than the 600mm freeboard above the future currently revised Q200 climate change level (3.43 m.O.D.) and have been raised to a sufficient level to avoid being affected by flood risk.
9.33	<p>Neither consultee has any objections to the proposal. Therefore, it is considered that the proposal will not result in or be impacted unacceptably by flooding. It is considered that the proposal is compliant with PPS15 requirements.</p> <p>PPS3 - Traffic, Parking and associated Roads considerations</p>
9.34	<p>Relevant policy requirements include criteria (f) of QD1 PPS7 and PPS3. Roads have considered the revised information submitted in February 2020, including parking and access arrangements and green travel measures including car club provision (2 vehicles) and travel cards for a period of 3 years. They have no objection to the proposal subject to a number of conditions, including green travel measures. These would require to be secured through a Planning Agreement under Section 76 of the Planning Act.</p> <p>Impact on civil aviation:</p>
9.35	Consultation has been undertaken with the City Airport, who have assessed the proposals in terms of air safety. The site falls within the Belfast City Airport (BCA) Obstacle Limitation Surface (OLS), namely the Inner Horizontal Surface (IHS). The maximum height of a building within this surface, at this location, which would NOT infringe the OLS would be 48.7m AMSL. At 51.9m AGL the proposed building will therefore infringe the

	<p>Inner Horizontal Surface by 2.2m. However, given the close proximity to existing high buildings nearby, and recent assessment of other proposed building in the vicinity, Belfast City Airport have no objection to this development provided we are notified of any cranes to be used The proposal would not therefore compromise air safety.</p> <p>Impact on Protected Habitats etc.</p>
9.36	<p>DEARA Coastal Development, Natural Environment Division and Water Management Unit have no objections to the application and have recommended conditions.</p> <p>Shared Environmental Services have assessed the details of the application in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration and location of the project it is concluded that, provided the following mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site.</p> <p>Other Consultee Responses</p>
9.37	<p>Environmental Health has no objections to the proposal in terms of public health matters including contamination, noise, and disturbance, subject to conditions. However, they are considering addition information in relation to air quality and accordingly delegated authority to the Director of Planning and Building Control is requested to resolve this issue.</p>
9.38	<p>DEARA Waste Management has no objections regarding land contamination issues. DEARA Drainage and Water have no objections subject to NIW confirmation of adequate capacity of Waste Water Treatment. NIW have confirmed sufficient capacity.</p>
9.39	<p>Historic Environment Division have no objections in relation to impact on archaeological or listed building assets subject to conditions. Accordingly the proposal is considered acceptable in relation to PPS6 considerations.</p>
9.40	<p>NI Housing Executive was consulted to advise in terms of the need (if any) of the proposal to provide social and affordable housing. They have indicated that NIHE would wish to see 20% of residential development on this site committed to social and affordable housing, accessible dwellings and wheelchair housing units. However, the proposal is for private residential only (no social / affordable). There is no current policy requirement for the developer to provide social housing and it would be unreasonable to require the applicant to provide it at this time.</p> <p>Pre-Community Consultation</p>
9.41	<p>For applications that fall within the category of Major development as prescribed in the Development Management Regulations, Section 27 of the Planning Act (Northern Ireland) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>
9.42	<p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2017/2771/PAN) was submitted to the Council on 8th December 2017.</p>

9.43	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.
9.44	It is considered that the Pre-application Community Consultation Report submitted with the application has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.
	Representations
9.45	7 objections have been received raising the following issues (summarised): <ul style="list-style-type: none"> - Greater scale than existing buildings/ inappropriate height; - Inappropriate/out of character design and would impact on area; - Impact of traffic/associated congestion; - Questionable if any demand for proposal;
9.46	2 Comments supporting the proposal include: <ul style="list-style-type: none"> - Removal of the nightclub would benefit the residential area; - Space for a local shop welcomed;
9.47	Following the above assessment, it is considered that the proposal complies with policy in terms of scale, massing and design. Roads Service have not raised any concerns regarding traffic impacts of the proposal to date, rather queries relate to technical issues. Accordingly, it is not considered that the development will adversely impact on traffic in the locality. It is not a policy requirement in this case for the developer to demonstrate demand or need for the proposal. Accordingly the planning authority is unable to withhold permission on this basis.
10.0	Summary of Recommendation <p>Having regard to the Development Plan and relevant material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and satisfactorily resolve outstanding issues, including:</p> <ul style="list-style-type: none"> • The outstanding consultation from Environmental Health in relation to air quality; • The completion of a Section 76 planning agreement to secure green transport measures (i.e. travel plan, travel cards and car club; the provision and future maintenance of the public open space and external amenity space within the site; • Any new and substantive planning issues raised during the remainder of the consultation period (ending on 13th March 2020).
Draft Conditions	
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>	

2. No development shall take place until samples of all external finishes has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample details.

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

3. All services (including those for water supply, drainage, heating, and gas supplies) shall be laid underground or housed internally within the building hereby approved.

Reason: In the interests of visual amenity.

4. All windows to be finished in obscure glass shall be installed before the occupation of the building hereby permitted as indicated on the approved plans, shall be permanently retained, and in the event of breakage shall be replaced with obscure glass to the satisfaction of the Belfast City Council Local Planning Authority.

Reason: In the interests of amenity.

5. No development shall take place until full details of all public realm improvements have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before any part of the development hereby permitted becomes operations.

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

6. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

7. After completing the remediation works under Condition 6 and prior to occupation of the 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 Model Procedures for the Management of Land Contamination (CLR11).

The Verification Report shall 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. The Verification Report must fully verify works to address contamination, including waste assessment and classification (in line with Technical Guidance WM3), waste transfer notes and/or hazardous waste consignment notes and verification of appropriate waste disposal (in line with Waste Duty of Care).

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

8. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in 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' available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

9. Prior to the fit-out of the gym, full details of the proposed sound mitigation measures to ensure the residential units are not adversely impacted by structure borne or airborne noise shall be submitted to Belfast Planning Authority for review and approval in writing.

- Prior to the operation of the gym the approved sound insulation measures shall be installed and retained thereafter.
- No amplified music shall be permitted in the gym.
- No group classes are permitted the gym.
- The residential units of the hereby permitted development shall not be occupied unless a Noise Verification Report (VR) is submitted for review and approval in writing by Belfast Planning Authority. The VR shall demonstrate that the noise mitigation measures and alternative means of ventilation have been implemented as outlined in the Irwin Carr Consulting Noise Impact Assessment, Laganbank Apartments, Belfast, report no. Rp001 2018073 (El Divino), dated 13th June 2018 and as summarised in appendix B 'Acoustic Design Statement' so as to ensure suitable internal noise targets in line with current recognised standards and guidance are not exceeded.
- Service deliveries and collections to the retail units shall not take place between 11pm and 7am.
- The combined sound rating level from all external plant and equipment and from internal plant rooms of the hereby permitted development shall not exceed the background sound level (LA90 daytime and night time) when determined at the façade of the nearest residential premises with all measurements/calculations carried out in line with BS4142:2014.

Reason: Protection of health and residential amenity

10. Prior to the commencement of the demolition and construction of the hereby permitted development, a Construction Noise vibration and dust Management Plan shall be submitted for review and to be approved in writing by Belfast Planning Authority. It must outline the methods to be employed to minimise any noise vibration and dust impact of demolition/construction operations demonstrating 'best practicable means'. The plan should pay due regard to current guidance and British standards. Construction works must be carried out in line with the approved plan.

Reason: Protection of Residential and office Amenity

11. No development including site clearance works, lopping, topping or felling of trees, shall take place until a landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, has been submitted to and approved by the Department. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with the Department in writing prior to implementation.

Reason: To ensure the provision of amenity afforded by an appropriate landscape.

12. All hard and soft landscape works shall be completed in accordance with the approved drawings, the appropriate British Standard, the relevant sections of the National Building

Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to occupation of any dwelling / part of the development hereby approved.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Local Planning Authority gives its written consent to any request for variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

14. No dwelling hereby permitted shall be occupied until all drainage mitigation measures as set out in the submitted Drainage Assessment have been constructed and installed in accordance with these details. A report verifying these measure have been installed shall be submitted to the satisfaction of the Local Planning Authority. The mitigation measures shall be permanently retained thereafter and not removed without the prior consent of the Local Planning Authority.

Reason: to ensure adequate flood mitigation measures are provided for the site and to protect residential amenity.

15. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities.

The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

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

16. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 15.

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

17. 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 15. These measures shall be implemented and a final archaeological report shall be submitted to Belfast

City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

18. A final Construction Environmental Management Plan (CEMP) must be submitted for approval by Belfast City Council Planning by the appointed contractor before construction begins on site. The CEMP must include all the proposed environmental mitigation as detailed in the Outline CEMP dated June 2019. It must also include the other mitigation detailed in the Preliminary Ecological Appraisal, Flood Risk Assessment and Management Plan and the draft Marine Mammal Protocol reports submitted in support of the proposal.

Reason: To negate any potential for polluting discharges entering the adjacent River Lagan that could cause adverse effects on connected features of European Sites.

19. The development shall operate using hard surfaced areas constructed generally in accordance with the approved layout Drawing No. 05B 'Ground Floor GA Plan' bearing the Belfast City Council Planning Office date stamp 20 February 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

REASON: To ensure that adequate provision has been made for parking and servicing.

20. The development hereby permitted shall not become operational until the vehicular access to the car club spaces, including visibility splays of 2.0 m x 45 m, has been constructed. 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. The sole exception will be slim trees provided for landscaping purposes and at least 8.0 m from the centreline of the access.

REASON: To ensure that adequate provision has been made for access.

21. The vehicular access to the car club spaces shall be across a lowered kerb access a minimum of 6.0m across. The access gradients to the parking shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

22. The Palette of Materials used on footways, on pedestrianised road surfaces and open access pedestrianised public realm, should be in accordance with the Streets Ahead 3 Palette of Materials. All such materials must satisfy Design Manual for Roads and Bridges regarding materials performance and confirm PSV value in accordance with CS 228 Skidding Resistance.

REASON: To ensure there is a safe and convenient road system within the development.

23. The development shall provide 2 car parking spaces reserved for use by the car club scheme. The development shall provide a minimum of 50 bike stands of which 8 shall be provided externally for the use of visitors to the site.

REASON: To ensure that adequate provision has been made for parking.

24. The development hereby permitted shall operate in accordance with the approved Travel Plan published by Belfast City Council Planning Office on 12 March 2019. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

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

25. Prior to occupation a separate, finalised, Residential Travel Plan and Travel Pack will be submitted for approval by Belfast City Council and DfI Roads. This will include provision of travel cards for all apartments for an agreed period and permanent support of the car club.

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

26. The development hereby permitted shall operate in accordance with the Servicing Management Plan published by Belfast City Council Planning Office on 12 March 2019.

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

27. Environmental Health – air quality (tba)

Signature(s)

Date:

ANNEX	
Date Valid	5th March 2019
Date First Advertised	22nd March 2019
Date Last Advertised	28th February 2020
Details of Neighbour Notification (all addresses) 1 Mays Meadow, Belfast, Antrim, BT1 3DB 19 Laganview Court Belfast Down 3rd Floor, Lesley Exchange 2, 22 East Bridge Street, Belfast, Antrim, BT1 3NR 4 Lanyon Place, Belfast, Antrim, BT1 3LP 47 Marguerite Ave Dundrum Newcastle 5 Laganbank Road, Belfast, Antrim, BT1 3PH 5 Lanyon Place, Belfast, Antrim, BT1 3BT 9 Laganview Court Belfast Down Apartment 1 – 68, St. Johns Wharf 1-3 Laganbank Road, Belfast, Antrim, BT1 3LT Lesley Exchange, Mays Meadow, Belfast, Antrim, BT1 3BL Office 1 Ground Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LY Office 1st Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3BS Office 2 Ground Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LX Office 2nd Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3BN Office 3rd - 6th, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LR Office 6th Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LY Offices (4th Floor) & Car Spaces, Leslie Exchange, 24 East Bridge Street, Belfast, Antrim, BT1 3NR Offices (Ground - 3rd Floor) & Car Spaces, Leslie Exchange, 24 East Bridge Street, Belfast, Antrim, BT1 3NR	
Date of Last Neighbour Notification	26th February 2020
Date of EIA Determination	N/A – site below threshold for Schedule 2 in EIA Regs
ES Requested	No
Planning History Ref ID: Z/1992/2275 Proposal: Office accommodation, multi-storey car parks, retail and hotel development, multiplex cinema, restaurants and disco club, food court and drive-in takeaway, youth hostel, sports bar together with associated road network Address: LAGANBANK SITE BOUNDED BY EAST BRIDGE ST/OXFORD ST/RIVER Decision: Permission Granted Decision Date: 21.12.1993 Ref ID: Z/1997/2351 Proposal: Public house/licensed restaurant Address: SITE 2, MAYS MEADOW EAST BRIDGE STREET, BELFAST BT1 Decision: Permission Granted	

Decision Date: 23.09.1997

Notification to Department (if relevant) N/A

Date of Notification to Department:

Response of Department:

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2850/F	
Proposal: Extensions to existing aerospace manufacturing facility and associated site works to include internal access road, replacement car parking, drainage and existing access onto Heron Road.	Location: Bombardier Wing Manufacturing and assembly Facility Airport Road West Belfast BT3 9ED.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: Bombardier Airport Road Belfast BT3 9DZ	Agent Name and Address: Ove Arup and Partners Limited Bedford House Bedford Street Belfast BT2 7FD
<p>Executive Summary: This application seeks full planning permission for extensions to the existing aerospace manufacturing facility at Bombardier. It includes associated site works including internal access road, replacement car parking, drainage and existing access onto Heron Road.</p> <p>The key issues in the assessment of the proposed development are:</p> <ul style="list-style-type: none"> - The principle of proposed extensions to the aerospace manufacturing building - Employment and economic development; - Scale, Massing and Design; - Contaminated Land; - Impact on Natural Heritage and Protected Sites; - Traffic and Parking; - Flooding and Drainage - Impact on amenity; and - Pre-application Community Consultation. <p>The site is located within an established industrial / commercial area within an existing employment zoning within the Harbour Estate where the principle of development is acceptable. Given the scale of the existing building on the site and the established nature of the aerospace manufacturing facility in what is a predominantly industrial area, the scale and design of the extensions are considered appropriate and acceptable, and there will be no adverse environmental impacts as a result of the development or the resultant operations on site.</p> <p>The extensions will provide additional production capacity to meet customer demand and help maintain what is a unique production process under one roof (receipt of raw material through to despatch of assembled product). There will be no significant intensification of the existing use but the extensions will help sustain approximately 1,000 jobs at Bombardier Belfast.</p>	

Consultees & Environmental Matters

Environmental Health – No objection

DAERA – No objection

DFI Roads – No objection

Rivers Agency – No objection

NI Water – No objection

Health and Safety Executive – No objection

Belfast City Airport – No objection

Shared Environmental Services – No objection

No objections or third party representations have been received.

The proposal will not have an adverse impact on the nearby protected ecological sites within and around Belfast Lough. Conditions will ensure that development is carried out in a sympathetic manner and ensure any potential impacts on these sites are mitigated.

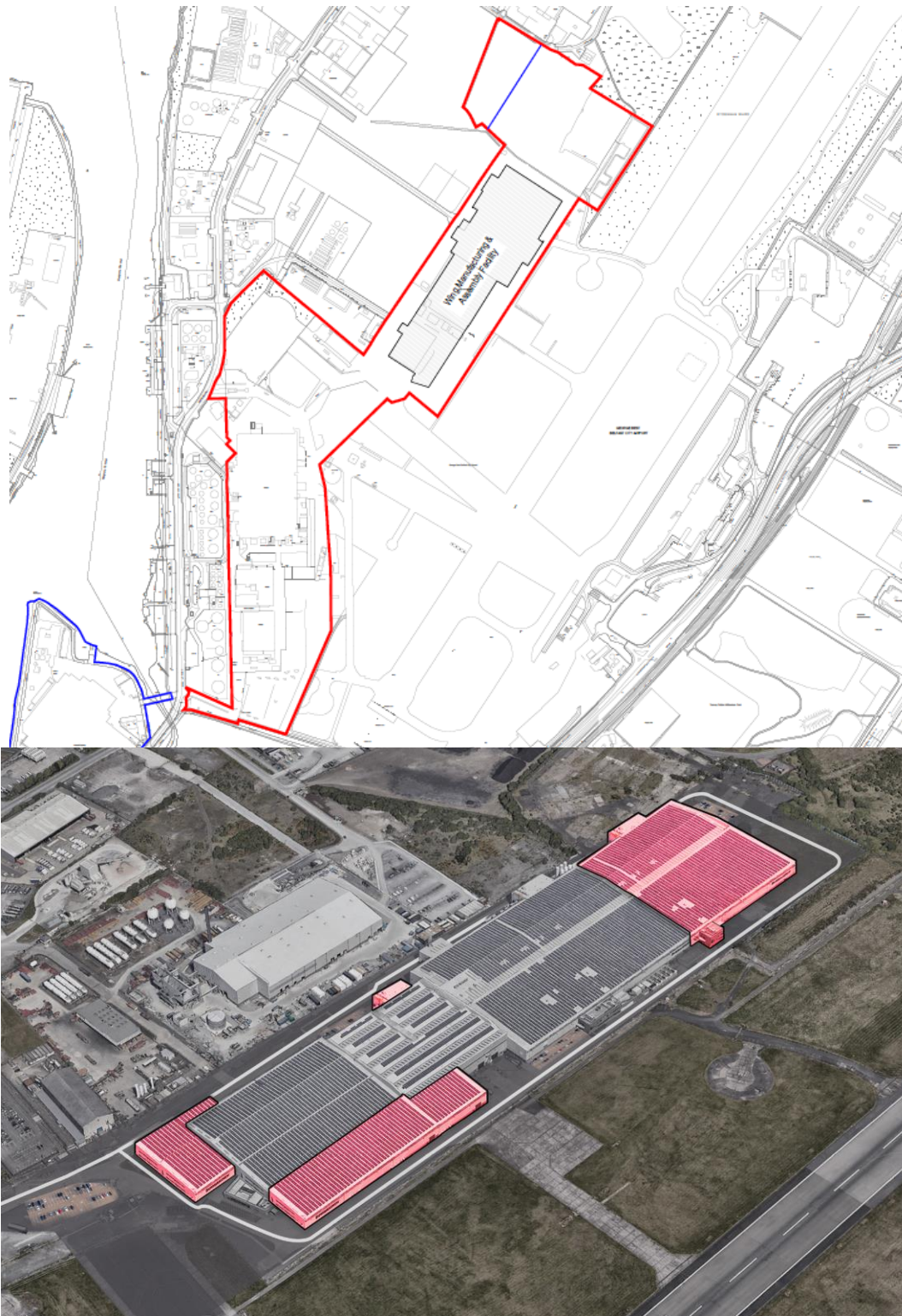
Recommendation

Having regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered acceptable.

It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.

Case Officer Report

Site Location Plan

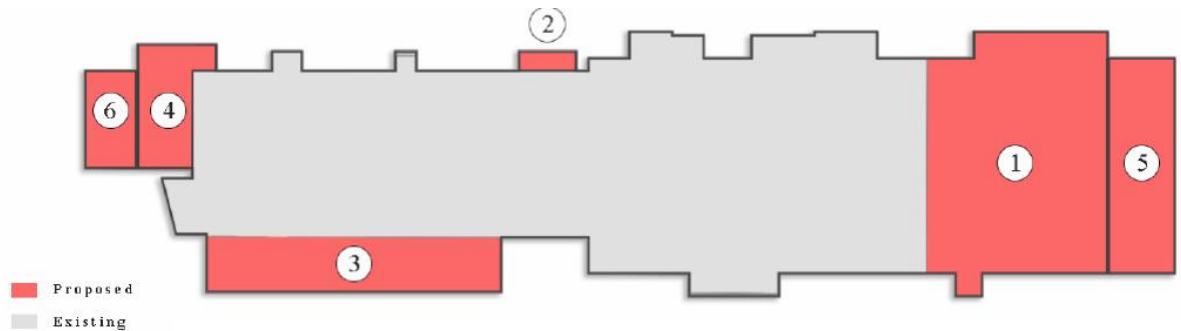


1.0 Description of Proposed Development

1.1 Full planning permission is sought for the extension of the existing manufacturing building by an additional 30,950m² comprising the following extension elements:

1. Off duty locker facility: 375m²
2. Autoclave bay: 20,530m²
3. Wing tool storage facility: 5,770 m²
4. Wing assembly: 4,275m²

These four main areas of expansion located as follows:



Construction Phase	Proposed Floor Area (m ²)	Construction Completion Date	Location of Extension
1	15,360m ²	06/2021	Eastern extension
2	375m ²	01/2021	Northern extension
3	5,770m ²	06/2022	Southern extension
4	2,575m ²	12/2022	Western extension
5	5,170m ²	12/2023	Eastern extension
6	1,700m ²	06/2024	Western extension

1.2 The northern (off-duty locker facility), southern (tool storage facility (13m) and western (wing assembly (19m) extensions will have finished roof levels below that of the existing building (20.4m).

1.3 The massing of the extensions is influenced by internal operations, for example, the easterly Autoclave Bay extension would be developed to be consistent in height to the existing Wing Manufacturing and Production Facility to enable the internal crane systems to be extended and operated.

1.5 The extensions will be constructed with steel frames, finished externally with lightweight metal cladding to match the existing Wing Manufacturing and Assembly Facility.

2.0 Description of Site

2.1 The application site extends to an area of 34.3 hectares and accommodates Bombardier's Belfast operational facility east of Airport Road West. The proposed development works relate only to the Wing Manufacturing and Assembly Facility which is in the north east portion of the campus. The Wing Manufacturing and Assembly Facility is surrounded by an access track with

	visitor car parking, mechanical plant, fuel storage and sprinkler tanks located along the curtilage. In general, the site is in hard-standing. The footprint of the existing facility is 52,567m ² .
2.3	The largest of the three proposed extensions lies in the 'Moscow Camp' area, located immediately north-east of the Wing Manufacturing and Assembly Facility and an existing access provides connectivity to Heron Road. Moscow Camp is approximately 7 hectares in size and is currently fenced off and not publicly accessible, with areas of hardstanding having become overgrown.
2.4	The site forms part of the existing Bombardier development within the Belfast Harbour Estate, a flat area of predominantly reclaimed land on the south eastern shore of Belfast Lough. Industry (Use Class B2 and B3) is the predominant land use in the surrounding area.
2.5	The site is bounded to the north east by Heron Road, the west by the RiverRidge Energy from Waste facility and to the south west by George Best Belfast City Airport. Victoria Park is south of the application site while the nearest residential properties are situated some 950m from the subject lands in the Sydenham area.

Planning Assessment of Policy and other Material Considerations

3.0	Planning History
3.1	<p>Z/2009/0092/F</p> <p>Proposal: Extension to existing aerospace manufacturing facility to include a new 700,000sq ft (approx) factory with associated servicing, landscaping, ancillary buildings and canteen.</p> <p>Address: Bombardier Aerospace, Airport Road West site, Airport Road West, Belfast.</p> <p>Decision: Approval</p> <p>Decision Date: 22.06.2009</p>
3.2	<p>Z/2010/0140/F</p> <p>Proposal: Extension to existing aerospace manufacturing facility to include 2 no. factory buildings, one of which was previously approved under planning application Z/2009/0092/F</p> <p>Address: Bombardier Aerospace, Airport Road West Site, Airport Road West.</p> <p>Decision: Approval</p> <p>Decision Date: 07.06.2010</p>
3.3	<p>Z/2011/0606/F</p> <p>Proposal: Amendments to design and layout of approved extension to existing aerospace manufacturing facility to include 2 no. factory buildings.</p> <p>Address: Bombardier Aerospace, Airport Road West Site, Airport Road West, Belfast, BT3 9ED.</p> <p>Decision: Approval</p> <p>Decision Date: 03.10.2011</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001</p> <p>Draft Belfast Metropolitan Area Plan 2004</p> <p>Draft Belfast Metropolitan Area Plan 2015</p> <p>Developer Contribution Framework 2020</p>
4.2	<p>Strategic Planning Policy Statement for Northern Ireland</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 13 – Transportation and Land Use</p>

	Planning Policy Statement 15 - Planning and Flood Risk
5.0	Statutory Consultees DfI Roads – No objection subject to conditions DAERA Waste Management Unit – No objection DAERA Water Management Unit – No objection subject to conditions DAERA Natural Environment Division – No objection subject to conditions DfI Rivers Agency – No objection Belfast City Airport – No objection Health and Safety Executive NI – No objection Rivers Agency – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions
7.0	Representations None received
8.0	Other Material Considerations N/A
9.0	Assessment The key issues in the assessment of the proposed development are: <ul style="list-style-type: none"> - The principle of proposed extensions to aerospace manufacturing building - Scale, Massing and Design; - Contaminated Land; - Impact on Natural Heritage and Protected Sites; - Traffic and Parking - Flooding and Drainage - Impact on amenity; - Pre-application Community Consultation.
9.1	The principle of proposed extensions to aerospace manufacturing building Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001 (BUAP). However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
9.2	In the BUAP the site is located within the development limits of Belfast and within the Draft Belfast Metropolitan Area Plan (2004 and 2015 versions) within the zoning existing employment zoning. The presumption is therefore in favour of development subject to the planning considerations detailed elsewhere in this report.
9.3	The proposal has been assessed against Policy PED of PPS4.
9.4	A proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria: <ul style="list-style-type: none"> - <i>it is compatible with surrounding land uses;</i> The proposal is within an established industrial / commercial area. The proposed extensions to the aerospace manufacturing building will not have any significant impact on adjacent land-uses or properties due to the scale of the site and for reasons stated in the main body of the report. - <i>it does not harm the amenities of nearby residents;</i> There are no residential properties within the vicinity of the site.

- ***it does not adversely affect features of the natural or built heritage;***
The site is not located within any National, European or Internationally designated sites, but is located within close proximity to a number of protected sites. Shared Environmental Services have offered no objections to the proposal as long as the necessary mitigation measures are secured by planning conditions.
- ***it is not located in an area at flood risk and will not cause or exacerbate flooding;***
The area is not within a designated flood plain or an area that has been identified as being prone to flooding.
- ***it does not create a noise nuisance;***
The proposed use is not likely to cause significant noise levels that would impact on amenity of nearby properties. There are no residential receptors within the vicinity of the site. This will be discussed further below.
- ***it is capable of dealing satisfactorily with any emission or effluent;***
No significant emissions would be associated with the proposed use.
- ***the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;***
DFI Roads have offered no objections to the proposal and the proposal is considered acceptable in this regard.
- ***adequate access arrangements, parking and manoeuvring areas are provided;***
Displaced parking is being largely relocated. DFI Roads has offered no objections.
- ***a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;***
The proposal will avail of existing access arrangements. The application is supported by a Green Travel Plan which will be required to be implemented by condition.
- ***the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;***
The design, massing and finishes of the proposed extensions are in keeping with the industrial character of the building and the area.
- ***appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;***
A satisfactory detailed landscaping plan has been proposed.
- ***is designed to deter crime and promote personal safety; and***
The access to the site is security gated and controlled.

Employment and economic development

9.5

The application is supported by an Economic Statement. It states that Bombardier is the largest manufacturer in Northern Ireland, producing 10% of the regions manufactured exports. The company is seeking to further invest in its Belfast operation by expanding its Wing Manufacturing and Assembly Facility to meet growing customer demand.

9.6	Bombardier produces composite wings at the facility for Airbus A220 family of aircraft. Almost 100 A220s are already in operation and Airbus has received 530 firm aircraft orders from over 20 customers worldwide. It has asked Bombardier to significantly ramp up its current production process to meet customer demand. The purpose of the proposed extensions is to provide the necessary additional capacity. The current manufacturing process is said to be unique in that it encompasses production under one roof including receipt of raw carbon fibre, cutting and lay-up, the resin transfer infusion production system, non-destructive testing, wing assembly and testing right through to the dispatch of wings.
9.7	The applicant's intention is to commence development immediately on the granting of planning permission. The proposed extensions would create in the region of 300 construction jobs with a construction programme commencing in 2020 and ending in 2024. Bombardier's investment would support around 1,000 jobs during peak production and the proposal will help maintain the company's contribution to the Belfast economy with a total workforce of around 3,500.
9.8	The applicant's business needs and the significant benefits of the proposal to the local and wider regional economy are very important material considerations.
9.9	<p>Scale, Massing and Design</p> <p>The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The functional extensions are in keeping with the form, character and appearance of the existing Bombardier building and its surroundings and similar in terms of its form and design to many of the established industrial commercial style buildings in the area. Therefore, in terms of overall visual impact, the proposal will not harm the character and appearance of the area. The proposed materials are reflective of the industrial character of the Belfast Harbour Estate and match the existing building.</p>
9.10	<p>Contaminated Land</p> <p>The existing central Bombardier building was renovated in 1983 with further extensions constructed circa 2010 and 2012. The application notes that the existing Wing Manufacturing and Assembly facility was constructed on imported fill material.</p>
9.11	Extensions to the existing building are proposed to the north, east, south and west elevations.
9.12	One part of the extension is to be developed on the former Moscow Camp Ministry of Defence site. The Preliminary Risk Assessment submitted with the application identifies a number of potential sources of contamination associated with this former land use including helipads, mechanics bays, oil storage and a remaining sub-station.
9.13	Historically, the entire site was reclaimed from Belfast Lough with the ground level raised using hydraulic fill materials. Various potentially contaminating activities have been identified in the area surrounding the site. The report also outlines a number of historical site investigations that have been undertaken across the wider site between 1987 and 2011.
9.14	The Generic Quantitative Risk Assessment (GQRA) notes that the identified ground conditions are made ground to a maximum depth of 2.5m below ground level (bgl), hydraulic fill/reclaimed land to a maximum depth of 5.0m bgl, silex to a maximum depth of 7.1m bgl and glacial deposits to a maximum depth of 30.1m bgl. Sherwood Sandstone is anticipated to underlie the site however the reports note that bedrock remains unproven. During the various site investigations, observed contamination was identified in a number of locations including ash, clinker and cinders, hydrocarbon odours and 'free phase' oil contamination identified on the surface of the groundwater (in one location only).

9.15	Groundwater level on site was determined from previous reports; it is noted to occur between 0.4m to 2.2m bgl. A design groundwater level of 0.8m bgl has been adopted. Groundwater is thought to flow towards the east, in the direction of the Connswater River, which then flows into Belfast Lough. The report notes that no significant tidal influence on groundwater levels was identified though continuous groundwater monitoring undertaken in the previous site assessments, however other sections of the report refer to tidal changes influencing the ground gas regime (GQRA Appendix D Section 5).
9.16	The Council's Environmental Protection Unit confirm that the only relevant human health pollutant linkage with regard to the final site use is the presence of ground gas.
9.17	The Ground Gas Risk Assessment, presented in Appendix D of the GQRA, has been updated to provide greater rationale on the calculation of a representative Gas Screening Value for the proposed development site.
9.18	In addition, the drawing titled 'Proposed Floor Plans', contained within Annex 5 of the amended Ground Gas Risk Assessment (presented within Appendix D of the revised GQRA), clearly demonstrates which parts of the proposed extensions can be classified as Type D and which are classified as Type C. This is explained below.
9.19	<p>The reports suggest the following gas protection measures within the Type D areas (which under CS4 require 3.5 points):</p> <ul style="list-style-type: none"> - Cast in situ monolithic reinforced ground bearing raft or reinforced cast in situ suspended floor slab with minimal penetrations (1.5pts). - Gas resistant membrane meeting all the BS8485 criteria (2.0pts).
9.20	<p>The reports suggest the following gas protection measures within the Type C areas (which under CS4 require 4.5 points):</p> <ul style="list-style-type: none"> - Cast in situ monolithic reinforced ground bearing raft or reinforced cast in situ suspended floor slab with minimal penetrations (1 or 1.5pts). - Gas resistant membrane meeting all the BS8485 criteria (2.0pts). - Passive sub floor dispersal layer of at least good performance (1.5pts for good performance 2.5pts for very good performance). Media used to provide the dispersal layer are: <ul style="list-style-type: none"> o Clear void. o Polystyrene void former blanket. o Geocomposite void former blanket. o No-fines gravel layer with gas drains. o No-fines gravel layer.
9.21	However, Environmental Health has highlighted that not all of the suggested passive ventilation measures would be considered suitable for the proposed development. As outlined in Annex B of BS 8485:2015+A1:2019, geocomposite blankets are not suitable for CS4 risk sites unless the width of the building is small (less than 5m to 8m) and gravel layers are not sufficiently effective for use on CS4 sites.
9.22	Having regard to these comments, the application no longer recommends that the existing active gas extraction system is turned off. The report notes that amendments will be required to the existing active gas extraction system where Extension 3 is to adjoin the existing building; pipes from each vent box will extend internally from floor level to the roof and be fitted with a static venting cowl. The application confirms that a specialist contractor will be completing the detailed design and installation of the gas protection measures. Conditions are recommended to ensure that these issues are addressed.

9.23	DAERA has noted that following intrusive investigations in relation to groundwater that exceedances of the relevant screening values for metals and phenol in the shallow and metals, phenol and TPH fractions in the deep were identified from the samples obtained. RPS conclude that the exceedances in the deep groundwater have the potential to pose a risk to environmental receptors (Musgrave Channel) for which remediation measures have been presented.
9.24	DAERA has no objections to the development subject to appropriate conditions.
9.25	<p>Impact on Natural Heritage and Protected Sites</p> <p>The proposal has been assessed against Policies NH1 (European and RAMSAR Sites), NH2 (Species Protected by Law), NH 3 (Sites of Nature Conservation Importance – National), and NH 5 (Habitats, Species or Features of Natural Heritage Importance) of PPS2.</p>
9.26	The site is in close proximity to National, European and international designated sites. The site is located within 500m of Belfast Lough and within close proximity to the Inner Belfast Lough area. The site is located within 2km of the Belfast Lough Ramsar site, the SPA and open SPA designated to protect a number of important bird species. The site is also located approximately 400m from the Inner Belfast Lough Area of Special Scientific Interest. It is worth noting that the site does not lie within any of the designated areas stated above.
9.27	Natural Environment Division (NED) acknowledge receipt of a Preliminary Ecological Assessment (PEA) and Outline Construction Environmental Management Plan (CEMP).
9.33	A site survey of the application site was conducted by NED officials on 26 th November 2019 and was found to contain Open Mosaic Habitats (OMH) of low ecological value, not comparable to other examples of OMH found within the Belfast Harbour Estate. No other priority habitat of high ecological value was recorded on site.
9.34	No priority species, or evidence of these, were recorded on site; as per the findings of the PEA.
9.35	NED note there is potential for disturbance from lighting and will therefore require details of proposed lighting and mitigations for bat species, as recommended in the PEA. NED recommend that light spill onto adjacent vegetation is kept to a minimum and avoids disturbance to Natural Heritage interests.
9.36	NED are satisfied with the proposed mitigation recommendations and monitoring detailed within the Outline Habitat Management Plan for the loss of OMH and establishment of unimproved neutral grassland. NED have recommended Condition Nos. 13-15 (Section 11) are attached should planning permission be forthcoming to ensure the appropriate mitigation measures are implemented to prevent any adverse impact on wildlife and natural heritage.
9.37	Shared Environmental Services (SES) has considered the proposal in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) on behalf of the Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.
9.38	Having considered the nature, scale, timing, duration and location of the project it is concluded that provided the mitigation is conditioned, the proposal will not have an adverse effect on site integrity of any European site. SES has however recommended that Piling operations occurring between mid-April and July are agreed in writing by the Council including a suitable management process agreed to protect nesting terns or other SPA bird features within the nearby RSPB Reserve. This will be secured via condition (Condition No. 11, Section 11).

9.39	<p>Due to the distance this proposal is from the marine environment, NIEA Marine and Fisheries Division are content that the proposal will not have any impact on marine features. Given the distance between existing seal haul out sites and high water mark from piling operations, NIEA consider that the proposal is unlikely to have a significant impact on marine mammals through the production of piling noise.</p>
9.40	<p>Furthermore, an outline construction environmental management plan (OCEMP) has been provided and details the environmental monitoring and mitigation measures that are to be implemented during construction works to minimise the effects of the site operations on receptors. NIEA has asked that a final Construction Environmental Management Plan should be agreed prior to commencement of development and this will be secured by a condition (Condition No. 10, Section 11).</p>
9.41	<p>Traffic and Parking The proposal has been assessed having regard to Policy TRAN 1 of PPS3 and Policy CC025 of draft BMAP.</p>
9.42	<p>The site is located off Airport Road West with access onto the motorway network via Dee Street or Hollywood Exchange junctions. All traffic accesses the site via the manned security entrance onto Airport Road West. Visitors must also report to this point on arrival to site.</p>
9.43	<p>The southern, western and eastern extensions would encroach onto existing car parking spaces resulting in the redistribution of spaces including the creation of a new 24 space car park adjacent to the northern extension. It should be noted that there will be no additional staff on site as a result of the proposed extensions. A number of car parking spaces are being displaced to enable the erection of the small extension on the western part of the building. Most of these displaced spaces are being relocated adjacent to the northern extension. DFI Roads have noted an overall reduction of 20 car parking spaces but have offered no objections to the development subject to Condition Nos. 7-9 detailed in Section 11 of the report.</p>
9.44	<p>The re-organisation of existing car parking would result in the provision of 4 car parking lots as follows:</p> <ul style="list-style-type: none"> - The southern car park located at the internal roundabout will provide 79 spaces. - The eastern car park fronting the site's boundary with Belfast City Airport will provide 18 car parking spaces. - The creation of a new car park at the northern extension will provide 24 new spaces. - The western car park fronting the energy from waste facility will provide up to 32 spaces.
9.45	<p>It is expected that the delivery of raw materials for wing construction to the site would marginally increase by 1 – 2 HGVs per day. Currently there are 2 sets of wings transported from the facility per week and this is expected to increase to 3.5 per week. These vehicles exit the site pre 6am and do not mix with typical daily traffic. It is therefore anticipated that the proposed development would not have a significant impact on the surrounding road network and there will be no infrastructure improvements required. DFI Roads has no objection to the application and it is considered acceptable in terms of transport considerations.</p>
9.46	<p>Flooding and Drainage The proposal has been assessed against Policies FLD1 and FLD3 of PPS15.</p>
9.47	<p>DfI Rivers reviewed the Flood Risk and Drainage Assessment provided with the application and commented that the Drainage Details only lack a letter from DfI Rivers local area office for consent to discharge into the adjacent watercourse. Additional information was submitted to address this point. Subsequently, DfI Rivers has assessed proposals to discharge a maximum of 35.24 l/s storm water to the designated Sydenham Stream and confirms its consent with these proposals under Schedule 6 of the Drainage (NI) Order 1973.</p>

	<p>Impact on amenity</p> <p><u>Noise</u></p>
9.48	<p>The site is within the Belfast Harbour industrial estate and is surrounded by industrial land uses to the north, south and west. Belfast City Airport is located immediately to the east of the site, with the A2 Sydenham Bypass dual carriageway running approximately 650m to the south east of the site. The nearest residential receptors to the proposed development are approximately 950m to the east (on Parklands off Knocknagoney Road which are already exposed to high noise levels during day-time hours).</p>
9.49	<p>A Noise Screening Assessment has been provided with the application. Table 10 within Section C4 summarises the potential noise and vibration impacts at residential locations from plant and traffic associated with the construction and operational phases. Given the large distance between the proposed development and the nearest residential receptors, the report states that there is a very low risk of operational noise from plant and equipment resulting in adverse noise impacts at residential receptors.</p>
9.50	<p>Due to the local topography, noisy works such as percussive piling operations and concrete breaking undertaken within the Harbour Estate, particularly during night-time hours, may travel and be perceptible at residential premises regardless of the separation distance. Environmental Health has subsequently requested that a condition is attached to any approval prohibiting percussive piling operations and concrete breaking during night time hours. This condition is detailed in Section 11 of the report (Condition No. 5).</p>
	<p>Air Quality</p>
9.51	<p>The EIA Screening Report submitted with the application considers air quality impacts from the construction and operational phases of the development and an Air Quality Screening Assessment is contained within Appendix D.</p>
	<p><u>Construction</u></p>
9.52	<p>Construction traffic and plant were identified as having the potential to impact on local air pollutant concentrations due to exhaust emissions; however, it is noted that the changes in traffic are below the threshold for a detailed air quality assessment. Construction activities were considered to have the potential to result in dust impacts due to movement and storage of materials.</p>
	<p><u>Operational</u></p>
9.53	<p>The assessment states that there are no new combustion processes included in the proposed development. The operational traffic changes are noted to be '<i>extremely low</i>' and do not meet the threshold for detailed assessment.</p>
9.54	<p>The Air Quality Screening Assessment has determined that a detailed air quality assessment is not required for the development. Potential impacts from air quality are considered to be negligible and not significant. The report recommends that dust mitigation measures (for a low risk site) contained within section D5.3 should be included within the Construction Environmental Management Plan (CEMP).</p>
9.55	<p>There is no objection from Environmental Health and the air quality impacts are considered acceptable.</p>
	<p>Pre-application Community Consultation</p>
9.56	<p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>

9.57	<p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A Proposal of Application Notice (PAN) LA04/2018/2190/PAN was submitted to the Council on 8th August 2019.</p>
9.58	<p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p>
9.59	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p>
9.60	<p>The Public Consultation Event took place in the Park Avenue Hotel, Hollywood Road, on 16th October 2019. This event was advertised in the Belfast Telegraph week commencing 30th September 2019.</p>
	<p>Invitations were issued to properties within the Airport Road West Industrial Park.</p>
9.61	<p>The PAN was circulated to a number of local Councillors and MLAs via email on 6th September 2019.</p>
9.62	<p>Three people attended the event with one response received. The responses to the four specific questions were generally supportive and positive.</p>
9.63	<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>
9.64	
10.0	<p>Summary of Recommendation: Approval</p>
10.1	<p>Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission should be granted.</p>
10.2	<p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: Time Limit. Prior to commencement of development, the applicant shall submit to and have approved in writing by the Council, a Detailed Remediation Strategy. The Detailed Remediation Strategy must follow the proposals outlined in the letter from Ove Arup & Partners Ltd (dated 31st January 2020 and referenced LA04/2019/2850/F) and the Ove Arup & Partners Ltd reports entitled 'Bombardier, WPU Expansion, Generic Quantitative Risk Assessment' (referenced REP/226538-75/GEO/REP/002, Issue 02 and dated 31st January 2020) and 'Bombardier, WPU Expansion, Remediation Strategy, Implementation & Verification Plan' (referenced REP/226538-75/GEO/REP/002, Issue 02 and dated 31st January 2020). <p>This Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and that they no longer pose a potential risk to human health. In particular, the Detailed Remediation Strategy must demonstrate how Characteristic</p>

Situation 4 gas protection measures will be provided to the proposed development areas. It must incorporate:

- a. Detailed design of the proposed gas protection measures for each extension area (Type C and Type D) including calculations (for the proposed ventilation measures) and technical drawings.
- b. Details of how the gas protection measures will be installed where the extensions adjoin the existing building, and how the gas protection measures within the existing buildings will be maintained.
- c. Detail on how the proposed remedial works are to be verified.

All construction thereafter must be in accordance with the approved Remediation Strategy.

Reason: Protection of human health.

3. In order to demonstrate that the required remedial measures have been incorporated within the proposal, prior to occupation of the development, a Verification Report shall be submitted to and agreed in writing by the Council prior to occupation of each Phase of the development. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

4. 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 in writing 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.

Reason: Protection of human health.

5. During the construction phase, percussive piling operations and concrete breaking shall not be undertaken between the hours of 23:00-07:00hrs.

Reason: In the interests of residential amenity.

6. The extensions hereby approved shall not be used other than for purposes ancillary to the existing building as an aircraft manufacturing facility.

Reason: To control use of the extensions and minimise the generation of traffic.

7. The extensions hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with drawing No.F518 B02C uploaded to the Planning Portal 6th December 2019 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.

	<p>Reason: To ensure adequate provision has been made for parking within the site.</p> <p>8. The development hereby permitted shall operate in accordance with the Draft Construction Traffic Management Plan uploaded to the Planning Portal 6th December 2019.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>9. The extended building hereby permitted shall operate in accordance with the Framework Travel Plan uploaded to the Planning Portal 6th December 2019.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>10. Notwithstanding the submitted details, no development shall commence until a final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. This final plan should contain all the mitigation as described in the Outline CEMP completed by ARUP Consulting, dated 27/11/2019. This CEMP should also address any works near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999.</p> <p>The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> a. Construction methodology and timings of works; b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site; c. Details of the appointment of an Ecological Clerk of Works (ECow) and their roles and responsibilities. <p>Reason: To protect the features of potentially connected European Sites from construction polluting discharges and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p> <p>11. Any Piling activities to take place between mid-April to July in any calendar year must be agreed in writing by the Council including a suitable management process agreed to protect nesting terns or other SPA bird features within the RSPB Reserve.</p> <p>Reason: To protect the ornithology breeding/nesting features from potential disturbance due to piling.</p> <p>12. The external colour finish of the extensions shall match the existing buildings.</p> <p>Reason: In the interests of visual amenity.</p> <p>13. Within twenty four hours prior to demolition, the existing building on the site shall be checked for bat presence by a competent ecologist and all demolition works shall be monitored by a competent ecologist. A report of the demolition shall be submitted to the Council within 2 weeks.</p> <p>Reason: To ensure protection to bats and their roosts.</p>
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14. There shall be no external lighting on the site until a Lighting Plan has been submitted to and approved in writing by the Council. The approved Plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Council. The Plan shall include the following:

- a. Specifications of lighting to be used across the site, including model of luminaires, location and height;
- b. All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, e.g. timing of lighting, use of low level lighting, screens, hoods, cowls etc.
- c. A horizontal illuminance contour plan (isolux drawing) showing predicted light spillage across the site;

Reason: To minimise the impact of the proposal on bats.

15. No development activity, including ground preparation or vegetation clearance, shall take place until a (final) Habitat Management Plan (HMP) has been submitted to and approved in writing by the Council. The approved HMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved HMP, unless otherwise agreed in writing by the Council. The HMP shall include the following:

- a. Clear aims and objectives of proposed habitat management.
- b. Appropriate maps, clearly identifying habitat management areas;
- c. Detailed methodology and prescriptions of habitat management and creation measures, including timescales, and with defined criteria for the success of the measures;
- d. Details of the regular monitoring of the effectiveness of habitat management measures using appropriate methodology (e.g. visual inspections, vegetation quadrats, fixed point photography) in at least years 1 – 5 after construction and must continue indefinitely, or until further instruction from Planning Authority.
- e. Details of the production of regular monitoring reports which shall be submitted to the Council within 6 months of the end of each monitoring year and which shall include details of contingency measures should monitoring reveal unfavourable results.

Reason: To compensate for the loss of and damage to Northern Ireland priority habitats.

Informatives

The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise to commercial premises.

The applicant's attention is drawn to the fact that the site is in proximity to the boundary of North Channel and the Maidens SAC, Belfast Lough Open Water, Belfast Lough and East Coast Marine SPAs and precautions should be taken to ensure its integrity will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and require consent from the Northern Ireland Environment Agency, Conservation, Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA.

For Further information please see;

<https://www.daera-ni.gov.uk/articles/special-areas-conservation>

Marine Conservation Zones

	<p>http://www.legislation.gov.uk/nia/2013/10/section/33</p> <p>The applicant's attention is drawn to the fact that the site is in proximity to the boundary of Outer Belfast Lough Marine Conservation Zone (MCZ) and precautions should be taken to ensure its integrity and the animals residing within, will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring outside the red line planning application boundary are subject to the Marine Act (Northern Ireland), which makes it an offence to</p> <p>a) intentionally or recklessly kills or injures any animal in an MCZ which is a protected feature of that MCZ,</p> <p>b) intentionally picks or collects, or intentionally or recklessly cuts, uproots or destroys, any plant in an MCZ which is a protected feature of that MCZ,</p> <p>c) intentionally or recklessly takes anything from an MCZ which is, or forms part of, a protected feature of that MCZ, or</p> <p>d) intentionally or recklessly destroys or damages any habitat or feature which is a protected feature of an MCZ</p> <p>For Further information please see; https://www.daera-ni.gov.uk/articles/marine-conservation-zones</p> <p>The applicant's attention is drawn to the fact that the site is in proximity to the boundary of Inner Belfast Lough Area of Special Scientific Interest (ASSI) and precautions should be taken to ensure its integrity will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring outside the red line planning application boundary are subject to the Environment (Northern Ireland) Order 2002 (as amended), which makes it an offence to carry out operations likely to damage an ASSI without prior permission from the Northern Ireland Environment Agency, Conservation, Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA. The maximum penalty for offences is £20,000. In addition to a fine, offenders may be liable for the costs of restoring the damaged area to its original condition</p> <p>For Further information please see; https://www.daera-ni.gov.uk/topics/land-and-landscapes/areas-special-scientific-interest</p> <p>RAMSAR Convention on Wetlands</p> <p>The applicant's attention is drawn to the fact that the is in proximity to the boundary of Belfast Lough RAMSAR site and precautions should be taken to ensure its integrity should not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter.</p> <p>For Further information please see; https://www.daera-ni.gov.uk/topics/land-and-landscapes/ramsar-sites</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member None
	Neighbour Notification Checked Yes

ANNEX	
Date Valid	5th December 2019
Date First Advertised	13th December 2019
Date Last Advertised	13th December 2019
Details of Neighbour Notification (all addresses)	
1 Depot Road,Belfast,Down, 1 Heron View,Belfast,Down,BT3 9LN 101a – 105 Airport Road West,Belfast,Down,BT3 9ED 13 Airport Road West,Belfast,Down,BT3 9ED 19 Airport Road West,Belfast,Down,BT3 9EE 1a ,Airport Road West,Belfast,Down,BT3 9ED 26 Airport Road,Belfast,Down,BT3 9ED 30-32 ,Airport Road West,Belfast,Down,BT3 9ED 4 Sydenham Bypass,Belfast,Down,BT3 9JH 40-48 ,Airport Road West,Belfast,Down,BT3 9ED 7b ,Airport Road West,Belfast,Down,BT3 9ED 9 Airport Road West,Belfast,Down,BT3 9ED Aircraft Factory,Airport Road,Belfast,Down,BT3 9DZ Belfast City Airport,Sydenham Bypass,Belfast,Down,BT3 9JH Engineering Works,Airport Road West,Belfast,Down,BT3 9DY Football Pavillion,Park Avenue,Belfast,Down,BT4 1LL Lagan Bitumen,Airport Road West,Belfast,Down,BT3 9ED Main Terminal,100 Sydenham Bypass,George Best Belfast City Airport,Belfast,Down,BT3 9JH Oil Storage Depot,St Services,Airport Road,Belfast,Down,BT3 9DY Rn Dock,Airport Road West,Belfast,Down,BT3 9DY	

Servol Lubricants (Ni)Ltd,Airport Road,Belfast,Down,BT3 9DY	
Shell Bitumen,Airport Road West,Belfast,Down,BT3 9ED	
St Services,Airport Road,Belfast,Down,BT3 9DY	
Store Offices,103 Airport Road West,Belfast,Down,BT3 9ED	
Traffic Control Centre 1b,Airport Road,Belfast,Down,BT3 9DY	
Unit 1 - 29,Main Terminal,100 Sydenham Bypass,George Best Belfast City Airport,Belfast,Down,BT3 9JH	
Unit A & B,101 Airport Road West,Belfast,Down,BT3 9ED	
Works,Airport Road,Belfast,Down,BT3 9DY	
Date of Last Neighbour Notification	10th December 2019
Date of EIA Determination	24th January 2020
ES Requested	Yes /No
Drawing Numbers and Title	
Notification to Department (if relevant)	
Date of Notification to Department:	
Response of Department:	

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2018/0022/F	
Proposal: Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking	Location: Rossa Park Shaw's Road Belfast BT11 9QJ
Referral Route: Major application, funded by Belfast City Council.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Aidan Hamill (Secretary) O'Donovan Rossa GAC Rossa Park 84 Shaws Road Belfast BT11 9QJ	Agent Name and Address: AECOM Beechill House Beechill Road Belfast BT8 7RP
Executive Summary: This application seeks full permission for a Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking The key issues are: <ul style="list-style-type: none"> - The principle of the development of at this location; - Visual impacts of the proposal; - Impact on amenity / character of the area; - Impact on the natural environment; - Impact on transport and other infrastructure; - Flood risk from the proposal; - Impact on natural heritage. Six objections were received raising the following issues (summarised): <ul style="list-style-type: none"> - Impact on residential amenity through noise and disturbance; - Land ownership issue; 	

- Impact of traffic and parking on area and on adjacent businesses;
- Loss of light
- Loss of view of Belfast Hills
- Drainage issues
- Hours of operation
- Impact of floodlighting
- Concern that there will be a licenced premises

The site is within an existing playing field facility at Rossa Park, Shaw's Road, Belfast. The site is designated as an area of existing open space within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015, and lands reserved for landscape, amenity or recreational use in the Belfast Urban Area Plan 2001 (BUAP).

The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), Planning Policy Statement 2, Planning Policy Statement 3, Planning Policy Statement 8, and Planning Policy Statement 15.

BCC Environmental Health, DFI Roads Service, Northern Ireland Water Ltd, DFI Rivers Agency, DAERA Water Management Unit, DAERA Regulation Unit and DAERA Natural Environment Division have raised no objections and the proposal is considered acceptable subject to conditions.

Accordingly, it is recommended for approval subject to conditions and delegated authority is sought for the Director of Planning and Building Control to resolve any outstanding matters and finalise the wording of conditions.

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	6
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0 Description of Proposed Development

Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking.

2.0 Description of Site

The site is located within an existing playing field facility at Rossa Park, Shaw's Road, Belfast. The site comprises a grassed sports pitch, car parking area, a clubhouse building within the ground of the Club and a further single storey building and private car parking area (for the adjacent businesses) at the entrance to the site. The site is defined by fencing with areas of vegetation to the rear. Sarsfield GAA Club is sited adjacent to the site to the south west and St Paul's GAA Club is adjacent to the north west.

Residential development abuts the site to the north east (Hillhead Cottages) and south east (Rosgoill Park). These streets comprise a mix of residential buildings which are single and two storeys in height with associated garden areas. There are a number of businesses at the entrance to the site.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 There is relevant planning history on the site under application reference LA04/2018/2930/F for “Erection of a spectator stand (with 150 seats, 2 wheelchair spaces with associated access facilities)” which was approved permission on 07/03/19.

4.0 Policy Framework

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.2 Strategic Planning Policy Statement (SPPS)

4.3 Planning Policy Statement (PPS) 2: Natural Heritage

4.4 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.5 Planning Policy Statement (PPS) 8: Open Space, Sport and Recreation

4.6 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees

5.1 DFI Roads Service – No objection subject to conditions

5.2 Northern Ireland Water Ltd – No objection

5.3 DFI Rivers Agency – No objection

5.4 DAERA Natural Environment Division – No objection

5.5 DAERA Regulation Unit – No objection subject to conditions

5.6 DAERA Water Management Unit – No objection

6.0 Non Statutory Consultees

6.1 BCC Environmental Health – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. Additional information/amendments have been received during the processing of the application in response to requests for clarification from consultees. Re-advertisement and re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt. Six responses have been received.

7.2 Six objections were received raising the following issues (summarised):

- Impact on residential amenity through noise and disturbance;
- Land ownership dispute;
- Impact of traffic and parking on area and on adjacent businesses;
- Loss of light
- Loss of view of Belfast Hills
- Drainage issues
- Hours of operation
- Impact of floodlighting
- Concern that there will be a licenced premises

7.3 These issues will be considered through the report, however a number of these are not planning considerations and outside the remit of planning legislation and guidance, for example the loss of a particular mountain view from an objector's home, and licencing provision. The proposal does not include a premises for the sale of food or drink for consumption on or off the premises. Details of current and proposed use, including details of proposed floodlighting were submitted for consideration on 26th November 2019.

8.0 Other Material Considerations

8.1 Development Control Advice Note 15 Vehicular Access Standards

9.0 Assessment

9.1 The key issues in the assessment of the proposal are as follows:

- The principle of the development of at this location;
- Visual impacts of the proposal;
- Impact on amenity / character of the area;
- Impact on the natural environment;
- Impact on transport and other infrastructure;
- Flood risk from the proposal;
- Impact on natural heritage.

9.2 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 The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS states at paragraph 1.13 (page 7) that a number of policy statements, including PPS2, PPS3, and PPS 8 remain applicable under 'transitional arrangements'.

9.4 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.

9.5 The site is designated as an area of existing open space within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015, and lands reserved for landscape, amenity or recreational use within Belfast Urban Area Plan 2001 (BUAP). The proposed development is for a community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of a floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking. The proposal is considered to comply with both development plans.

9.6 PPS8 sets out regional policy for open space and recreation. Policy OS1 refers to the protection of open space, Policy OS4 relates to intensive sports facilities, stipulating 5 criteria with which proposals must accord. Policy OS7 relates to floodlighting and stipulates 3 criteria that proposals must satisfy. Paragraphs 6.199 - 6.213 relate to open space. Paragraph 6.213 sets out relevant planning considerations including: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage. No conflict arises between PPS8 and SPPS policies.

9.7 PPS2 Natural Heritage is relevant to the proposal given the site is an existing area of open space with grass and some trees. Policy NH2 relates to protected species, whilst Policy NH5 relates to habitats, species or features of natural heritage importance. Natural Heritage in the SPPS is set out at pages 80 – 85. Policy requirements essentially repeat the provisions of PPS2 and accordingly no conflict arises.

9.8 PPS3 refers roads, access and parking considerations and is a material consideration in that any proposals must make necessary provisions for such matters. Car parking and servicing requirements are set out at Policy AMP7, with design considerations set out at AMP9. Transportation considerations in the SPPS are set out at pages 106-110. Policy requirements essentially repeat the provisions of PPS3 and accordingly no conflict arises.

9.9 The principle of the development of at this location

The proposal is for a community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking. Given the proposal retains recreational use it is considered in accordance with the requirements of Policy OS1. As the proposal replaces an existing pitch plus 2 new MUGA pitches there will be an increase in open space/recreational area within the site. Access is proposed through the privately owned car park to the front of the site with upgraded visibility splays required. An objection was received from an adjacent landowner stating that the red line of the proposed site shows an incursion onto their land ownership. A planning application can be made on land outside the applicant's ownership provided notice is served on the landowner. The objection was forwarded to the applicant and the applicant subsequently served notice on the adjoin landowner and an amended P1 form was submitted to reflect this. This meets planning requirements. It is considered that the proposals, which will provide enhanced recreational facilities, are on balance acceptable.

9.10 Visual impacts of the proposal

Policy OS4 of PPS8 requires that buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment.

9.11 The 3G pitch and MUGAs would have a negligible visual impact on the locality. Public views of the surface would read as green space/playing surface. The associated fencing and in particular floodlights would have a greater visual impact. However, public views of such structures would largely be limited to near distance views from Rosgoill Park and Hillhead Cottages. A large number of new trees are proposed on both of these boundaries however which will aid integration. The community hub and pre nursery structures would have no greater visual impacts than the existing building on site. All buildings and structures are of a scale and character that would be reasonably expected at a sports facility. The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. On balance, the proposal would not result in adverse visual impacts.

The proposals include the erection of 2.5m high wooden noise barriers adjacent to the southern boundary of the site. The applicant has submitted elevations and cross-sections which demonstrate that there will be no adverse visual impact on residential amenity. It is proposed that the barriers are set back from the site boundary behind peripheral landscaping and on this basis they will not appear visually dominant from the rear gardens of dwellings adjoining the site. It is proposed that include a planning condition requiring that the noise barrier is painted green to minimise its visual impact.

9.12 Impact on amenity / character of the area

The application has attracted objections on grounds that the proposal would detrimentally impact amenity due to noise and light disturbance. Policies OS4 and OS7 of PPS8 require consideration of these issues. Policy OS4 requiring proposals to ensure there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated.

9.13 In assessing these impacts, Environmental Health (EH) has been consulted with noise and lighting assessments submitted by the applicant. At the time of writing, a formal response from EH is outstanding, however, we have received an informal response. In relation to floodlights, EH has no objection subject to conditions preventing the operation of the floodlights after 10pm and that the applicant submits a verification report to demonstrate that the vertical lux levels are in compliance with guidance published by the Institute of Lighting Professionals (ILP). With regard to noise, EH has informally indicated that it would require by condition that the noise mitigation barriers are installed and a verification report submitted to confirm that it is installed in line with the submitted details. EH is concerned by potential noise levels at the site especially as the improvements allow the facilities to be used for extended times with the introduction of floodlighting and artificial surfaces. Accordingly, EH has advised that even with the noise barriers in place it requires conditions to limit the hours of use of the facilities. The 3G pitch shall only operate between 0800 – 2130 Monday – Friday and 0900-2130 at weekends; the Ball Wall and MUGAs shall only operate between 0900-1900 Monday-Friday and 1000-1900 at weekends. The formal EH response is awaited and the applicant has not had the opportunity to consider the proposed conditions. Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of the hours of use conditions.

9.14 Impact on the natural environment

Policy OS4 requires that there is no adverse impact on features of importance to nature conservation, archaeology or built heritage. The site is not located within a Conservation Area, Area of Townscape Character, or within an area of archaeological interest. The existing building on the site was initially assessed as having potential to host roosting bats. However further surveys found no evidence of roosting bats within the building and overall bat activity across the site was low. Whilst acknowledging receipt of the Preliminary Ecological Appraisal, Bat Emergence and Activity Survey and the Floodlighting Assessment, NED stated they had no concerns regarding the proposed development having a significant impact on bats and other natural heritage interests.

9.15 NED were subsequently re-consulted due to concerns that Japanese Knotweed may be present on the site. They stated as the application site does not comprise any priority habitats, nor is it hydrologically connected to any designated sites, it considers if Japanese Knotweed is present on site it is unlikely to significantly impact any natural heritage interests. If the application is approved, an informative would be attached to the decision notice highlighting procedures for dealing with this invasive species if found on the site.

9.16 Flood Risk

Policy OS4 requires satisfactory arrangements for drainage to be provided, and specific drainage/flood risk policy is set out in PPS15. A drainage assessment and associated information was submitted for consideration and consultation undertaken with Rivers Agency and NI Water in relation to these matters. Both consultees are satisfied with the mitigation measures proposed and it is therefore considered that the proposal complies with policy and acceptable drainage and flood risk protections measures are proposed.

9.17 Other environmental matters

NIEA cited concern over the potential impact on sewage loading to Belfast waste water treatment works (WWTW). However, NI Water have confirmed that there is available capacity within the WWTW and as such no objection is raised.

9.18 A Preliminary Risk Assessment was submitted relating to the risk of contaminated land on the site. BCC Environmental Health were satisfied with the findings of this.

9.19 Pre-Community Consultation

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 applicants for planning permission to consult the community in advance of submitting an application.

9.20 Section 27 also requires 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. LA04/2017/1854/PAN was submitted to the Council on 02/08/17 and was deemed to be acceptable on 16/08/17. It is considered that the PACC 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.

9.21 Conclusion

The proposal is considered to be in compliance with the development plan.

9.22 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions. Should members agree with the recommendation to approve, delegated authority is requested for the Director of Planning and Building Control to finalize the wording of conditions.

10.0 Summary of Recommendation: Approval with conditions

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions

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

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

2. The development hereby permitted shall not become operational until the vehicular access has been constructed in accordance with the approved access Drawing No. No. 16 Proposed Access Plan published by the Belfast City Council Planning Office on 05 September 2018. The area within the visibility splays 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.

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

3. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No 16 Proposed Access Plan published by the Belfast City Council Planning Office on 05 September 2018 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

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

4. A minimum of 12 No. cycle parking spaces shall be provided and permanently retained close to the accesses to the proposed development for use by visitors to the development.

Reason: to encourage the use of alternative modes of transport for development

5. The development hereby permitted shall operate in accordance with the approved Travel Plan Framework published by the Belfast City Council Planning Office on 05 September 2018. This will include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors, to be agreed by DfI Roads.

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

6. As part of site clearance works, all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Guidance on Pollution Prevention No. 2 (GPP2). Soil and groundwater sampling shall be undertaken for a suitable analytical suite. Should contamination be identified the requirements of Condition 7 will apply.

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

7. 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 Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

8. After completing all remediation works under Condition 6 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring work undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

9. Notwithstanding the submitted details, prior to operation of the hereby approved facilities, the noise barrier shall be painted green in colour or as may be agreed in writing with the Council.

Reason: In the interest of visual amenity.

ANNEX	
Date Valid	11th January 2018
Date First Advertised	26th January 2018
Date Last Advertised	7th February 2020
Details of Neighbour Notification (all addresses) 1 - 8 Shaws Road, Hillhead Cottages,Belfast,Antrim,BT11 9PQ, 10 - 48 Rosgoill Park,Belfast,Antrim,BT11 9QS, 2 Shaws Road, Hillhead Cottages,Belfast,Antrim,BT11 9PQ, 249, Lisburn Road, Belfast, Malone Lower, Antrim, Northern Ireland, BT9 7EN 3 Malone Park, Belfast, Antrim, Northern Ireland, BT9 6NH 4, Hillhead Cottages, Belfast, Antrim, Northern Ireland, BT11 9PQ 52 – 61 Greenan,Belfast,Antrim,BT11 8LX, 74a ,Shaws Road,Belfast,Antrim,BT11 9QJ, 74b ,Shaws Road,Belfast,Antrim,BT11 9QJ, 76 Shaws Road,Belfast,Antrim,BT11 9QJ, 76a ,Shaws Road,Belfast,Antrim,BT11 9QJ, 82- 94 Shaws Road,Belfast,Antrim,BT11 9QR, St Pauls Gaa Club,98a ,Shaws Road,Belfast,Antrim,BT11 9QR,	
Date of Last Neighbour Notification	30/01/20
Planning History Ref ID: LA04/2018/2930/F Proposal: Erection of a spectator stand (with 150 seats, 2 wheelchair spaces with associated access facilities) Address: O'Donovan GAC, Rossa Park, 76 Shaw's Road, Belfast, BT11 9QJ., Decision: PG Decision Date: 08.03.2019 Ref ID: LA04/2017/1109/PAN Proposal: Community Hub, Pre-nursery Building, grass Gaelic Pitch, 3G pitch, 2no floodlit MUGAs, small outdoor play area, landscaping and associated car parking Address: Rossa Park, Shaws Road, Belfast, BT11 9QJ, Decision: PANACC Decision Date: Ref ID: LA04/2018/0022/F Proposal: Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no.classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking Address: Rossa Park, Shaw's Road, Belfast, BT11 9QJ,	

Decision:
Decision Date:

Ref ID: LA04/2017/1224/PAN

Proposal: New Community, cultural and sporting hub for the Upper Andersonstown Area, incorporating:

Community hub building accommodating a multi-functional hall, handball court, fitness and well-being suites, and associated ancillary accommodation:

Pre-nursery building housing two no classrooms and ancillary accommodation

Replacement of a full size floodlit Gaelic football grass pitch, with a 3G pitch of the same size

Two no floodlit multi-use games (MUGAs)

A small outdoor play area adjacent to the nursery

Landscaping, a new footpath link from Shaws Road and associated car parking

Address: Rossa Park, Shaws Road, Belfast, BT11 9QJ,

Decision: PANACC

Decision Date:

Ref ID: LA04/2017/1854/PAN

Proposal: New community, cultural and sporting hub for the Upper Andersonstown Area, incorporating:

1. Community hub building accommodating a multi-functional hall, handball court, fitness and well-being suites, and associated ancillary accommodation;
2. Pre nursery building housing two No. classrooms and associated ancillary accommodation.
3. Replacement of a full size floodlit Gaelic football pitch, with a 3G pitch of the same size;
4. Two No. floodlight multi-use games areas (MUGAs);
5. A small outdoor play area adjacent to the nursery.
6. Landscaping, a new footpath link from Shaws Road and associated car parking.

The site area is 2.37ha.

Address: Rossa Park, Shaws Road, Belfast, BT11 9QJ,

Decision: PANACC

Decision Date:

Ref ID: LA04/2019/2943/F

Proposal: Fence and gates.

Address: 94 Shaws Road, Belfast, BT11 9PR.,

Decision:

Decision Date:

Ref ID: Z/2013/0073/F

Proposal: Environmental improvement scheme to include shop frontage upgrade, resurfacing, rationalising parking, boundary treatments, soft planting and lighting.

Address: 78-94 Shaws Road, Belfast, BT11,

Decision: PG

Decision Date: 17.01.2014

Ref ID: Z/1998/2573

Proposal: Single storey extension to side and rear of existing dwelling.

Address: 20 ROSGOILL PARK, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1986/2325

Proposal: Erection of detached house with integral garage

Address: SITE 2, SHAWS ROAD DEVELOPMENT, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1996/2659

Proposal: Construction of 19 dwellings and associated external works

Address: 1-8 HILLHEAD COTTAGES SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1997/2276

Proposal: Change of house type to 1 of 19 dwellings approved under Z/96/2659

Address: 1-8 HILLHEAD COTTAGES, SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: LA04/2015/0031/F

Proposal: A single storey extension to the rear to provide a bedroom, shower room and lobby

Address: 76 Shaw's Road, Belfast, BT11 9QJ,

Decision: PG

Decision Date: 23.06.2015

Ref ID: Z/1999/2376

Proposal: Erection of team changing rooms and addition of exit lobby to existing clubroom.

Address: ST PAULS GAC, SHAWS ROAD, BELFAST, BT11

Decision:

Decision Date:

Ref ID: Z/2003/1205/F

Proposal: Extension to existing shop and storage area.

Address: Hillhead Shopping Centre, Shaws Road, Belfast, BT11

Decision:

Decision Date: 07.01.2004

Ref ID: Z/2006/0667/F

Proposal: Development comprising 9 no. retail units, 10 no. office units and 35 no. apartment units over 5 floors plus semi basement (amended scheme).

Address: 78-81 Shaws Road, Belfast, BT11 9PS

Decision:

Decision Date: 28.05.2008

Ref ID: Z/1991/2952

Proposal: Extension and alterations to bookmakers premises

Address: 94 SHAWS ROAD BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1998/2085

Proposal: Change of part of existing ground floor retail unit to hot food carryout.

Address: UNIT 2, HILLHEAD SHOPPING CENTRE, SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/2002/1773/F

Proposal: Extension to existing shop & storage area

Address: Shaws Road Hill Head Shopping Centre Belfast

Decision:

Decision Date: 10.09.2002

Ref ID: Z/1976/0342

Proposal: ERECTION OF PUBLIC HOUSE

Address: SHAWS ROAD

Decision:

Decision Date:

Ref ID: Z/1985/0796

Proposal: ERECTION OF TAXI OFFICE

Address: VACENT SITE AT HILLHEAD SHOPPING COMPLEX, SHAWS ROAD

Decision:

Decision Date:

Ref ID: Z/1991/2683

Proposal: Change of use from store to taxi booking office

Address: UNIT 1A BROOKE PARK SHOPPING CENTRE BROOKE PARK, BELFAST BT10

Decision:

Decision Date:

Ref ID: Z/1995/2115

Proposal: Subdivision of existing taxi depot to create taxi depot and hot food carryout

Address: 1A HILLHEAD SHOPPING CENTRE SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1986/1561

Proposal: TAXI OFFICE

Address: HILLHEAD SHOPPING COMPLEX SITE, SHAWS ROAD, BT11

Decision:

Decision Date:

Ref ID: Z/1998/2601

Proposal: Extension to taxi depot office

Address: 98C SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1995/2240

Proposal: Display of illuminated signage

Address: 1A HILLHEAD SHOPPING CENTRE, SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1994/2394

Proposal: Construction of 2 dwellings

Address: LAND TO THE SIDE OF 8 HILLHEAD COTTAGES SHAWS ROAD BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1974/0965

Proposal: ERECTION OF CLUB HOUSE AND DRESSING ROOMS

Address: STEWARTSTOWN PARK (SPORTS GROUND)

Decision:

Decision Date:

Ref ID: Z/2000/0465/F

Proposal: 2 No.40 metre long by 10.8 metre high nets to provide ball stops at existing playing fields.

Address: 25A Stewartstown Avenue, Belfast

Decision:

Decision Date: 09.06.2000

Ref ID: Z/1986/1310

Proposal: HOUSING DEVELOPMENT

Address: SHAWS ROAD, LAND APPROX 100 METRES TO REAR OF HILLHEAD AVENUE, BT11

Decision:

Decision Date:

Ref ID: Z/1985/1577

Proposal: CONSTRUCTION OF NEW HOUSING DEVELOPMENT

Address: SHAWS ROAD

Decision:

Decision Date:

Ref ID: Z/1990/2764

Proposal: Erection of 2 storey dwelling

Address: SITE ADJACENT TO NO 12 ROSGOILL SHAWS ROAD BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1988/3336

Proposal: Erection of 2 storey block of 8 apartments

Address: SHAWS ROAD HOUSING DEVELOPMENT (TO REAR OF HILLHEAD COTTAGE)
BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1987/0456

Proposal: Housing Developement (Phase 2)

Address: SHAWS ROAD BELFAST

Decision:

Decision Date:

Ref ID: Z/2004/1167/F

Proposal: New detached garage

Address: 44 Rosgoill Park, Belfast, BT11 9QS

Decision:

Decision Date: 09.07.2004

Ref ID: Z/2006/1363/F

Proposal: First floor extension to side of dwelling.

Address: 36 Rosgoill Park, Ballymoney, Belfast, Northern Ireland, BT11 9QS

Decision:

Decision Date: 07.08.2006

Ref ID: Z/2005/0068/F

Proposal: Erection of single-storey extension to front of existing dwelling (amended description).

Address: 26 Rosgoill Park, Belfast. BT11 9QS

Decision:

Decision Date: 11.03.2005

Ref ID: Z/2002/2315/F

Proposal: Sun room to rear of dwelling.

Address: 26 Rosgoill Park Belfast BT11 9QB

Decision:

Decision Date: 30.01.2003

Ref ID: Z/2014/1254/F

Proposal: Single storey extension to the rear of dwelling.

Address: 74A Shaw's Road, Belfast, BT11 9QJ,

Decision: PG

Decision Date: 27.11.2014

Ref ID: Z/2014/0177/F

Proposal: Single storey extension to rear and alterations to front elevation

Address: 44 Rosgoill Park, Belfast, BT11 9QU,

Decision: PG

Decision Date: 15.05.2014

Notification to Department (if relevant)

Date of Notification to Department: N/A

Response of Department: N/A

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2257/F	
Proposal: Erection of 16 storey residential building comprising 105 units (60 x one bed and 45 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), roof terrace, plant room, substation and associated public realm works. (Amendment to planning permission reference (LA04/2017/2811/F)).	Location: 81-87 Academy Street & 2-6 Exchange Street, Belfast BT1 2LS.
Referral Route: Major application	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Lacuna Academy Street Ltd 74A High Street Holywood BT18 9AE	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: The application seeks full permission for the a 16 storey residential building comprising 105 units (60 x one bed and 45 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), roof terrace, plant room, substation and associated public realm works. The application is an alternative scheme to a previous planning permission for 90 units (LA04/2017/2811/F). The key issues are: <ul style="list-style-type: none"> • principle of development • design and impact on the Conservation Area • impact on built heritage • amenity and open space • access, movement, parking and transportation, including road safety • flood risk • other environmental matters • developer contributions <p>The application site is located at 81-87 Academy Street and 2-6 Exchange Street, Belfast. The site until recently was partly occupied by a three storey derelict building in the northern half of the site with the southern half occupied by a surface level car park. Demolition of the building has already taken place and the site is now vacant. The site is in the vicinity of a number of listed buildings. The site is located within Cathedral Conservation Area as designated within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP).</p>	

BCC Environmental Health, HED Historic Buildings, DfI Roads Service, and BCC Urban Design Officer all have objected to or raised issues regarding the proposed development.

Northern Ireland Water Ltd, DfI HED Historic Monuments, DfI Rivers Agency, DAERA Water Management Unit, DAERA Regulation Unit, Belfast City Airport, BCC Conservation Officer have raised no objections, subject to certain conditions.

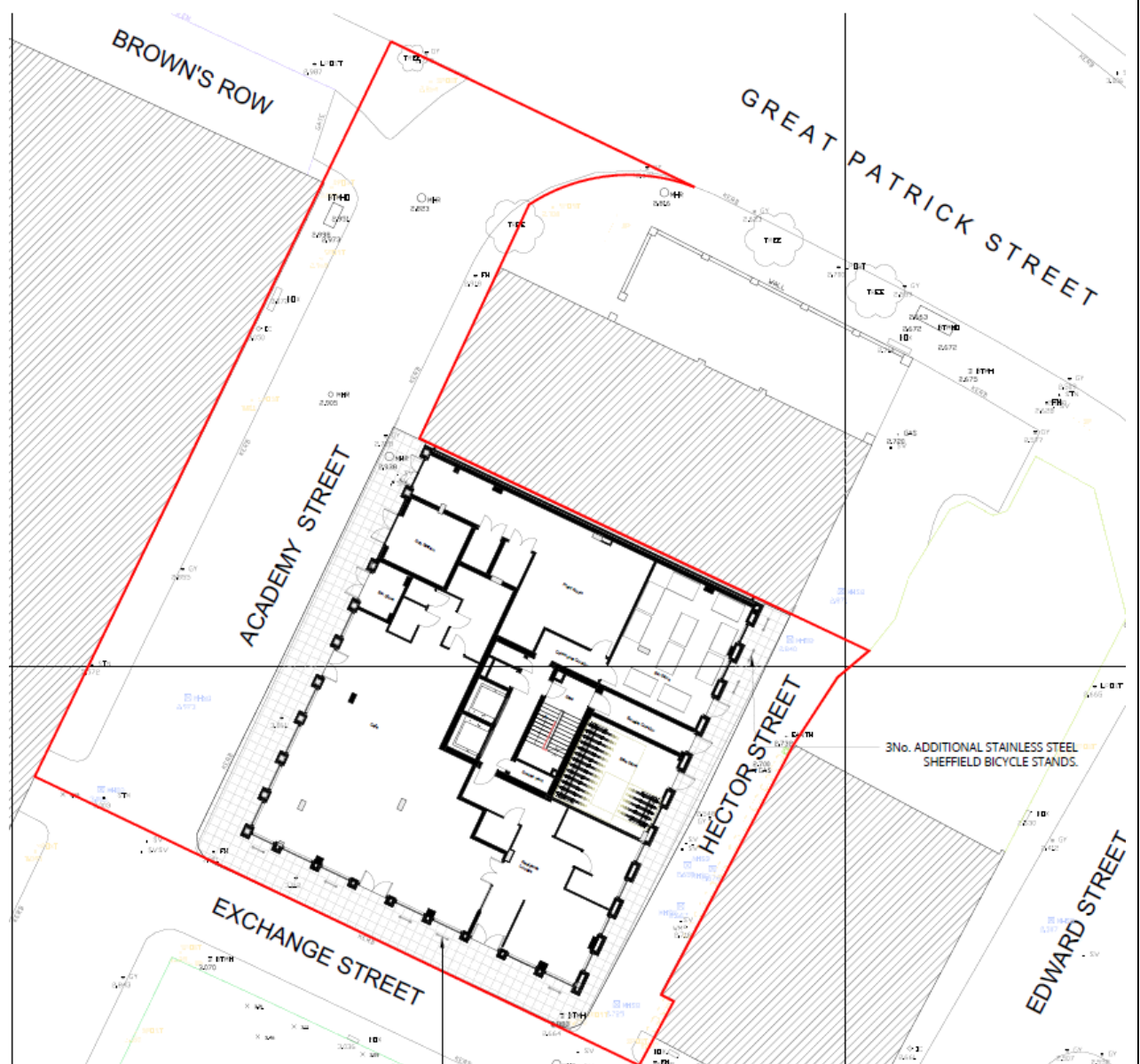
Having regard to the previous approval under LA04/2017/2811/F for 'Demolition of existing building and erection of 16 storey residential building comprising 90 units (30 x one bed and 60 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), plant room, substation and associated public realm works' the proposal is considered, on balance, acceptable.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission, subject to receipt of final comments from DfI Roads, resolution of the detailed design issues raised by the Urban Design Officer and HED, submission of the noise information, finalising the wording of conditions and completion of a Section 76 planning agreement.

If Members accept the officer recommendation, it is unnecessary to notify the Department for Infrastructure of the application under the provisions of the Planning (Notification of Applications) Direction 2017 on the basis that the objections from statutory consultees are not significant, given the previous planning permission for a similar development at the site.

Case Officer Report

Site Location Plan



Representations:

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

Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The application seeks full planning permission for the erection of 16 storey residential building comprising 105 units (60 x one bed and 45 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage),

roof terrace, plant room, substation and associated public realm works. The application is an alternative scheme to a previous planning permission for 90 units (LA04/2017/2811/F).

2.0 Description of Site

2.1 The application site is located at 81-87 Academy Street and 2-6 Exchange Street, Belfast. The site until recently was partly occupied by a three storey derelict building in the northern half of the site with the southern half occupied by a surface level car park. Demolition of the building has already taken place and the site is now vacant.

2.2 The site is a small parcel of land and is bounded by Academy Street to the west; Exchange Street to the south; and Hector Street to the east. The site abuts a 3 storey eye clinic on its north side beyond which is Great Patrick Street (A2). A number of new substantial Purpose Built Student Accommodation blocks are being constructed to the far side of Great Patrick Street to the north. To the immediate west is the former Belfast Education and Library Board building (up to 4 storeys), beyond which is part of the new Ulster University campus. To the south is The Mac (8 storeys) and to the east is a commercial building (3 storeys).

2.3 The site is in the vicinity of a number of listed buildings. Notably, these include the Belfast Education and Library Board building to the immediate west of the site (Grade B2 Listed); and St. Anne's Cathedral further to the south (Grade A Listed). The site is located within Cathedral Conservation Area as designated within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP).

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 There are a number of planning approvals on the actual site and surrounding it. The most relevant however is a recently approved permission on the site, under application reference LA04/2017/2811/F for "Demolition of existing building and erection of 16 storey residential building comprising 90 units (30 x one bed and 60 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), plant room, substation and associated public realm works" which was granted permission on 02/05/19. An accompanying application to demolish the building was granted under LA04/2017/2783/DCA on 02/05/19. The proposal falls under the category of Major Development, however, Pre Application Community Consultation was carried out under the planning reference LA04/2019/1164/PAN.

4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001 (BUAP)

4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) 2004

4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015

4.4 Developer Contribution Framework 2020

4.5 Strategic Planning Policy Statement (SPPS)

4.6 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.7 Planning Policy Statement (PPS) 6: Planning, Archaeology and the Built Heritage

4.8 Planning Policy Statement (PPS) 7: Quality Residential Environments

4.9 Planning Policy Statement (PPS) 8: Open Space, Sport and Outdoor Recreation

4.10 Planning Policy Statement (PPS) 13: Transportation and Land Use

4.11 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees

5.1 DfI Roads Service – Objection

5.2 Northern Ireland Water Ltd – No objection

5.3 DfI Rivers Agency – No objection

5.4 DfC HED Historic Buildings – Objection

5.5 DfC HED Historic Monuments - No objection subject to conditions

5.6 DAERA Regulation Unit – No objection subject to conditions

5.7 DAERA Water Management Unit – No objection

6.0 Non Statutory Consultees

6.1 BCC Environmental Health – Issues raised

6.2 BCC Urban Design Officer – Issues raised

6.3 BCC Conservation Officer – No objection

6.4 Belfast City Airport – No objection

7.0 Representations

The application has been neighbour notified and advertised in the local press. No written representations have been received.

8.0 Other Material Considerations

8.1 Parking Standards

8.2 Creating Places (former DoE)

8.3 Cathedral Quarter Conservation Area Guidance Document

9.0 Assessment

9.1 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remain contentious). The site is located inside the development limits of Belfast as shown in the draft Belfast Metropolitan Area Plan 2015 and within the Cathedral Quarter Conservation Area.

9.2 The proposed development is for the erection of a 16 storey residential building comprising 105 residential units and associated public realm works. This is an alternative to a previous approved scheme (LA04/2017/2811/F) for 90 units and this report shall address the changes.

9.3 The key issues are:

- principle of development
- design and impact on the Conservation Area
- impact on built heritage
- amenity and open space
- access, movement, parking and transportation, including road safety
- flood risk
- other environmental matters
- developer contributions

9.4 Principle of development

The site is within the development limits of Belfast in BUAP, and both versions of Draft BMAP (2004 and 2014) where residential use is acceptable in principle. The site is currently vacant and is previously developed land. The principle of a development of this broad form, scale and use in this location has already been established through the previous planning permission. This represents a fall-back which could be implemented as an alternative were planning permission for the current scheme to be refused. The proposed development would help fulfil the strategic objectives of the *Belfast Agenda* by encouraging city centre living. It is considered that the

redevelopment of the site will represent a more productive use of the site and is acceptable subject to the consideration of the planning issues discussed below.

9.5 Design and impact on the Conservation Area

The proposed building's form, building height, massing, materials, and fenestration remains the same as approved previously, and in this regard remain acceptable.

9.6 The proposed building remains 16 storeys with 105 apartments as opposed to 90 as previously approved. An additional apartment is proposed on each of the upper floors from first floor upwards. These range in size from 45.1 sqm (smallest one bedroom apartment) to 65.1 sqm (smallest two bedroom apartment). These are within acceptable space standards for dwellings in "established residential areas" (i.e. residential neighbourhoods dominated by medium to low density single family housing with associated private amenity space or gardens) set out in Annex A of the Addendum PPS7. However, Members should note that these standards do not apply to this city centre site. The other changes are alterations to the roof top, changes to the public realm proposals, elevational changes, and changes to the ground floor layout.

9.7 Those apartments along Academy Street from the 1st to 3rd floor will benefit from private terraces as previously approved, as will those corner apartments along the southern side of the building from 4th to 15th floors and those on the northern side from 13th to 15th floors.

9.8 From drawings received electronically on 24 Feb 2020 (awaiting hard copies at the time of writing), updated to include additional annotation, it is noted that all materials proposed remain the same as previously approved and will include brick, bronze metallic finished aluminium rain screen panels, bronze metallic finished aluminium rain screen folded panels, glazed doors, windows and curtain walling panels. A condition shall be attached should approval be granted for the submission of samples of external materials to be agreed in writing by the Planning Authority prior to the commencement of development.

9.9 BCC's Urban Design Officer raises a number of issues, and draws particular attention to the previously approved building articulation which responded positively to the tripartite principle of base, middle and top: *'Angled bronze panelling was applied to the lower four floors along with strong horizontal bronze panelling which together with the setback along Academy Street helped to define the 'base' of the building. The bronze panelling above level 03 was then applied as a straight run up to and including level 12 (i.e. without the stronger horizontal panelling element of the lower floors) thereby giving definition to the 'middle' section of the building. A more delicate folded form was then applied to the panelling in order to give definition to the upper three storeys (top) of the building. The definition of this 'top' element was continued along both Academy Street and Hector Street elevations by way of a defined horizontal brick 'cornice' detail above level 12 and the incorporation of corner balconies for those upper three floors on the northern elevation.'* He went on to say *'all of these design details appear to have now been removed from the elevations which in my view undermines and waters down the initial design concept and results in a more uniform and flatter elevation.'* Officers advise that these design elements must be reintroduced to achieve an appropriate quality development.

9.10 The BCC Conservation Officer concludes that the amendments to the previous approval are "minor in nature" and therefore would not introduce any demonstrable harm to the character and appearance of the conservation area above or beyond what has previously been granted approval. Therefore the proposal is considered acceptable having regard to Policy BH12, New Development in a Conservation Area, of PPS 6.

9.11 There are a number of changes to the ground floor layout. There is a smaller reception area than previously approved provided off Exchange Street. All residents will enter at this point with access to the resident's cycle storage only via a door off Hector Street. Although this is acceptable with regards to visual amenity DfI Roads Service have objected to this arrangement

and have requested an internal access also (this issue is covered later in the report). A minor reconfiguration of the switch rooms which are accessed via the plant room directly off Academy Street is proposed as well as switching the bin store and bike store locations along Hector Street. A larger café than previously approved is proposed. These changes collectively are considered minor in nature and acceptable from an overall design point of view.

9.12 Impact on Built Heritage

The application site is located within an area of archaeological potential. HED Historic Monuments has assessed the application and on the basis of the information provided is content that the proposal complies with SPPS and PPS 6 archaeological policy requirements subject to conditions for the agreement and implementation of a developer funded programme of archaeological works.

9.13 The proposal is directly adjacent to Belfast Education and Library Board building as well as in the vicinity of St Anne's Cathedral, both of which are listed, and therefore HED Historic Buildings were consulted. HED objected to the previous application stating that it was contrary to PPS 6 on grounds of adverse impact on the setting of nearby Listed Buildings by reason of the height and design of the building. Historic Buildings stated within their response to the current application that *'Internal reconfiguration to provide more accommodation does not impact significantly on the building envelope and for this reason HED would advise this aspect to be of no greater demonstrable harm than the consented scheme. It should be noted nonetheless that consent for the approved proposal was granted against HED advice.'* They have sought clarification of the proposed materials, submission and agreement of which they advise should be controlled by conditions should planning permission be granted. Officers consider that subject to clarification of points relating to the detailed design of the building, as previously covered in this report, the proposal would have no greater impact on the setting of the Listed Buildings than the previous permission. The Council concluded that the previous scheme would not have a harmful impact on the setting of the Listed Buildings and the current proposal does not raise any additional impacts in this regard.

9.14 Amenity and Open Space

PPS7 and PPS8 requires that residential developments should provide a certain level of private amenity space and open space for prospective residents. The level of provision should be broadly in line with the Creating Places guidance. Amenity space as previously approved was shown in the form of balconies on 27 of the 90 units, as well as a rooftop terrace, with a total provision of approximately 480 square metres. This equated to an average of 5.3 sqm per unit. The proposed development, as amended, shows a larger rooftop landscaped area with balconies on 42 of the 105 units, and a total provision of approximately 509 square metres amenity space. This equates to an average of 4.8 sqm per unit.

9.15 Creating Places states that in the case of apartment or flat developments, private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. These should range from a minimum of 10 sqm per unit to around 30 sqm per unit. The extant planning permission is already less than the minimum standard and the current proposal would be slightly less again. Given the inner urban context of the site this level of amenity is on balance acceptable. Regard is had to the close proximity of Buoy Park located approximately 100m south-west of the site, which is expected to be redesigned to provide a high quality form of amenity within the city centre.

9.16 In terms of public open space, Policy OS2 of PPS8 requires residential schemes of 25 units or more to make on-site provision. An exception to the requirement will be permitted in the case of apartment developments where a reasonable level of private communal open space is being provided. It is acknowledged that the proposal would provide less than the usual minimum standard of private amenity space. However, regard is had to the previous planning permission and again to the proximity to Buoy Park.

9.17 Access, movement, parking and transportation, including road safety

DFI Roads commented on the application on 04 February 2020 and advised that it was unacceptable in its then form. It identified the following issues as needing to be addressed.

- Cycle parking must be accessible through the lobby to allow residents to access their bicycles from within the building;
- Appropriate facilities should be provided for people with disabilities;
- The proposed public realm improvements outside the building will need to be maintained by the applicant for a period of 10 years as part of a Section 76 planning agreement;
- The materials used on the footways, pedestrianised road surfaces and pedestrianised public realm should be in accordance with *Streets Ahead 3* Palette of Materials and meet the necessary standards;
- The applicant should make available 2 car club spaces on land under the applicant's control within a short distance of the site for a minimum of 5 years.

9.18 As with the previous scheme, the proposal does not provide any dedicated on-site parking. DFI Roads advise that the applicant's approach to the shortfall in parking through measures in the Travel Plan, including the proposed travel cards, is broadly acceptable.

9.19 The proposed bike store will cater for 36 spaces as previously approved with an additional five cycle stands provided along Exchange Street, again as previously approved. The applicant has submitted amended plans showing internal access to the bike store. These plans are being considered by DFI Roads and their comments are awaited.

9.20 With regard to the provision of appropriate facilities for disabled persons, the building will be fully accessible to persons within wheelchairs with barrier free access from all ground floor external doors and access to upper floors via lift to all floors including the roof top garden terrace. The building will need to comply with Building Regulation disability standards.

9.21 The applicant states that the proposed public realm upgrade works have not changed when compared with the previous approval (ref. LA04/2017/2811/F), and accord with the *Streets Ahead 3* materials and standards. They also state that a Private Streets Determination drawing was approved under the previous application. DFI Roads are currently considering these points.

9.22 The applicant proposes to provide a travel card for each apartment unit (105) for a period of 5 years, consistent with the previous approval. The travel cards would provide free travel to residents and encourage a modal shift to public transport. If Members accept the officer recommendation, the travel cards and travel plan would need to be secured by means of a Section 76 planning agreement as was the case with the previous permission. Whilst DFI Roads have requested additional sustainable transport measures in the form of two dedicated car club spaces, it is considered that this requirement is unreasonable given the fall-back of the previous planning permission. It is considered disproportionate to require these car club spaces given the increase in the number of units is only 15.

9.23 Flood Risk

Since the proposal is for development of more than 10 units Policy FLD 3 of PPS 15 applies. A Drainage Assessment has been submitted as well as Flood Risk Assessment, and sent to DFI Rivers Agency for comment. They responded on 27/11/19 with no objection. NI Water Ltd also stated no objection to the proposal. Regard is also had to the previous planning permission. The proposed development is considered acceptable with respect to flood risk and drainage.

9.24 Other environmental matters

A Preliminary Risk Assessment and Generic Quantitative Risk Assessment were submitted relating to the risk of contaminated land on the site. BCC Environmental Health and DEARA

both responded with no objection to the proposal and suggesting conditions to be included should approval be granted relating to the submission of a verification report relating to any remediation works carried out. The submission and agreement of a Piling Risk Assessment prior to the commencement of development will be conditioned should approval be granted.

9.25 DAERA Water Management Unit cited concern over the potential impact on sewage loading to Belfast waste water treatment works (WWTW). However, NI Water have confirmed that there is available capacity within the WWTW and as such no objection is raised.

9.26 A noise impact assessment was submitted which included information relating to the previous approval. Since the plans have changed slightly EHO have requested that confirmation that the sound reduction for the windows are based on the revised drawings with consideration given to the glazing to external doors from the habitable rooms also. This information is currently outstanding.

9.27 An air quality assessment was also submitted which demonstrated the proposed development will not have an adverse impact on the air quality in the vicinity of the site and occupants will not be exposed to air quality concentrations that exceeding UK Air Quality objectives. They have suggested two conditions to be attached should approval be granted however relating to the submission of a Construction Environmental Management Plan and hot water plant details.

9.28 EHO raised concern relating to the potential for odours from the proposed ground floor café and requested additional information relating to this. Details of which can be conditioned to be submitted and agreed in writing prior to the operation of the development, if approved.

9.29 Developer Contributions

The developer entered into Section 76 legal agreement with Belfast City Council with regards to the previous approval. This secured travel cards, a travel plan and community apprenticeships. The developer has expressed a willingness to provide an additional 15 travel cards to cover the additional apartments as part of the amended scheme with a new Section 76 legal agreement. The planning obligations relating to the travel plan and community apprenticeships should also be repeated. The recommendation to grant planning permission is therefore subject to the completion of a Section 76 planning agreement to secure these.

9.30 Conclusion

Having regard to the policy context, planning history on the site and other material considerations above, the proposal is considered on balance acceptable and planning permission is recommended for approval subject to conditions and a Section 76 planning agreement.

9.31 It is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission, subject to receipt of further comments from DFI Roads, resolution of the detailed design issues raised by the Urban Design Officer and HED, submission of the noise information, finalising the wording of conditions and completion of a Section 76 planning agreement.

9.32 If Members accept the officer recommendation, it is considered unnecessary to notify the Department for Infrastructure of the application under the provisions of the Planning (Notification of Applications) Direction 2017 on the basis that the objections from statutory consultees are not deemed significant, given the fall-back and previous planning permission for a similar development at the site.

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions:

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

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

2. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

3. After completing the remediation works under Condition 2; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable.

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

4. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in 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 available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

5. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority 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 Planning Authority 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.

Reason: Protection of human health.

6. Prior to commencement of development, a Construction Environmental Management Plan must be submitted for review and approval by Belfast City Council. This Plan should outline the methods to be employed to minimise noise, vibration and dust impact from demolition and construction operations demonstrating best practicable means. The Plan should pay due regard to BS 5228:2009+1 A1:2014 Code of practice for noise and vibration control on construction and open sites part 1: Noise and Part 2: Vibration, and IAQM Guidance on the assessment of dust from demolition and construction 2014 and include the proposed noise, dust and vibration monitoring methods, noise, vibration and dust mitigation methods and arrangements for neighbour liaison..

Reason: Protection of amenity of neighbouring properties.

7. Prior to the installation of the combined heating and hot water plant details of the emission rates and location and height of the termination point (S) of the flue must be submitted to and approved in writing by the Council. Based on this information an additional air quality assessment may be required. The assessment must demonstrate that occupants of the proposed development, including the users of the roof top terrace will not be exposed to concentrations of air pollution in excess of air strategy objectives.

Reason: Protection of human health.

8. Prior to the commencement of development full details of the ventilation and extraction system for the proposed ground floor cafe use shall be submitted to and agreed in writing with the Planning Authority. The ventilation and extraction system shall be installed in accordance with the approved details prior to occupation and shall be retained in situ at all times.

Reason: Protection of amenity.

9. The development hereby approved shall not be occupied unless the roof top communal amenity space has been provided in accordance with the approved details. The roof top communal amenity space shall be retained as such at all times.

Reason: To provide adequate communal amenity space.

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

10. Notwithstanding the details shown on stamped approved drawings, no development shall be carried out unless full particulars of the following have been submitted to and approved in writing by the Council.
 - a. A detailed schedule for all external finishes
 - b. A sample panel of all external finishes

The sample panel shall remain on site for the duration of the construction.

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

Reason: To ensure the external appearance of the building is satisfactory and in the interests of visual amenity.

11. Prior to the commencement of development a lighting strategy detailing how the north façade of the building will be illuminated shall be submitted and approved by the Planning Authority in writing. The external lighting shall be implemented and maintained in accordance with the approved details.

Reason: To ensure the external appearance of the building is satisfactory and in the interests of visual amenity.

12. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

No site works shall take place other than in accordance with the approved POW.

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

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

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

14. The public realm improvement works shall be completed in accordance with the approved plans prior to occupation of the first residential unit hereby approved.

Reason: In the interests of visual amenity and to ensure the provision of a high quality public realm.

15. The development shall not be occupied until bicycle storage has been provided in accordance with the approved plans and shall be permanently retained as such.

Reason: To promote sustainable alternative modes of transport.

16. The development shall not be occupied until the waste storage area has been provided in accordance with the approved plans and shall be permanently retained as such.

Reason: In the interests of the amenities of the area.

ANNEX	
Date Valid	24th September 2019
Date First Advertised	8th November 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) 1 Hector Street,Belfast,Antrim,BT1 2HS 14 Hector Street,Belfast,Antrim,BT1 2HS 1st Floor Office,89-91 ,Academy Street,Belfast,Antrim,BT1 2LS 28 Great Patrick Street,Belfast,Antrim,BT1 2LT 2nd Floor Office,89-91 ,Academy Street,Belfast,Antrim,BT1 2LS 32-34 ,Great Patrick Street,Belfast,Antrim,BT1 2LT 32a ,Great Patrick Street,Belfast,Antrim,BT1 2LT 36-38 ,Great Patrick Street,Belfast,Antrim,BT1 2LT 40 Academy Street,Belfast,Antrim,BT1 2NQ 40 Great Patrick Street,Belfast,Antrim,BT1 2LT 40-46 ,Edward Street,Belfast,Antrim,BT1 2LP 7 – 9 Exchange Street,Belfast,Antrim,BT1 2LJ	
Date of Last Neighbour Notification	29th November 2019
Date of EIA Determination	N/A
ES Requested	No
Planning History Ref ID: LA04/2019/1164/PAN Proposal: Material change to development approved under LA04/2017/2811/F to accommodate additional 15 apartments, effect consequential adjustments to elevations and reflect minor changes to ground floor new apartment total 105; no change to building height. Address: 81-87 Academy Street and 2-6 Exchange Street, Belfast., Decision: PANACC Decision Date:	

Ref ID: LA04/2019/1046/DC

Proposal: Discharge of condition 10 LA04/2017/2811/F

Address: 81-87 Academy Street &, 2-6 Exchange Street, Belfast, BT1 2LS.,

Decision: RL

Decision Date:

Ref ID: Z/1988/2334

Proposal: Change of use to social club and provision of shop unit

Address: 166/168 NORTH STREET BELFAST BT1

Decision:

Decision Date:

Ref ID: LA04/2017/0566/PAN

Proposal: Demolition of the existing buildings and re-development of the site, including the provision of up to 96 private rented apartments and ancillary ground floor uses including reception/lobby, communal amenity, servicing (refuse/recycling/bike storage/general storage), plan room and sub-station.

Address: 81-87 Academy Street and 2-6 Exchange Street, Belfast, BT1 2LS,

Decision: PANACC

Decision Date:

Ref ID: LA04/2017/2783/DCA

Proposal: Demolition of existing building to facilitate redevelopment of site for a residential building.

Address: 81-87 Academy Street &, 2-6 Exchange Street, Belfast, BT1 2LS,

Decision: CG

Decision Date: 03.05.2019

Ref ID: LA04/2017/2811/F

Proposal: Demolition of existing building and erection of 16 storey residential building comprising 90 units (30 x one bed and 60 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), plant room, substation and associated public realm works.

Address: 81-87 Academy Street &, 2-6 Exchange Street, Belfast, BT1 2LS,

Decision: PG

Decision Date: 03.05.2019

Ref ID: LA04/2017/0119/F

Proposal: Belfast Streets Ahead-Phase 3. Public realm/environmental improvement project Provision of stone paving, street furniture, trees, lighting, and soft landscaping.

Address: Frederick Street, Great Patrick Street and Exchange Street West.,

Decision: PG

Decision Date: 22.09.2017

Ref ID: LA04/2017/1347/PAN

Proposal: Demolition of existing building and re development of the site including the provision of circa. 121 private rented apartments and ancillary ground floor and mezzanine uses including reception/lobby, cafe, communal amenity, servicing (refuse/recycling/bike storage/general storage), plant room and sub-station.

Address: 81-87 Academy Street and, 2-6 Exchange Street, Belfast, BT12LS,
Decision: PANACC
Decision Date:

Ref ID: Z/2005/0389/F

Proposal: Construction of a new road junction at Edward Street and Dunbar link; relocation of the existing junction of Talbot Street with Dunbar link; and the provision of a new link road between Hector Street and Edward Street.

Address: 40-46 Edward Street, Edward Street junction with Dunbar Link, Talbot Street junction with Dunbar Link, Belfast BT1 2LP

Decision:

Decision Date: 12.05.2006

Ref ID: Z/2013/0845/F

Proposal: Proposed change of use to Class D1 (a) Medical or Health Services - including alterations and refurbishment works to the interior of the building.

Address: 89-91 Academy Street Town Parks, Belfast, BT1 2LS,

Decision: PG

Decision Date: 19.11.2013

Ref ID: Z/1985/1024

Proposal: NEW VEHICULAR ACCESS AND RE-ROOFING

Address: 81-87 ACADEMY STREET

Decision:

Decision Date:

Ref ID: Z/1990/2329

Proposal: Refurbishment of vacant warehouse/offices and conversion to two showrooms and associated offices

Address: 81-87 ACADEMY STREET, BELFAST BT1

Decision:

Decision Date:

Ref ID: Z/2005/0091/DCA

Proposal: Demolition of existing 3-storey building.

Address: 81-87 Academy Street, Town Parks, Belfast, Northern Ireland, BT1 2LS

Decision:

Decision Date: 02.10.2006

Ref ID: Z/2004/2997/F

Proposal: Erection of a five storey office building (amended scheme)

Address: 81-87 Academy Street, Belfast BT1 2LS

Decision:

Decision Date: 02.10.2006

Ref ID: Z/1976/0312

Proposal: WORKSHOP/SHOWROOM AND OFFICE

Address: 77-79 ACADEMY STREET 2-4 EXCHANGE STREET

Decision:

Decision Date:

Ref ID: Z/1979/1122

Proposal: WORKSHOP/SHOWROOM AND OFFICE

Address: 77/79 ACADEMY STREET AND 2-4 EXCHANGE STREET

Decision:

Decision Date:

Ref ID: Z/2011/0132/A

Proposal: 1 no. 48 sheet advertisement panel for a temporary period of 6 months

Address: Lands opposite Saint Anne's Square at the corner of Edward Street and Great Patrick Street Belfast BT1 2LD,

Decision:

Decision Date: 09.08.2011

Ref ID: Z/1979/1383

Proposal: 2/48 SHEET WALL PANELS

Address: GABLE OF 40-46 EDWARD STREET, BELFAST

Decision:

Decision Date:

Ref ID: Z/1987/2260

Proposal: Intermittent illuminated sign on gable wall

Address: 38 EDWARD STREET BELFAST BT1

Decision:

Decision Date:

Ref ID: Z/1987/1762

Proposal: Shop signage

Address: 40/46 EDWARD STREET BELFAST

Decision:

Decision Date:

Ref ID: Z/2005/0395/DCA

Proposal: Demolition of existing industrial building to enable construction of a new link road between Hector Street and Edward Street.

Address: 40 - 46, Edward Street, Town Parks, Belfast, Northern Ireland, BT01 2LP

Decision:

Decision Date: 12.05.2006

Ref ID: Z/1985/1548

Proposal: ALTERATIONS TO WAREHOUSE PREMISES

Address: 40-46 EDWARD STREET

Decision:

Decision Date:

Ref ID: Z/2007/3060/F

Proposal: New public arts centre including a 350-seat and a 120-seat auditoria, art galleries and associated ancillary accommodation. Proposed alterations to Exchange St and Edward St to provide level 'shared' surface. (amended plans received)

Address: Lands between Exchange Street, Exchange Street West, to include Hector Street (all to the North East of St Anne's Cathedral), Belfast

Decision:

Decision Date: 05.02.2009

Ref ID: Z/1990/2384

Proposal: Shop and office development

Address: 8 EXCHANGE STREET BELFAST BT1

Decision:

Decision Date:

Ref ID: LA04/2019/2257/F

Proposal: Erection of 16 storey residential building comprising 105 units (60 x one bed and 45 x two bed), ancillary ground floor uses including management suite, cafe, servicing (refuse/recycling/cycle storage/general storage), roof terrace, plant room, substation and associated public realm works. (Amendment to planning permission reference (LA04/2017/2811/F).

Address: 81-87 Academy Street &, 2-6 Exchange Street, Belfast, BT1 2LS.,

Decision:

Decision Date:

Ref ID: LA04/2019/1995/DC

Proposal: Discharge of condition 10 LA04/2017/2811/F.

Address: 81-87 Academy Street & 2-6 Exchange Street, Belfast, BT1 2LS.,

Decision: AL

Decision Date:

Ref ID: Z/2014/0554/F

Proposal: Proposed minor changes to external elevations in conjunction with planning approval Z/2013/0845/F

Address: 89-91 Academy Street Town Parks, Belfast, BT1 2LS,

Decision: PG

Decision Date: 07.11.2014

Ref ID: Z/2012/0834/A

Proposal: Billboard (existing) at corner of Edward Street and Great Patrick Street/Dunbar link BT1 2NJ

Address: The Mac, 10 Exchange Street West, Belfast, BT1 2NJ,

Decision: WITHDR

Decision Date: 25.02.2013

Ref ID: LA04/2015/0184/F

Proposal: Belfast Streets ahead-phase 3. Public realm/ environmental improvement project to improve streetscape and create flexible public spaces through the provision of high quality natural stone paving, street furniture, trees, lighting and soft landscaping. Stopping up of a section of Library Street to create Library Square. Stopping up of a section of Academy Street to extend Cathedral Gardens

Address: Royal Avenue, York Street (part), Frederick Street, Great Patrick Street (part), York Lane, Library Street (part), Little Donegall Street (part), Academy Street, Talbot Street, Curtis Street, Clarkes Lane, Exchange Street West & Cathedral G

Decision: PG

Decision Date: 26.11.2015

Ref ID: LA04/2015/1567/PAN

Proposal: Proposed development to provide 'Managed Intern Accommodation', associated offices, parking and ancillary plant and ground floor retail unit

Address: 81 - 87 Academy Street, Belfast, BT1 2LS,

Decision: PANACC

Decision Date:

Ref ID: Z/2014/0687/A

Proposal: Erection of 2 ground floor signs and one high level building sign.

Address: 89-91 Academy Street, Belfast, BT1 2LS,

Decision: CG

Decision Date: 18.09.2014

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2871/F	
Proposal: Variation of conditions 12 & 15 of approval LA04/2017/0235/F. Variation of condition 12 to include reference to submitted drainage assessment report and variation of condition 15 to provide noise verification report prior to occupation of each phase of development.	Location: Lands at Rosepark House Upper Newtownards Road
Referral Route: Planning Committee – amendment to major application	
Recommendation:	APPROVAL
Applicant Name and Address: Lesley Developments Ltd Lesley House 601 Lisburn Road Belfast BT9 7GS	Agent Name and Address: Coogan & Co Architects Ltd 122 Upper Lisburn Road Finaghy Belfast BT10 0BD
Executive Summary: <p>Planning permission was granted on 11th April 2018 under reference LA04/2017/0235/F for 'Demolition of existing office building and construction of residential development comprising of 53 No. units (18 apartments, 21 detached, 14 semi-detached, with associated car parking and landscaping' at Rosepark House, Upper Newtownards Road. The proposal seeks to vary the wording of conditions 12 and 15 attached to this planning permission.</p> <p>The proposal seeks to vary condition 12 by substituting the 'flood risk assessment' for 'drainage assessment' as a correction to allow the condition to refer to the correct report. No alterations to the report are proposed. This is considered acceptable and will ensure drainage mitigation measures are delivered as part of the redevelopment works.</p> <p>The proposal also includes variation of condition 15, which requires submission of a noise verification report prior to occupation of each phase of development. An updated noise report has been submitted in support of the proposal and considered by Environmental Health. The report has presented revised façade and ventilation mitigation measures and has highlighted the properties within the scheme which require the relevant mitigation measures. Furthermore, the report has presented that certain facades subjected to noise levels not exceeding 50dB and at further distances from the Upper Newtownards Road and screened by intervening properties require no additional mitigation measures.</p> <p>Based on the updated noise assessment, Environmental Health has no objection to the condition being revised.</p>	

The aims and purpose of the conditions would remain unaltered and amenity of prospective and existing residents would not be compromised. Accordingly, the revised conditions are considered acceptable.

No objections have been received.

Approval is recommended with delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and, if necessary, enter into a new section 76 planning agreement.

Case Officer Report

Site Location Plan



Representations:	
Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	None received

1.0	Description of Proposed Development <p>Planning permission was granted under reference LA04/2017/0235/F for 'Demolition of existing office building and construction of residential development comprising of 53 No. units (18 apartments, 21 detached, 14 semi-detached, with associated car parking and landscaping' at Rosepark House, Upper Newtownards Road. The proposal seeks to vary the wording of conditions 16 and 26 attached to this planning permission.</p> <p>The proposal seeks Variation of condition 12 to include reference to submitted drainage assessment report and variation of condition 15 to provide noise verification report prior to occupation of each phase of development.</p>
2.0	Description of Site <p>2.1 The application site is located off the Upper Newtownards Road in East Belfast. It is approximately 2 hectares in size and comprises former Government offices and large areas of hardstanding/car parking. There are landscaped areas around the site periphery, including a number of mature trees along the Upper Newtownards frontage and the rear of the application site. There is a landscaped bank that runs along the western site boundary for the majority of its length. Accordingly, the western boundary is elevated by approximately 2m higher than the site. The site is elevated above properties to the south by approximately 1.5 metres. Notwithstanding the level differences to the boundaries, the application site is generally level in terms of topography. The Knock River is adjacent to the eastern site boundary, with an electricity sub-station, funeral home, and petrol station to the north east. Boundary treatments largely comprise metal mesh fencing approximately 2.5m in height, with timber rail fencing along the site frontage.</p> <p>There are detached dwellings adjacent to the to the western site boundary, with a mixture of detached and semi-detached to the south. Terraced dwellings are located to the east of the site opposite the river. Dwellings are a mix of single storey and two storey heights, designs and finishes.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History <p>3.1 LA04/2017/0235/F: Demolition of existing office building and construction of residential development comprising of 53 No. units (18 apartments, 21 detached, 14 semi-detached, with associated car parking and landscaping. Lands at Rosepark House, Upper Newtownards Road, Belfast. Approved 17.04.2018</p>

4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Developer Contribution Framework 2020
4.2	Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS); Planning Policy Statement 13 (PPS13) - Transportation and Land Use Planning Policy Statement 7 (PPS7) – Residential Development Planning Policy Statement 12 (PPS12) – Housing in Settlements Planning Policy Statement 15 (PPS15) - Planning and Flood Risk Planning Policy Statement 2 (PPS2) – Planning and Nature Conservation
4.3	Supplementary Planning Guidance including ‘Creating Places’, Development Control Advice Note 8 Housing in Existing Urban Areas, and Parking Standards.
5.0	Statutory Consultee Responses
	None
6.0	Non-Statutory Consultee Responses
	Environmental Health – no objections
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
8.0	Other Material Considerations
	Belfast Agenda (Community Plan)
9.0	Assessment
9.1	The proposal seeks permission under Section 54 of the Planning Act to vary two conditions, 12 and 15, under approved application reference LA04/2017/0235/F. Each will be assessed in turn.
9.2	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> • Impact on amenity / character of the area; • Flood risk from the proposal; Policy context
9.3	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.
9.4	The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS

	states at paragraph 1.13 (page 7) that a number of policy statements, including PPS2, PPS3, and PPS 8 remain applicable under 'transitional arrangements'.
9.5	Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. Paragraphs 4.37-40 highlights the preservation and improvement of the built and natural environment.
9.6	Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
9.7	Within the BUAP the site is located within the development limits and is identified as whiteland.
9.8	Within draft Belfast Metropolitan Area Plan 2004 and draft Belfast Metropolitan Area Plan 2015, the site is located within the development limit and remains identified as whiteland.
	Principle of proposed development
9.9	The principle of housing development has been approved at this site. The application seeks to vary two conditions attached to that approval relating to drainage and to noise impacts on prospective residents and verification of mitigation measures provided.
	Condition 12
9.10	This condition relates to drainage and reads as follows: No dwelling or apartment hereby permitted shall be occupied until all drainage mitigation measures as set out in the submitted Flood Risk Assessment have been constructed and installed in accordance with these details. A report verifying these measures have been installed shall be submitted to the satisfaction of the Local Planning Authority. The mitigation measures shall be permanently retained thereafter and not removed without the prior consent of the Local Planning Authority. Reason: To ensure adequate flood mitigation measures are provided for the site and to protect residential amenity.
9.11	The proposal seeks to substitute the 'flood risk assessment' for 'drainage assessment' as a correction to allow the condition to refer to the correct report. No alterations to the report are proposed. This is considered acceptable and will ensure drainage mitigation measures are delivered as part of the redevelopment works.
9.12	Condition 15 relates to the noise verification details and reads as follows: Prior to the occupation of the proposed apartments and dwellings the applicant shall provide to Planning Service, for approval, a Noise Verification Report which demonstrates that: a) The construction/design measures and noise mitigation measures recommended in the RPS additional report titled "Response Letter to Queries in Belfast City Council Letter ST/AM/394617 dated 11th April 2017 ref: NI1729/N/EHRL/03 have been implemented to

	<p>ensure recognised standards are met in relation to satisfactory internal noise levels within habitable rooms in all proposed apartments and dwellings.</p> <p>b) That the entire window system (including frames, seals etc) and ventilator units to the residential apartments and dwellings have been so installed so as to ensure that internal noise levels within any proposed residential apartment or dwellings shall:</p> <ul style="list-style-type: none"> - Not exceed 35 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; - Not exceed 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any proposed bedrooms, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; - Not exceed 45 dB LAmax more than 10-15 times between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; <p>All noise mitigation measures shall be permanently retained following installation.</p> <p>Reason: Protection of human health and residential amenity</p>
9.13	<p>In considering the previous application, a Noise Report was submitted by the applicant which proposed various mitigation measures to overcome excessive noise. This adequately addressed concerns and was subject to a planning condition to ensure that a noise verification report is submitted in line with Belfast City Council EPU's recommendations.</p>
9.14	<p>An updated noise report has been submitted in support of the proposal and considered by Environmental Health. The report has presented revised façade and ventilation mitigation measures and has highlighted the properties within the scheme which require the relevant mitigation measures. Furthermore, the report has presented that certain facades subjected to noise levels not exceeding 50dB and at further distances from the Upper Newtownards Road and screened by intervening properties require no additional mitigation measures.</p>
9.15	<p>Based on the updated noise assessment, Environmental Health have no objection to the condition being revised to the following:</p> <p><i>Prior to the occupation of each phase of the proposed development, the applicant shall provide to Planning Service, for approval, a Noise Verification Report which demonstrates that:</i></p> <p><i>a) The construction/design measures and noise mitigation measures recommended in the FR Mark's Noise Impact Assessment dated January 2020 have been implemented to ensure recognised standards are met in relation to satisfactory internal noise levels within habitable rooms in all proposed apartments and dwellings.</i></p> <p><i>b) That the entire window system (including frames, seals etc.) and ventilator units to the residential apartments and dwellings have been so installed so as to ensure that internal noise levels within any proposed residential apartment or dwellings shall:</i></p> <ul style="list-style-type: none"> • <i>Not exceed 35 dB LAeq, 16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements;</i>

	<ul style="list-style-type: none"> • Not exceed 30 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs within any proposed bedrooms, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • Not exceed 45 dB LAmax more than 10-15 times between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements; <p>All noise mitigation measures shall be permanently retained following installation.</p>
9.16	Reason: Protection of human health and residential amenity
9.17	<p>Approval of a variation of condition application creates a new standalone planning permission. It is therefore necessary to repeat all the other conditions from the previous planning permission.</p> <p>The aims and purpose of the conditions would remain unaltered and amenity of prospective and existing residents would not be compromised. Accordingly, the revised conditions are considered acceptable.</p> <p>Developer Contribution</p>
9.18	Planning permission LA04/2017/0235/F was subject to a Section 76 Planning Agreement to secure a contribution of £53,000 towards the provision and improvement of open space and recreation facilities to mitigate to some extent against the impact of the development.
9.19	Unless the contribution payment required under the above Section 76 is received, it will be necessary to enter into a new planning agreement as this is a standalone permission.
10.0	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses.
10.1	It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and, if necessary, to enter into a new planning agreement.
Neighbour Notification Checked	
Yes	

ANNEX	
Date Valid	9th December 2019
Date First Advertised	20th December 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 -15 Rosepark Meadows,Belfast,Down,BT5 7TL The Owner/Occupier, 134 – 150 Ardcarne Drive,Belfast,Down,BT5 7RT The Owner/Occupier, 71 Rosepark,Belfast,Down,BT5 7RH The Owner/Occupier, 717 – 719 Upper Newtownards Road,Belfast,Down,BT4 3NR The Owner/Occupier, 73 - 93 Rosepark,Belfast,Down,BT5 7RH The Owner/Occupier, Apartment 1 - 6,Rosepark Lodge,Rosepark,Belfast,BT5 7RH	
Date of Last Neighbour Notification	17th December 2019
Date of EIA Determination	N/A
ES Requested	No
Planning History Ref ID: Z/2014/1106/O Proposal: Residential development with associated roadworks and landscaping. 8No. 4 bed detached, 24No. 3 bed semi-detached, 4No. 2 bed apartments, 8No. 3 bed townhouses (44 dwellings) (additional information _ revised description). Address: Site at Rosepark, Upper Newtownards Road, Belfast, BT4 3NR, Decision: WITHDR Decision Date: 09.08.2016 Ref ID: LA04/2017/0235/F Proposal: Demolition of existing office building and construction of residential development comprising of 53 No. units (18 apartments, 21 detached, 14 semi-detached, with associated car parking and landscaping). Address: Lands at Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR., Decision: PG Decision Date: 17.04.2018 Ref ID: LA04/2019/0135/DC Proposal: Discharge of Condition 9 of planning approval La04/2017/0235/f Address: Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR, Decision: AL Decision Date:	

Ref ID: LA04/2019/2871/F

Proposal: Variation of condition 12 to include reference to submitted drainage assessment and variation of condition 15 to provide noise verification report prior to occupation of each phase of development.

Address: Lands at Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR.,

Decision:

Decision Date:

Ref ID: LA04/2019/2625/DC

Proposal: Discharge of condition 16 (part A) of planning approval LA04/2017/0235/F relating to ground gas protection measures

Address: Lands at Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR.,

Decision:

Decision Date:

Ref ID: LA04/2016/1010/PAN

Proposal: Development of 53 residential units (22 detached houses, 16 semi-detached houses, 3 townhouses, 12 apartments)

Address: Rose Park, Upper Newtownards Road, Belfast, BT5 7RH,

Decision: PANACC

Decision Date:

Ref ID: LA04/2019/1216/F

Proposal: Change of house types (32no. units) at plots 16, 17, 18, 20, 21, 22, 26, 28, 29, 31, 32, 33, 34 & 35 to include 2 no. detached garages, 10no. semi-detached garages and 2 no. internal garage and elevational changes to apartment block (plots 36-53) to that previously approved under LA04/2017/0235/F

Address: Lands at Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR.,

Decision: PG

Decision Date:

Ref ID: LA04/2019/1398/F

Proposal: Variation of conditions of Approval LA04/2017/0235/F for 53 residential units as follows: Condition 16 relating to remediation of contamination to include reference to the remedial measures outlined in both the Generic Quantitative Risk Assessment Report dated January 2017 and an updated Ground Gas Risk Assessment and Remedial Strategy dated May 2019; and variation of condition 26 relating to phasing of development to allow construction in accordance with an updated construction programme.

Address: Lands at Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR.,

Decision: PG

Decision Date: 23.09.2019

Ref ID: LA04/2018/2851/DC

Proposal: Discharge of condition no 13 relating to construction management plan of LA04/2017/0235/F

Address: Lands at Rosepark House, Upper Newtownards Road, Belfast, BT4 3NR.,
Decision: AL
Decision Date:

Ref ID: Z/2000/0164/F
Proposal: Site for erection of two houses and four apartments.
Address: 71 Rosepark & Rosepark Meadows, Belfast, BT5.
Decision:
Decision Date: 19.05.2000

Drawing Numbers and Title

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

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Development Management Officer Report Committee Application

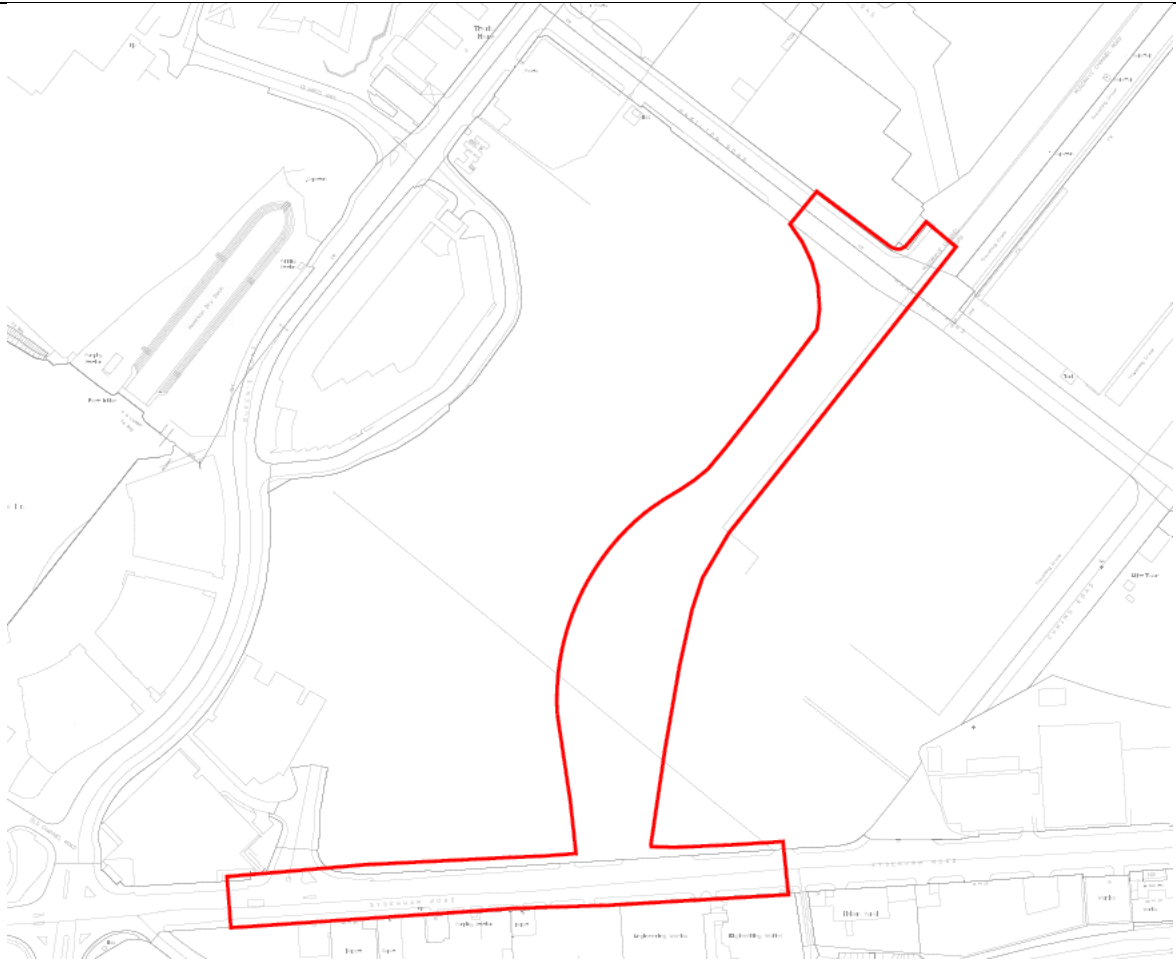
Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2810/F	
Proposal: Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works.	Location: Lands to the south and east of Belfast Metropolitan College east of Public Records Office of NI north of Sydenham Road west of Cuming Road and south of Hamilton Road Titanic Quarter
Referral Route: Major application.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Belfast Harbour Harbour Office Corporation Square Belfast BT1 3AL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: This application seeks full permission for a Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works. The key issues are: <ul style="list-style-type: none"> - The principle of development of new road and junction - Access, movement, and road safety - Impact on natural environment - Impact on built heritage - Flood risk <p>The site is located on lands to the south and east of Belfast Metropolitan College, east of Public Records Office of NI, north of Sydenham Road, west of Cuming Road and south of Hamilton Road, Titanic Quarter, Belfast. It runs through land previously associated with the shipbuilding industry, linking Sydenham Road to Hamilton Road. The site is within Titanic Quarter, within the overall Belfast Harbour Area (BHA 01) as designated within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015, and unzoned within Belfast Urban Area Plan 2001 (BUAP).</p> <p>The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), Planning Policy Statement 2, Planning Policy Statement 3, Planning Policy Statement 6, and Planning Policy Statement 15.</p> <p>BCC Environmental Health, Northern Ireland Water Ltd, DFI HED Historic Monuments, DFI Rivers Agency, DAERA Water Management Unit, DAERA Regulation Unit and DAERA Natural</p>	

Environment Division and DFI Roads have raised no issues of concern and the proposal is considered acceptable.

Accordingly, should members agree with the recommendation to approve, it is recommended that delegated authority is given to the Director of Planning and Building Control to grant conditional planning permission and finalise the wording of conditions.

Case Officer Report

Site Location Plan



Representations:

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

Characteristics of the Site and Area

1.0 Description of Proposed Development

Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works.

2.0 Description of Site

The site is located on lands to the south and east of Belfast Metropolitan College, east of Public Records Office of NI, north of Sydenham Road, west of Cuming Road and south of Hamilton Road, Titanic Quarter, Belfast. It runs through land previously associated with the shipbuilding industry, linking Sydenham Road to Hamilton Road. The land is flat and covered in hardstanding. The site is defined by paladin fencing with low hedging to the rear. The site is within Titanic Quarter, within the overall Belfast Harbour Area (BHA 01) as designated within

(Draft) Belfast Metropolitan Area Plan (BMAP) 2015, and unzoned within Belfast Urban Area Plan 2001 (BUAP).

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 There is no relevant planning history on the site. Since this proposal falls under the category of Major Development however, Pre Application Community Consultation was carried out under the planning reference LA04/2019/1468/PAN.

4.0 Policy Framework

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.2 Strategic Planning Policy Statement (SPPS)

4.3 Planning Policy Statement (PPS) 2: Natural Heritage

4.4 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.5 Planning Policy Statement (PPS) 6: Planning, Archaeology and the Built Heritage

4.6 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees

5.1 DFI Roads Service – No objection

5.2 Northern Ireland Water Ltd – No objection

5.3 DFI Rivers Agency – No objection

5.4 DAERA Natural Environment Division – No objection

5.5 DAERA Regulation Unit – No objection subject to conditions

5.6 DAERA Water Management Unit – No objection subject to conditions

5.7 Shared Environmental Services – No objection

6.0 Non Statutory Consultees

6.1 BCC Environmental Health – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. No comments or objections have been received.

8.0 Other Material Considerations

8.1 Development Control Advice Note 15 Vehicular Access Standards

9.0 Assessment

The key issues in the assessment of the proposal are as follows:

- The principle of development of new road and junction
- Access, movement, and road safety
- Impact on natural environment
- Impact on built heritage
- Flood risk

9.1 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.

9.2 The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS states at paragraph 1.13 (page

7) that a number of policy statements, including PPS2, PPS3, PPS 6 and PPS 15 remain applicable under 'transitional arrangements'.

9.3 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.

9.4 The site is within Titanic Quarter, within the overall Belfast Harbour Area (BHA 01) as designated within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015. The site is unzoned within Belfast Urban Area Plan 2001 (BUAP). The proposed development is for a new access road to Titanic Quarter including new signalised junction on Sydenham Road and associated works.

9.5 The principle of development

The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below. The proposals comprise works to construct a link road to provide connection from Sydenham Road to Hamilton Road with signalisation of the junction on Sydenham Road and inclusion of facilities for non-motorised users. The existing junction of Musgrave Channel Road and Hamilton Road will also be reconfigured to give the priority to traffic going from the link road to Hamilton Road. The Transport Statement states that implementation of the proposal will improve the operational capacity of the Queens Road / Sydenham Road / M3 off-slip junction and provide an alternative access for pedestrians, cyclists and vehicles accessing Queens Island. The site is within a commercial area and compatible with surrounding uses. The proposal, subject to planning considerations, is considered to make a positive contribution to the area.

9.6 Access, movement, and road safety

DFI Roads was consulted and having reviewed the submitted information have responded with no objections subject to conditions. In addition, as the proposed development will not form part of the adopted highway (the works fall within the Belfast Harbour Estate), DFI Roads have provided general comments and recommendations for the owner / applicant. The Dfi Roads conditions are set out at the Conditions section of this report.

9.7 Impact on the natural environment

The site is in proximity to a number of national, European and international designated, Belfast Lough Open Water SPA, Belfast Lough Ramsar/SPA, The Maidens SAC, East Coast Marine Proposed SPA and North Channel SAC, as well as the Outer Belfast ASSI.

9.8 A Habitats Regulation Assessment (HRA) was submitted demonstrating the potential impacts on the above European Sites. This assessment determines if there could be any significant effects on the features and conservation objectives, and hence integrity, of any European sites to meet the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). This information was forwarded to Shared Environmental Services (SES) for comment, along with an Outline Construction Environmental Management Plan (OCEMP), and Preliminary Ecological Appraisal (PEA) Report. Having considered the nature, scale, timing, duration and location of the project, SES advised that: "The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site".

9.9 DAERA Natural Environment Division having assessed the submitted PEA are content the proposal is unlikely to significantly impact protected and/or priority species and habitats. They note while the HRA concludes the proposed development will not give rise to potential significant effects on the selection features of any European designated sites, measures proposed in the OCEMP are welcomed. A small amount of vegetation removal is required and NED have requested an informative to be included that this should be carried out outside bird breeding season.

9.10 Impact on built heritage

The proposal is within the vicinity of an archaeological site and a number of scheduled monuments and PPS 6 is a material consideration. HED Historic Monuments has assessed the application and on the basis of the information provided is content that the proposal complies with the SPPS and PPS 6 archaeological policy requirements.

9.11 Flood Risk

A drainage assessment and flood risk assessment were submitted for consideration, and consultation undertaken with Rivers Agency in relation to these matters. They responded on 10th January 2020 with no objection to the proposal, and it is therefore considered that the proposal complies with PPS15 as acceptable drainage and flood risk protection measures are proposed.

9.12 Other environmental matters

An air quality assessment was submitted which analysed the existing air quality in the vicinity of the site and potential impacts the proposed development may have on human health.

Environmental Health (EH) was consulted and having considered the air quality assessment EH has no objection to the proposal from an air quality perspective subject to a planning condition requiring implementation of dust management measures detailed within the Air Quality report.

9.13 A Preliminary Risk Assessment was submitted relating to the risk of contaminated land on the site. EH is satisfied with the findings of this report, as were DAERA's Regulation Unit subject to conditions should approval be granted. EH has suggested a condition that the proposed development should consist of 100% hardstanding, however as the proposals show all hard standing, this condition is not required.

9.14 A noise impact assessment was also submitted and considered by EH. Based on the report EH has no objection subject to a condition requiring that the noise mitigation measures outlined within the noise impact assessment are implemented as part of the development and that the measures pay regard to current standards regarding noise and vibration control on construction and open sites.

9.15 Pre-Community Consultation

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 applicants for planning permission to consult the community in advance of submitting an application.

9.16 Section 27 also requires 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. LA04/2019/1468/PAN was submitted to the Council on 18/06/19 and was deemed to be acceptable on 03/07/19. It is considered that the PACC 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. The report indicates that there is strong support for the proposed road but some respondents expressed concerns about traffic congestion and cycling provision.

<p>9.17 The proposals relating to cycling include:</p> <ul style="list-style-type: none"> • provision of a new 4.15m wide shared footpath / cycleway construction of approximately 410m length along the western side of the Eastern Access Road. • a new 3.0m wide segregated cycleway of approximately 210m length adjacent to the footpath along the north side of the Sydenham Road. This is an enhancement of the existing provisions. Beyond the scheme extents the proposed cycleway / footpath facilities will tie into those existing along Sydenham Road and Hamilton Road. Appropriate paving, road marking and signage will provide delineation of the segregated cycleway and shared footpath / cycleway. • a Belfast bike docking station will be provided on Sydenham Road, adjacent to the pedestrian crossing. <p>9.17 Conclusion</p> <p>The proposed development is considered to be in compliance with the development plan and relevant policies. There are no objections.</p> <p>9.18 It is recommended that the application is approved subject to conditions and delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions.</p> <p>10.0 Summary of Recommendation: Approval with conditions</p>
<p>Neighbour Notification Checked: Yes</p>
<p>Summary of Recommendation: Approval with conditions</p>
<p>Conditions:</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The construction activities associated with the hereby permitted development shall incorporate the noise mitigation measures as detailed in section 4.2 of the RPS Noise Impact Assessment, Dated November 2019, and shall pay due regard to the current standards; BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014 A2: Noise and Vibration Control on Construction and Open Sites.</p> <p>Reason: Protection of human health, and amenity of neighbouring properties.</p> <p>3. The dust management measures, as detailed within section 5 of the RPS Air Quality Impact Assessment, TQ Eastern Access Road, Titanic Quarter, Belfast (November 2019) shall be implemented throughout the duration of the construction phase of the development.</p> <p>Reason: Protection of human health</p> <p>4. 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 Model Procedures for the Management of Land Contamination (CLR11)</p>

and/or as described in the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>, as applicable. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

5. After completing all remediation works under Condition 5 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or as described in the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>, as applicable. 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.

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

6. A finalised Construction and Environmental Management Plan (CEMP) shall be submitted to the Planning Authority at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. No development activity, including ground preparation or vegetation clearance, shall commence until the CEMP has been approved in writing by the Planning Authority. The CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise approved in writing by the Planning Authority.

Reason: To protect/minimise the impact of the proposal on the biodiversity of the site, including protected/priority species/habitats.

7. The development hereby permitted shall be constructed in accordance with the approved layout Drawing Nos. 06, 'Proposed General Arrangement, Sheet 1' published by Belfast City Council Planning Office on 09 December 2019 and 07, 'Proposed General Arrangement, Sheet 2' published by Belfast City Council Planning Office on 09 December 2019. All works should comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including completion of stages 2, 3 and 4 of the Road Safety Audit requirements of GG119.

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

8. The signalised junction element of the development hereby permitted shall be constructed generally in accordance with the approved layout Drawing Nos. 12, 'Proposed Signal Layout, Sheet 1' published by Belfast City Council Planning Office on 09 December 2019 and 13, 'Proposed Signal Layout, Sheet 2' published by Belfast City Council Planning Office on 09 December 2019. If the signals are to be integrated with those operated by DfI Roads then full details of the engineering for the signalisation, lane re-alignment and remarking of the junction must be submitted to and approved by the Department prior to construction. All works must comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance, including completion of stages 2,3 and 4 of the Road Safety Audit requirements of GG119.

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

9. The signalised junction shall be maintained by the operator of the site in perpetuity.

Reason: To ensure the cost of operations are borne by the Applicant.

10. Any existing street furniture or landscaping obscuring visibility or located within the proposed vehicular accesses shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant's expense.

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

ANNEX	
Date Valid	2nd December 2019
Date First Advertised	13th December 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) 11 Hamilton Road, Queen's Island,Belfast,Down,BT3 9DT 11 Queens Road,Queen's Island,Belfast,Down,BT3 9DT 11 Sydenham Road,Belfast,Down,BT3 9DH 19a ,Sydenham Road,Belfast,Down,BT3 9DH 2 Titanic Boulevard,Belfast,Down,BT3 9HQ 25-29 Fuel House,Sydenham Road,Belfast,Down,BT3 9DH 31 Sydenham Road,Belfast,Down,BT3 9DH 33 Sydenham Road,Belfast,Down,BT3 9DH 3rd/4th Floor Building C,60-62 Gateway Building,Sydenham Road,Belfast,Down,BT3 9DP 4 Sydenham Road,Belfast,Down,BT3 9DH 41 Sydenham Road,Belfast,Down,BT3 9DH 43-47 ,Sydenham Road,Belfast,Down,BT3 9DH 49 Sydenham Road,Belfast,Down,BT3 9DR 5 Sydenham Road,Belfast,Down,BT3 9DH 60-62 Gateway Building,Sydenham Road,Belfast,Down,BT3 9DP Mail Matters, 13 Sydenham Road, Belfast Queen's Works,Queens Road,Queen's Island,Belfast,Down,BT3 9DT Shipyard (Abercorn Works),Queens Road,Queen'S Island,Belfast,Down,BT3 9DT We Are Vertigo, T13 Building, Queens Road, Belfast	
Date of Last Neighbour Notification	26th February 2020

Planning History

Ref ID: LA04/2017/0316/DC

Proposal: Discharge of Condition 10 of Z/2009/1603/F.

Address: Land east of Queen's Road, 175m North of Sydenham Road, Queens Island, Belfast.,

Decision:

Decision Date:

Ref ID: LA04/2018/0038/A

Proposal: Six sheet advertising display panel incorporated into a three bay insignia type Adshel Bus Shelter.

Address: Sydenham Road Belfast, Approx 55m from corner with, Old Channel Road, and opposite CITI Building.,

Decision: CG

Decision Date: 03.05.2018

Ref ID: LA04/2018/0105/F

Proposal: Installation of three bay Insignia type bus shelter

Address: Sydenham Road, approx 55m from corner with Old Channel Road, Belfast,

Decision: PG

Decision Date: 03.05.2018

Ref ID: Z/1990/1046

Proposal: Provision of car park (to include demolition of existing buildings on site)

Address: LAND AT THE JUNCTION OF SYDENHAM ROAD AND CUMING ROAD BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/1992/2108

Proposal: Resiting of memorial (Listed Building Consent)

Address: JUNCTION OF HAMILTON ROAD WEST AND MUSGRAVE CHANNEL ROAD WITHIN HARLAND & WOLFF ESTATE BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2000/2505

Proposal: Proposed mixed use development.

Address: Titanic Quarter, Belfast Harbour, Belfast BT3.

Decision:

Decision Date:

Ref ID: Z/2005/2158/LDE

Proposal: Existing use for ship and marine structure building, repair, conversion and dismantling, general heavy engineering, manufacture, assembly and corrosion protection and design engineering

Address: Harland & Wolff, Heavy Industries Ltd, Queens Island, Belfast, BT3 9DU

Decision:

Decision Date:

Ref ID: Z/1996/0358

Proposal: Erection of Arena, Ice Rink, Entertainment Facilities, Retail Units, Restaurant, Offices, car parking and landscaping (Outline Permission)

Address: QUEENS QUAY BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2005/1720/RM

Proposal: Erection of landmark headquarters office complex, related car parking with associated hard and soft landscaping.

Address: Lands at junction of Sydenham Road and Queen's Road at Queen's Island, Belfast.

Decision:

Decision Date: 04.04.2006

Ref ID: Z/2007/1867/RM

Proposal: Erection of hotel (123 no. bedrooms), including bar and restaurant facilities, car parking and associated site works. (Amended Plans).

Address: Land at Queens Road, adjacent to Abercorn Basin and junction of Sydenham Road and Old Channel Road, Belfast.

Decision:

Decision Date: 22.04.2008

Ref ID: Z/2008/1058/F

Proposal: Erection of Financial Services Campus building comprising 55,740sq m gross floorspace of Class B1(a) office and Class A2 financial, professional and other services, together with other mixed ground floor and mezzanine uses (comprising retail Class A1), community and cultural uses (Class D1), restaurants, bars, and cafes (sui generis) - totalling 5,937sq m gross), basement and deck car parking (583 no spaces), access road, landscaping and ancillary infrastructural works.

Address: Land east of Queen's Road, 175m north of Sydenham Road, Queen's Island Belfast

Decision:

Decision Date: 10.01.2009

Ref ID: Z/2010/0984/A

Proposal: 2 signs.

Address: Gateway Offices, Titanic Quarter, Sydenham Road, Belfast,

Decision:
Decision Date: 30.09.2010

Ref ID: Z/1974/0934
Proposal: ERECTION OF AMENITIES BUILDING
Address: HAMILTON ROAD, QUEENS ISLAND
Decision:
Decision Date:

Ref ID: Z/1974/0227
Proposal: ALTERNATIONS TO EXISTING WORKS BUILDING TO MAKE WAY FOR
NEW ROAD
Address: HAMILTON ROAD, QUEENS ISLAND
Decision:
Decision Date:

Ref ID: Z/1973/0180
Proposal: ERECTION OF BOILER SHOP
Address: ROYAL AVENUE, BELFAST SHIPYARD
Decision:
Decision Date:

Ref ID: Z/1996/0769
Proposal: Proposed office development (Outline Permission)
Address: LAND ADJACENT TO 25 SYDENHAM ROAD BELFAST BT3
Decision:
Decision Date:

Ref ID: Z/2001/0706/A
Proposal: Totem/gantry advertisement.
Address: Fuel House, 27-29 Sydenham Road, Belfast BT3 9JJ.
Decision:
Decision Date: 08.06.2001

Ref ID: Z/2012/0227/A
Proposal: Erection of 1 projecting car parking information sign
Address: CPS01- Opposite Gateway Offices, 60-62 Sydenham Road, Belfast.,
Decision:
Decision Date: 05.07.2012

Ref ID: Z/1985/2378
Proposal: EXTENSION TO OFFICE AND REFURBISHMENT OF EXISTING OFFICES
Address: 27-29 SYDENHAM ROAD
Decision:

Decision Date:

Ref ID: Z/1986/1926

Proposal: Construction of replacement offices

Address: 27-29 SYDENHAM ROAD, BALFAST BT3

Decision:

Decision Date:

Ref ID: Z/1997/0847

Proposal: Demolition of existing hire shop, offices and part of workshop and erection of replacement hire shop and offices

Address: 31 SYDENHAM ROAD BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2002/0766/A

Proposal: Fascia sign.

Address: 33 Sydenham Road, Ballymacarret Intake, Belfast, Northern Ireland, BT03 9DH

Decision:

Decision Date: 15.08.2002

Ref ID: Z/2000/1045/F

Proposal: Side extension to and refurbishment of existing industrial building.

Address: 33 Sydenham Road, Belfast.

Decision:

Decision Date: 29.08.2000

Ref ID: Z/1977/0321

Proposal: ERECTION OF OFFICES

Address: 27 SYDENHAM ROAD

Decision:

Decision Date:

Ref ID: Z/1997/0648R

Proposal: Landmark Millennium Project comprising Science Centre, Imax Theatre, and pavilion to provide associated leisure and entertainment facilities including multiplex cinema, licensed public houses and licensed restaurants, ancillary retail and associated offices and automatic teller machines (ATM's), plus external works comprising rebuilding part of Queen's Quay and Abercorn Basin Quay walls and extension of site into Abercorn Basin by 20 metres from the south western side of the Abercorn Basin

to provide an extra 4,000 square metres approximately of additional land, together with external environmental works including waterside promenades, a piazza and landscaping, and surface carparking.

Address: QUEEN'S QUAY ABERCORN BASIN BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/2009/1603/F

Proposal: Erection of Financial Services Campus building comprising 55,740 sq m gross floorspace of Class B1(a) office and Class A2 financial, professional and other services, together with other mixed ground floor and mezzanine uses (comprising retail (Class A1), community and cultural uses (Class D1), restaurants, bars and cafes (sui generis) - totalling 5,937 sq m gross), basement and deck car parking (583no. spaces), access road, landscaping and ancillary infrastructural works

Address: Land east of Queen's Road, 175m north of Sydenham Road, Queen's Island, Belfast

Decision:

Decision Date: 17.11.2010

Ref ID: Z/2013/0931/F

Proposal: High specification office building (of 6 and 7 storeys) comprising 2,970 sq m of class B1(a) office use and 14,642 sq m of B1 (C) research and development, basement car parking, landscaping, access and associated site works.

Address: Land East of Queen's Road, North of Public Records Office of Northern Ireland and South of Belfast Metropolitan College, Queen's Island, Belfast,

Decision: PG

Decision Date: 18.07.2014

Ref ID: Z/2014/0409/F

Proposal: Temporary outdoor sports complex including support facilities, use of existing car parking spaces and other ancillary site works

Address: Land east of Queen's Road, north east of Belfast Metropolitan College and south of Hamilton Road, Queen's Island, Belfast,

Decision: PG

Decision Date: 06.11.2014

Ref ID: Z/1998/0986

Proposal: Erection of illuminated hoarding

Address: ODYSSEY SITE QUEENS QUAY SYDENHAM ROAD BELFAST BT3

Decision:

Decision Date:

Ref ID: Z/1998/0605

Proposal: Erection of sports/entertainment arena

Address: QUEEN'S QUAY ABERCORN BASIN BELFAST BT3

Decision:
Decision Date:

Ref ID: Z/1997/0648

Proposal: Landmark Millennium Project comprising Science Centre, Imax Theatre, Sports/Entertainment Arena and Pavilion to provide Associated Leisure and Entertainment Facilities including Multiplex Cinema, Licensed Public Houses and Licensed Restaurants, Ancillary Retail and Associated Offices and Automatic Teller Machines (ATMs) plus External Works comprising Rebuilding Part of Queen's Quay and Abercorn Basin Quay Walls and Extension of Site into Abercorn Basin by 20 metres from south-western side of the Abercorn Basin to provide an extra 4,000 square metres approximately of Additional Land, together with external Environmental Works including Waterside Promenades, a Piazza and Landscaping, and Surface Car Parking.

Address: QUEEN'S QUAY, ABERCORN BASIN BELFAST BT3

Decision:
Decision Date:

Ref ID: Z/2007/2963/F

Proposal: Erection of building for the Public Records Office for NI to include repository, public viewing and display areas with ancillary office space and cafe and extension to Titanic Boulevard and construction of new road and associated landscaping works.

Address: PRONI Site, Sydenham Road, Belfast

Decision:
Decision Date: 19.05.2008

Ref ID: Z/2008/2526/A

Proposal: 4No. internally & 1No. externally illuminated signs.

Address: Building B, Gateway Offices, Titanic Quarter, Queens Road/Sydenham Road, Belfast

Decision:
Decision Date: 11.02.2009

Ref ID: Z/2002/2417/O

Proposal: Landmark headquarters office complex, related car parking together with associated hard and soft landscaping. (Replacement of existing office space).

Address: Land at junction of Sydenham Road/Queen's Road, Queens Island, Belfast

Decision:
Decision Date: 13.06.2005

Ref ID: Z/2007/0169

Proposal: New accommodation for PRONI

Address: Titanic Quarter adjacent to Sydenham Road/Queens Road, Belfast
Decision:
Decision Date:

Ref ID: Z/2005/1441/F

Proposal: Proposed infrastructure works to include realignment of section of Queens Road, upgrading section of Sydenham Road, upgrade of Sydenham Road/Queens Road signal junction and provision of new signal junction to Sydenham Road.

Address: Lands at Queens Road & Sydenham Road, Belfast

Decision:

Decision Date: 03.04.2006

Ref ID: LA04/2018/1494/DC

Proposal: Discharge of conditions 17 and 18 of Z/2005/1720/RM

Address: Lands at junction of, Sydenham Road and, Queens Road at, Queens Island, Belfast.,

Decision: AL

Decision Date:

Ref ID: LA04/2019/0611/DC

Proposal: Discharge of condition 19 of Z/2005/1720/RM

Address: Lands at junction of Sydenham Road and Queen's Road at Queen's Island, Belfast,

Decision:

Decision Date:

Ref ID: LA04/2015/1304/F

Proposal: Change of use from class A1 to coffee shop

Address: Ground Floor, Unit D, Block E F, Arc Apartments, Queens Road, Queens Island, Belfast, BT3 9DU,

Decision: PG

Decision Date: 03.02.2016

Ref ID: LA04/2015/1137/DC

Proposal: Erection of financial services campus building comprising 55,740sq m gross floorspace of class B1(a) office and class A2 financial, professional and other services, together with other mixed ground floor and mezzanine uses (comprising retail (class A1), community and cultural uses (Class D1), restaurants, bars and cafes (sui generis) totalling 5,937 sq m gross), basement and deck car parking (583no. spaces), access road, landscaping and ancillary infrastructural works.

Address: Lands east of Queen's Road, 175m north of Sydenham Road, Queens Island, Belfast.,

Decision: AL

Decision Date:

Ref ID: LA04/2015/1278/DC

Proposal: Erection of financial services campus discharge of condition.

Address: Land east of Queens Road, 175m north of Sydenham road, Queens Island, Belfast,

Decision: RL

Decision Date:

Ref ID: LA04/2016/2150/DC

Proposal: Discharge of condition 24 of planning application Z/2009/1603/F

Address: Land at Queens Road, 175m North of Sydenham Road, Queens Island, Belfast,

Decision: AL

Decision Date:

Ref ID: LA04/2019/2810/F

Proposal: Titanic Quarter eastern access road including new signalised junction on Sydenham Road and associated works.

Address: Lands to the south and east of Belfast Metropolitan College, east of Public Records Office of NI, north of Sydenham Road, west of Cuming Road and south of Hamilton Road, Titanic Quarter, Belfast.,

Decision:

Decision Date:

Ref ID: LA04/2019/1468/PAN

Proposal: Proposed titanic quarter eastern access road including new signalised junction on Sydenham Road other associated works.

Address: Lands to the south and east of Belfast Metropolitan College, east of Public Record Office of NI, north of Sydenham Road, west of Cuming Road and south of Hamilton Road, Titanic Quarter, Belfast.,

Decision: PANACC

Decision Date:

Notification to Department (if relevant)

Date of Notification to Department: N/A

Response of Department: N/A

Committee Application

Development Management Report	
Application ID: LA04/2019/0110/F	Date of Committee: 10 th March 2020
Proposal: Demolition of single dwelling and erection of 2no semi-detached dwellings	Location: 47a Derryvolgie Avenue Belfast
Referral Route: Full demolition of main building within the conservation area	
Recommendation:	Approval
Applicant Name and Address: Mr and Mrs Brennan 47a Derryvolgie Avenue Belfast BT9 6FP	Agent Name and Address: Sutherland Architects Ltd 10 Cleaver Park Belfast BT9 5HX
<p>Executive Summary: This application seeks full planning permission for the demolition of the existing dwelling and the construction of a pair of semi-detached dwellings at 47a Derryvolgie Avenue.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Principle of development - Demolition, Design, Impact on character and appearance of Malone Conservation Area - Impact on setting of a listed building - Impact on amenity - Access, Movement and Parking <p>The application site is unzoned 'whiteland' within the settlement limits of the BUAP and Draft BMAP. It is located within Malone Conservation Area.</p> <p>The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. In addition, demolition of the majority of the building has already been granted under reference LA04/2017/0626/DCA which remains extant. The BCC Conservation Officer was consulted and has no objection to the loss of the building. However, they consider the replacement scheme would be detrimental to the character of the conservation area. These concerns have been carefully considered by officers; however when taken as a whole the proposed replacement offers a more contextually appropriate development that would enhance the character and appearance of Malone Conservation Area.</p> <p>Furthermore, the proposal would not adversely affect the setting of the adjoining listed building at No 47 Derryvolgie Avenue and residential amenity of existing and future occupiers. The proposal is also acceptable in terms of highway safety, parking and trees.</p> <p>DFI Roads, HED Historic Buildings, NI Water, BCC Tree Officer and BCC Environmental Health were consulted and have no objection to the proposal.</p> <p>No representations received.</p> <p>The proposal has been assessed against and is considered to comply with PPS3, PPS6, PPS7, PPS7 Addendum, PPS12, the SPPS, Draft BMAP, the BUAP and Section 104 (11) of the Planning</p>	

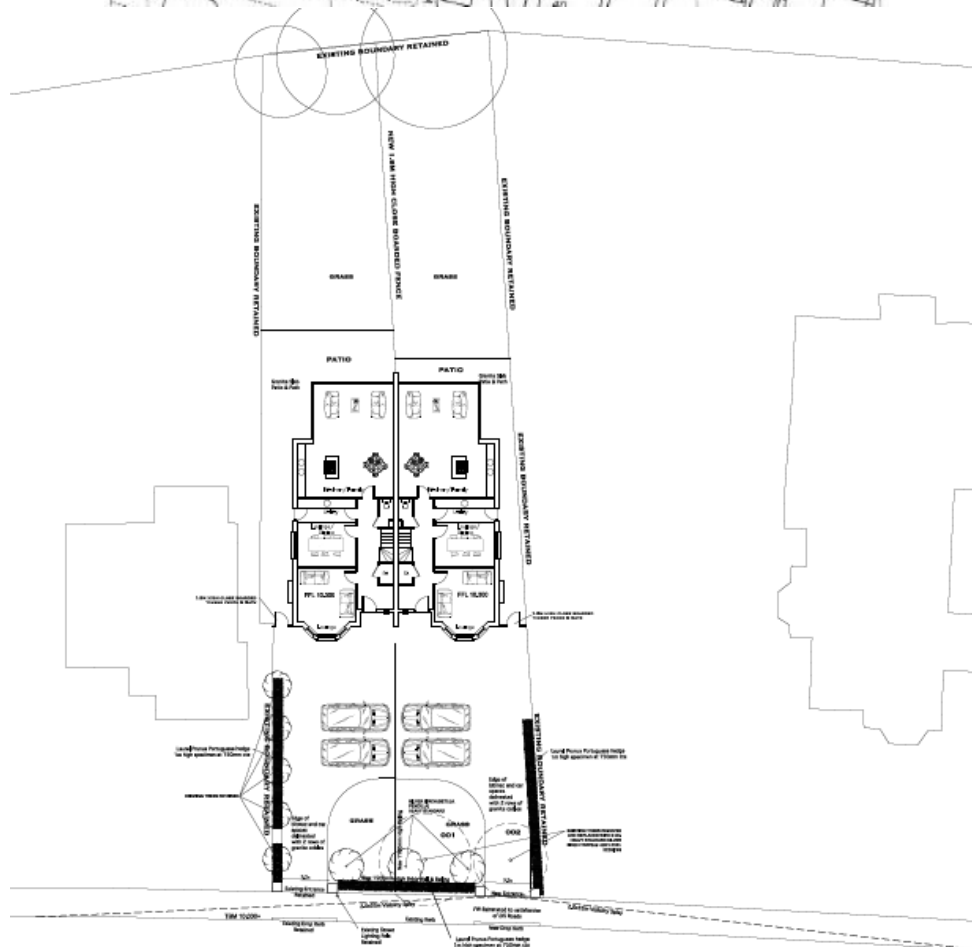
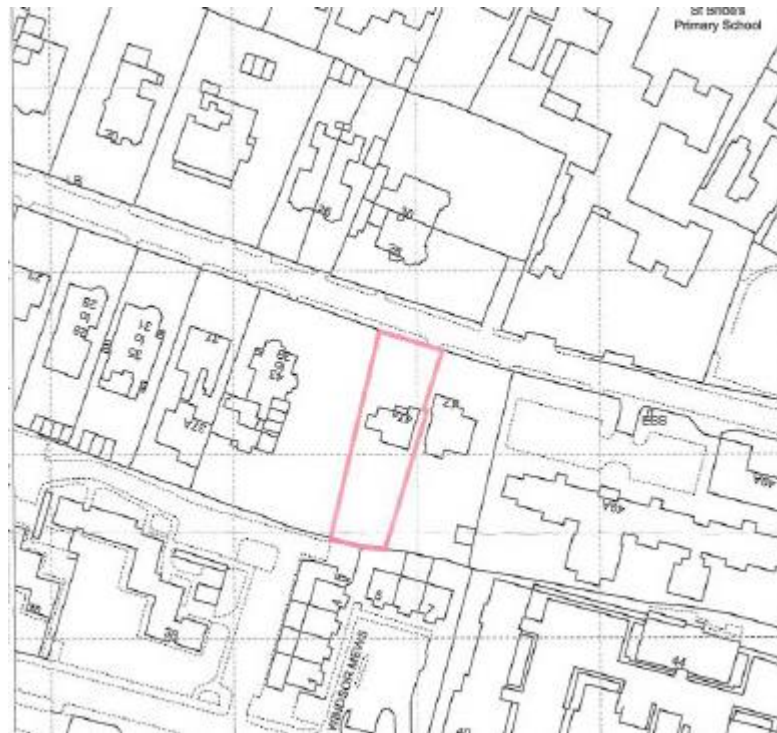
Act (Northern Ireland) 2011. Having regard to the development plan, relevant planning policies, and other material consideration, it is recommended that the proposal is approved.

Recommendation – Approved subject to conditions

It is requested that the committee delegates authority to the Director of Planning and Building Control to grant conditional planning permission and to finalise the final wording of conditions.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>This application seeks full planning permission for the demolition of the existing dwelling and the construction of a pair of semi-detached dwellings (5 bedroom) with a new vehicular access to Derryvolgie Avenue. A new 1.5m high brick wall and railings is proposed along the front boundary.</p> <p>The scheme was amended over the course of the application to include the following main changes;</p> <ul style="list-style-type: none"> • Reduction in height, width and depth of the proposed dwellings; • Revised design of elevations; • Movement back of building line to match existing dwelling.
2.0	<p>Description of Site and Area</p> <p>The site comprises of a two storey detached dwelling finished in render. To the front of the site there is driveway and garden enclosed by a boundary wall / timber fencing and railings. There is a large rear garden bounded by timber fencing. The surrounding area comprises of a mix of residential, community, commercial and educational uses.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>LA04/2017/0618/F - Demolition of existing garage/utility area and roof. Erection of new 2 storey extension (front) and erection of new 2 storey extension (rear) – Granted 23.06.2017</p> <p>LA04/2017/0626/DCA - Demolition of garage/utility area and roof – Granted 23.06.2017</p> <p>LA04/2019/0111/DCA - Demolition of existing 1970s house – Pending</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	<p>(Draft) Belfast Metropolitan Area Plan (BMAP) 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p> <p>Draft BMAP 2004</p>
	<p>4.2.1 Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits</p> <p>Draft BMAP 2015 (purported to be adopted)</p>
	<p>4.2.2 Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.</p>
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	<p>Planning Policy Statement 3: Access, Movement and Parking</p> <p>Planning Policy Statement 6: Planning, Archaeology and The Built Environment</p> <p>Planning Policy Statement 7: Quality Residential Environments</p> <p>Planning Policy Statement 7 (Addendum): Safeguarding the Character of Established Residential Areas</p> <p>Planning Policy Statement 12: Housing in Settlements</p> <p>Planning Policy Statement 15: (Revised) Planning and Flood Risk</p>

5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection subject to conditions
5.2	Historic Environment Division (HED) – No objection subject to conditions
5.3	NI Water – Advice
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection
6.2	BCC Tree Officer – No objection subject to conditions
6.3	BCC Conservation Officer - No objection to the loss of the building, however the replacement scheme would have a detrimental impact on the character of the conservation area through subdivision and overdevelopment of the plot given its oversized footprint. Subsequently proposal would fail policies BH12 and BH14 as a suitable replacement scheme cannot be secured.
7.0	Representations
7.1	The amended plans and additional information was neighbour notified on the 28th January 2020 which expired on the 11 th February 2020. It was advertised in the local press on the 31 st May 2019. No representations received.
8.0	Other Material Considerations
8.1	Malone Conservation Area Design Guide Living Spaces: An Urban Stewardship and Design Guide or Northern Ireland Creating Places The Belfast Agenda DCAN 15 Parking Standards
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - Principle of development - Demolition, Design, Impact on character and appearance of Malone Conservation Area - Impact on setting of listed building - Impact on amenity - Access, Movement and Parking
9.3	<u>Principle of development</u> The site is unzoned land within the development limits as designated in Draft BMAP and the BUAP. The proposal is replacing existing housing, therefore the principle of development is considered acceptable subject to the material considerations set out below.
9.4	<u>Demolition, Design and Impact on the character and appearance of Malone Conservation Area</u> The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. It is a 1970s dwelling which is not in keeping with the character of buildings upon which the Conservation Area is based. It currently detracts from the character and legibility of the area as an enclave of Victorian / Edwardian domestic architecture. In addition, demolition of the majority of the building has already been granted under reference LA04/2017/0626/DCA which remains extant. The Council's Conservation

	Officer has no objection to its loss. Therefore, the proposed demolition works are considered acceptable subject to an adequate replacement scheme.
9.5	In light of the above, an opportunity to enhance the character and appearance of Malone Conservation Area exists in accordance with Section 104 of the Planning Act 2011.
9.6	The site falls within Sub Area C Derryvolgie / Windsor of the Malone Conservation Area. It is described primarily as a Victorian suburb with large Italianate/ Classical villas on comfortable landscaped plots addressing straight thoroughfares. Whilst the predominant use is residential, a number of properties now accommodate other activities e.g. offices, nursing homes, school. Views into the subarea from the Lisburn Road show heavily landscaped grounds upon a rising terrain with glimpses of the front and gables of some of the Victorian villas. Modern developments intersperse the street, and there is clear distinction in the architectural and historic interest of the two periods, which highlights the quality and heritage value of the original Victorian built environment.
9.7	The proposed density of development would be in keeping with the surrounding area. The building line would match the existing dwelling. The proposed dwellings would represent a strong contextual form that responds to the character and appearance of the surrounding built form including its Victorian era. The design and detailing has incorporated traditional features and high quality materials are proposed including red brick, slate, hardwood window and doors. Sympathetic boundary treatments are proposed consisting of a brick wall with railing and hedging and additional tree planting.
9.8	The BCC Conservation Officer's only concerns related to the sub division of the plot, footprint and gable to boundary distances. However, the proposed relationships are similar to that already found within Derryvolgie Avenue e.g. No 24 and No 26 which form part of the historic built form that contributes to Malone Conservation Area. Furthermore when taken as a whole the proposed replacement offers a more contextually appropriate development that would enhance the character and appearance of Malone Conservation Area.
9.9	Overall, the proposal is considered to offer an enhancement to the character and appearance of Malone Conservation Area. On this basis, the proposed demolition is acceptable and a suitable replacement scheme can be secured in accordance with Policies QD1 of PPS7, BH12 and BH14 of PPS6, the SPPS and Section 104 of the Planning Act (Northern Ireland) 2011.
	<u>Impact on setting of listed building</u>
9.10	The site adjoins the Grade B2 listed No 47 Derryvolgie Avenue. HED Historic Buildings were consulted and are content with the amended proposal. It is therefore considered that the proposal would not adversely impact the setting of this listed building in accordance with Policy BH11 of PPS6 and paragraph 6.12 of the SPPS.
	<u>Impact on Amenity</u>
9.11	The proposed dwellings would not conflict with the light angles from adjoining properties. Whilst there would be some potential overshadowing to No 47, this would only be for a limited period of time during the evening and given the south facing aspect of the gardens, it would not be to an unacceptably level. Conditions have been recommended to ensure that the proposed first floor and above side facing windows are obscurely glazed and non-opening to a level of 1.7m above finished floor level (FFL) to protect the privacy of adjoining properties.
9.12	The proposed dwellings would meet the space standards as set out in Annex A of PPS7 Addendum. Each dwelling would be provided with a suitable degree of outlook and light for their main habitable rooms. Each property would be provided with their own private garden which would exceed the recommended standard set out in Creating Places

9.13	<p>Having regard to Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, SPPS and Creating Places, the proposal is considered acceptable in respect of amenity for existing and future occupiers.</p> <p><u>Access, Movement and Parking</u></p> <p>The proposal would meet the recommended parking standards and the proposed access arrangements would be in line with DCAN 15. DFI Roads were consulted and have no objection. The proposal is therefore considered acceptable in terms of highway safety, capacity and car parking in accordance with the SPPS, Policies AMP1, AMP2 and AMP7 of PPS3 and Policy QD1 of PPS7.</p>
10.0	<p>Summary of Recommendation:</p> <p>Having regard to the development plan, relevant policy context and other material considerations, the proposal is considered acceptable. It is requested that the Planning Committee delegates authority to the Director of Planning and Building Control to grant conditional planning permission and to finalise the wording of conditions.</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> The development hereby permitted shall be constructed in the following materials: <ul style="list-style-type: none"> <input type="checkbox"/> Roof: Grey Slate Finish <input type="checkbox"/> Walls: Red Clay Facing Brick <input type="checkbox"/> Windows/Doors: Painted hardwood timber. <input type="checkbox"/> Sun Lounge Windows / Doors: Aluminium <input type="checkbox"/> Eaves / Soffit: Painted hardwood timber. <input type="checkbox"/> Rainwater goods: Profiled heavy duty cast aluminium. <p>Reason: To protect the visual amenities of the area and setting of listed building.</p> The development hereby permitted shall not commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority. <p>Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the Malone Conservation Area.</p> <ol style="list-style-type: none"> Tree protection measures shall be carried out in strict accordance with Drawing No 04A and as specified in the British Standard 5837: 2012 (section 6.2) on retained trees. No works shall take place until the tree protective measures have been implemented including all protective barriers (fencing) and ground protection measures. Any deviation from the works prescribed or methods agreed will require prior written approval from the Local Planning Authority.

	<p>Reason: To ensure the protection of and to ensure the continuity of amenity afforded by any existing trees to be retained within the site.</p> <p>5. No trees which are shown as being retained on approved drawing no 04D stamped shall be cut down, uprooted or destroyed nor shall any retained tree be pruned or reduced without the prior written approval of the Local Planning Authority.</p> <p>Reason: To protect the trees to be maintained on the site and safeguard the character and appearance of the surrounding area.</p> <p>6. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No 01B 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.</p> <p>Reason: To ensure adequate provision has been made for parking within the site.</p> <p>7. The vehicular accesses shall be constructed in accordance with Drawing No. 01B.</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>
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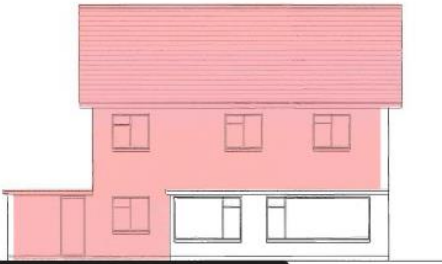
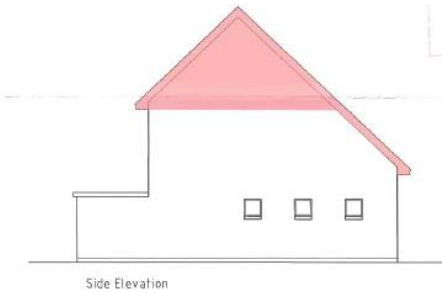
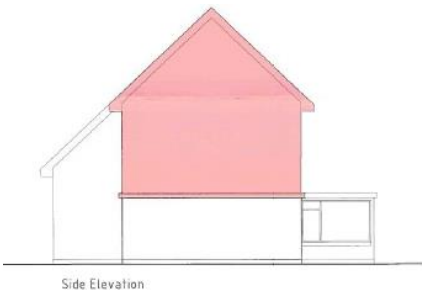
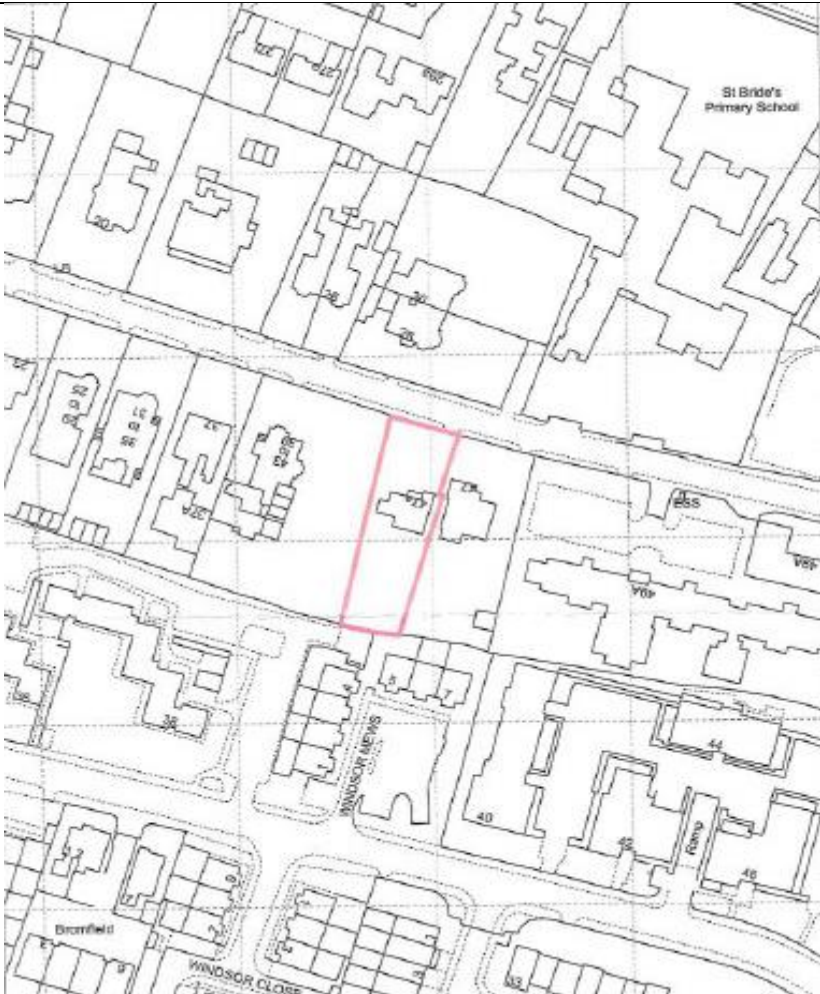
Notification to Department (if relevant): Required.
Representations from Elected members: None
Details of Neighbour Notification (all addresses) 28, 41, 47 Derryvolgie Avenue,Belfast,Antrim,BT9 6FN 4a - 5c, Windsor Mews,Belfast,Antrim,BT9 6FD

Committee Application

Development Management Report	
Application ID: LA04/2019/0111/DCA	Date of Committee: 10 th March 2020
Proposal: Demolition of house	Location: 47a Derryvolgie Avenue Belfast BT9 6FP
Referral Route: Full demolition of main building within the conservation area	
Recommendation:	Approval
Applicant Name and Address: Mr and Mrs Brennan 47a Derryvolgie Avenue Belfast BT9 6FP	Agent Name and Address: Sutherland Architects Ltd 10 Cleaver Park Belfast BT9 5HX
<p>Executive Summary: This application seeks conservation area consent for full demolition of the existing dwelling at 47a Derryvolgie Avenue, Belfast.</p> <p>The main issue to be considered in this case is:</p> <ul style="list-style-type: none"> • The acceptability of demolition in the Conservation Area <p>The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. In addition, demolition of the majority of the building has already been granted under reference LA04/2017/0626/DCA which remains extant. A satisfactory replacement scheme has been proposed under application LA04/2019/0110/F that is considered to enhance the character and appearance of Malone Conservation Area. On this basis, demolition is considered acceptable in accordance with Policy BH14 of PPS6, paragraphs 6.18 - 6.19 of the SPPS, Malone Conservation Area Design Guide and Section 104 (11) of the Planning Act (Northern Ireland) 2011.</p> <p>The BCC Conservation Officer was consulted and has no objection to the loss of the building. However, they consider the replacement scheme would be detrimental to the character of the conservation area. These concerns have been carefully considered by officers; however when taken as a whole the proposed replacement offers a more contextually appropriate development that would enhance the character and appearance of Malone Conservation Area.</p> <p>No representations received.</p> <p>Having regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal is approved.</p> <p>Recommendation – Approved subject to conditions</p> <p>It is requested that the committee delegates authority to the Director of Planning and Building Control to grant conditional conservation area consent and to finalise the final wording of conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>This application seeks conservation area consent for the full demolition of the existing two storey dwelling.</p> <p>There is a corresponding planning application for the replacement scheme under reference LA04/2019/0110/F.</p>
2.0	<p>Description of Site and Area</p> <p>The site comprises of a two storey detached dwelling finished in render. To the front of the site there is driveway and garden enclosed by a boundary wall / timber fencing and railings. There is a large rear garden bounded by timber fencing. The surrounding area comprises of a mix of residential, community, commercial and educational uses.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>LA04/2017/0618/F - Demolition of existing garage/utility area and roof. Erection of new 2 storey extension (front) and erection of new 2 storey extension (rear) – Granted 23.06.2017</p> <p>LA04/2017/0626/DCA - Demolition of garage/utility area and roof – Granted 23.06.2017</p> <p>LA04/2019/0110/F - Demolition of single dwelling and erection of 2no semi-detached dwellings – Pending</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	<p>(Draft) Belfast Metropolitan Area Plan (BMAP) 2015</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p> <p>Draft BMAP 2004</p>
4.2.1	Policy SETT2 Development with the Metropolitan Development Limit and Settlement Development Limits
	Draft BMAP 2015 (purported to be adopted)
4.2.6	Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035
4.4	Strategic Planning Policy Statement 2015
4.5	Planning Policy Statement 6: Planning, Archaeology and the Built Environment
4.6	Section 104 (11) of the Planning Act (Northern Ireland) 2011
5.0	Statutory Consultees Responses
5.1	None
6.0	Non-Statutory Consultees Responses
6.1	<p>BCC Conservation Officer – No objection to the loss of the building, however the replacement scheme would have a detrimental impact on the character of the conservation area through subdivision and overdevelopment of the plot given its oversized footprint. Subsequently proposal would fail policies BH12 and BH14 as a suitable replacement scheme cannot be secured.</p>

7.0	Representations
7.1	The application was advertised in the local press on the 31 st May 2019. No representations received.
8.0	Other Material Considerations
8.1	Malone Conservation Area Design Guide
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	The key issues in the assessment of the proposed development include: - The acceptability of demolition in the Conservation Area
9.3	<u>The acceptability of demolition in the Conservation Area</u> The existing building does not make a material contribution to the character and appearance of Malone Conservation Area. It is a 1970s dwelling which is not in keeping with the character of buildings upon which the Conservation Area is based. It currently detracts from the character and legibility of the area as an enclave of Victorian / Edwardian domestic architecture. In addition, demolition of the majority of the building has already been granted under reference LA04/2017/0626/DCA which remains extant. The Council's Conservation Officer has no objection to its loss. Therefore, the proposed demolition works are considered acceptable subject to an adequate replacement scheme.
9.4	A satisfactory replacement scheme has been proposed under application LA04/2019/0110/F which is considered to enhance the character and appearance of Malone Conservation Area, the assessment of which is addressed in detail in the development management officer report for that application.
9.5	To conclude, it is considered that demolition is justified in accordance with Policy BH14 of PPS6, paragraphs 6.18 - 6.19 of the SPPS, Malone Conservation Area Design Guide and Section 104 (11) of the Planning Act (Northern Ireland) 2011.
10.0	Summary of Recommendation: Having regard to the development plan, relevant policy context and other material considerations, the proposal is considered acceptable. It is requested that the Planning Committee delegates authority to the Director of Planning and Building Control to grant conditional conservation area consent and to finalise the wording of conditions.
11.0	Conditions 1. This consent is granted subject to the implementation of the satisfactory replacement scheme as approved under planning application ref. LA04/2019/0110/F. Reason: To ensure the implementation of a satisfactory replacement scheme in the interests of Malone Conservation Area.

Notification to Department (if relevant): N/A

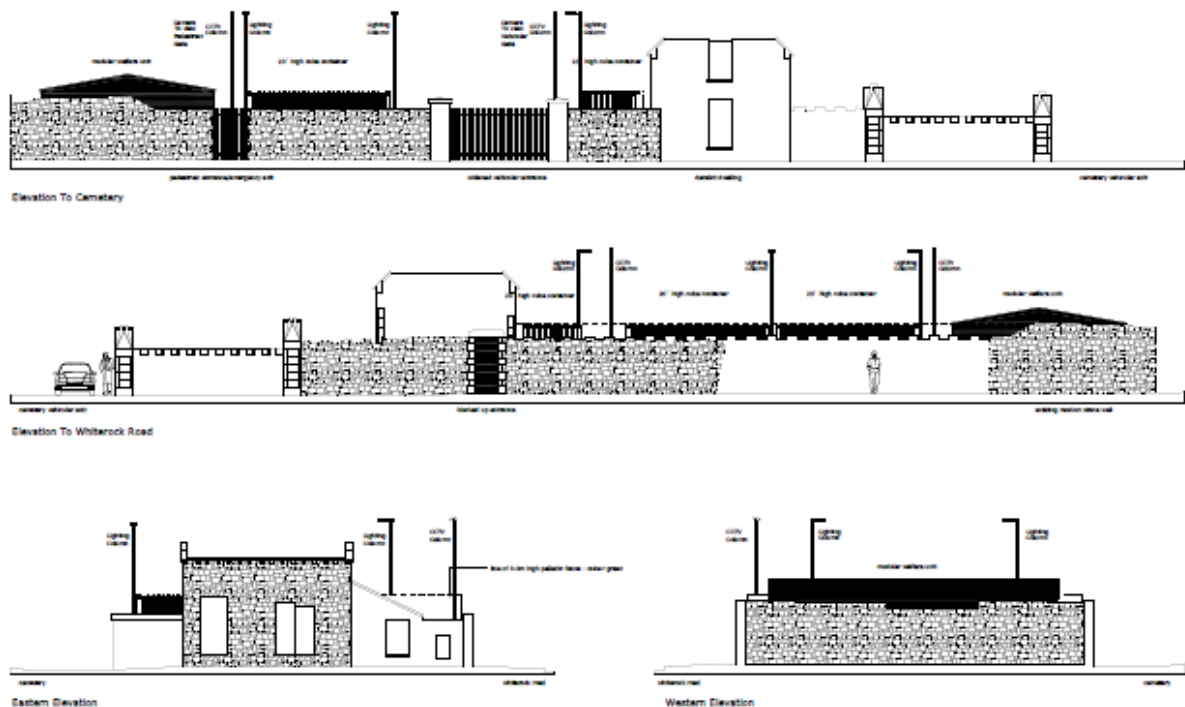
Representations from Elected members: N/A

Details of Neighbour Notification (all addresses): N/A

Committee Report

Development Management Report	
Application ID: LA04/2019/1929/F	Date of Committee: Tuesday 10 th March 2020
Proposal: Temporary re-location of Belfast City Council's City Cemetery Service Yard consisting of a new reinforced concrete slab, 5 new steel storage containers, modular welfare facility, 3m perimeter fence and lighting, CCTV columns gates to vehicular and pedestrian access points.	Location: Lands adjacent to the Whiterock Road and located at the City Cemetery exit point, site boundary adjacent to an existing derelict stone building.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (c) of the Scheme of Delegation (BCC Own Application)	
Recommendation: Approval	
Applicant Name and Address: Belfast City Council	Agent Name and Address: McAdam Design Castlereagh Business Park 478 Castlereagh Road
Executive Summary: Temporary re-location of existing Belfast City Council's City Cemetery Service Yard consisting of a new reinforced concrete slab, 5 new steel storage containers, modular welfare facility and a 3m perimeter fence.	
Area Plan The proposal is for the re-location of the existing Belfast City Council Cemetery Service Yard. This is required to allow construction of the visitor centre previously approved under the reference LA04/2018/1651/F. The re-location is approximately 300m from the existing site situated within an existing walled compound with access from the cemetery. The proposed site contains a structures and buildings now in a derelict state.	
The key issues to be considered are: <ul style="list-style-type: none"> • Principle of a service yard in this location • Design • Impact on the setting of a listed building 	
The proposal is deemed to comply with the SPPS and PPS 6. The proposed development is considered acceptable with no adverse impacts on the setting of a listed building. HED were consulted and had no objections with conditions.	
The application is brought before committee under section 3.8.5 (c) of the scheme of delegation as the application is made by the Council.	
Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.	
Recommendation The application is recommended for approval.	

Elevations



Characteristics of the Site and Area

1.0 Description of Proposed Development

Temporary re-location of existing Belfast City Council's City Cemetery Service Yard consisting of a new reinforced concrete slab, 5No. new steel storage containers, modular welfare facility, 3m perimeter fence and lighting and CCTV columns. Gates to vehicular and pedestrian access points.

2.0 Description of Site

The site is on the boundary of the city cemetery adjacent to the Whiterock Road. The site is located adjacent to the entrance to the city cemetery from the Whiterock Road opposite the junction to Britton Parade. The proposed site is bounded by a wall and within the confines of the ruins of a building. The proposal re-locates the existing service yard approximately 300m further away from the existing site which is in close proximity to the Falls Road.

The surrounding area is predominately residential with terrace buildings opposite the site as well as a children's play park and a GAA sports ground.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

LA04/2018/1651/F, Belfast City Cemetery, Creation of a new visitor centre for the Belfast City Cemetery, PERMISSION GRANTED, 14.08.2018

4.0 Policy Framework

4.1 Belfast Urban Area Plan

4.2 Draft Belfast Metropolitan Area Plan 2015

	Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
4.4.1	Policy BH 8: Extension or Alteration of a Listed Building
5.0	Statutory Consultees Responses NIEA NI Water HED
6.0	Non-Statutory Consultees Responses Environmental Health
7.0	Representations
	The application has been neighbour notified on the 2 nd September 2019 and advertised in the local press on the 5 th September 2019. No representations have been received.
8.0	Other Material Considerations None
8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of a service yard in this location • Design • Impact on listed building <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> <p>Principle of a service yard within this location</p> <p>The proposal seeks the re-location of an existing service yard on a temporary basis whilst the approved visitor centre under the reference LA04/2018/1651/F is built. With consideration that there is currently a service yard within the site and that the proposed service yard will be temporary, the principle of the service yard is acceptable.</p> <p>Design</p> <p>The design complies with the SPPS. The buildings on site will be of similar appearance to those within the existing yard whilst they will be in place only on a temporary basis. Existing walls of the compound in which the yard is to be situated will aid in screening the proposal.</p>

	<p>Impact on listed building</p> <p>The proposal is located within close proximity to boundary walls, piers, gates and railings at the entrance (Grade B2). HED have been consulted and had no objections. It is deemed the proposal will retain the character of the listed building/wall and complies with policy BH 8 of PPS 6.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The building(s), steel storage containers, perimeter fence and lighting and CCTC columns, hereby permitted shall be removed and the land restored to its former condition before 5 years of date of which this permission is granted. Reason: In the interest of the character and appearance of the surrounding area. 3. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray shall be carried out without prior consent. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to ensure the fabric is protected from damage during the course of works under Section 80 of The Planning Act (NI) 2011 4. Vegetation removal, like for like repairs to pillars, walls and railings shall be carried out by hand or by tools held in the hand other than power-driven tools. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to ensure the fabric is protected from damage during the course of works under Section 80 of The Planning Act (NI) 2011 5. The relocated pier at the vehicular entrance shall be rebuilt in new location with site reclaimed basalt and the existing stone coping reinstalled (Like for like). Corner return stones to be reused to match existing detailing. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to ensure the fabric is protected from damage during the course of works under Section 80 of The Planning Act (NI) 2011 6. The new proposed pedestrian opening reveals shall be detailed with cornered returns and made from site reclaimed basalt stone. Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to ensure the fabric is protected from damage during the course of works under Section 80 of The Planning Act (NI) 2011

	<p>7. New metal work gates shall be hand printed.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to ensure the fabric is protected from damage during the course of works under Section 80 of The Planning Act (NI) 2011</p> <p>8. Lime mortar (with no cement additive) for bedding and pointing shall be used for all repairs and works to existing stone boundary walls.</p> <p>Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building and to ensure the fabric is protected from damage during the course of works under Section 80 of The Planning Act (NI) 2011</p> <p>Informatives</p> <ol style="list-style-type: none"> the applicant must refer and adhere to the precepts contained in DAERA Standing Advice <ul style="list-style-type: none"> Commercial or Industrial Developments Pollution Prevention Guidance Discharges to the Water Environment Vehicle Washing All washing must take place within the designated wash area. The wash area must be constructed of an impermeable material. All wash waters must be contained within the designated wash area before being directed to the Northern Ireland Water foul sewer. There should be secondary containment for chemicals and their storage must take into account any drainage systems or any other potential pathways in order to prevent accidental release or escape of pollutants to the environment. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter. This application is linked to a Listed Building Consent under the reference LA04/2019/2333/LBC
Notification to Department (if relevant) N/A	
Representations from Elected members: None	